



Ministry of JUSTICE

National Offender
Management Service

Senior Caseworker: Safer Custody
Casework
Equality, Rights & Decency Group
National Offender Management Service
4.15 Clive House
70 Petty France
London SW1H 9EX

Andrew Harris
Senior Coroner London Inner South

BY EMAIL ONLY

23 February 2016

Dear Mr Harris

Thank you for your regulation 28 report of 29 December 2015 addressed to the Lord Chancellor and Secretary of State for Justice concerning the recent inquest into the death of Imran Douglas on 13 November 2014. Your letter has been passed to the Equality, Rights and Decency Group in NOMS as we have responsibility for policy on suicide prevention and self-harm management and for sharing learning from deaths in custody. I have involved relevant officials across the Ministry of Justice in formulating this response.

You have drawn the attention of the Ministry of Justice to the first three of the matters of concern that you have raised, which relate to the system of placements at transition; interagency working between local authorities and the secure estate; and electronic communications systems between agencies. I will address each of these in turn, but before doing so I should like to point out that I am doing so in the context of the ongoing departmental review of the youth justice system, led by [REDACTED] which began in September 2015. The review is examining evidence on what works to prevent youth crime and rehabilitate young offenders, and how this is applied in practice; how the youth justice system can most effectively interact with wider services for children and young people; and whether the current delivery models and governance arrangements remain fit for purpose and achieve value for money. An interim report was published on 9 February and the final report will be published in July 2016. I will ensure that your concerns are brought to the attention of the review.

In the meantime, you will be aware that with regard to the system of placements at transition, the NOMS' Transitions Protocol, published in September 2012, sets out the process for transitioning young people from youth to adult custodial services. The protocol covers issues such as planning, information sharing and appropriate timescales, and describes how the involvement of the young person, their family and professionals from both youth and adult services must form a key part of the decision making process. The implementation of the protocol was supported through operational support visits to all under 18 establishments by NOMS young people's group and in 2014 a Transitions service assurance module was completed jointly by the Youth Justice Board (YJB) and NOMS young people's group to provide a formal assessment of delivery against the requirements.

Additionally NOMS young people's group has been reviewing areas of the transitions process that have proved problematic in the past, and has worked with the YJB, the Prison Escort Custody Service and escort providers to agree protocols to follow when

transitioning unconvicted and unsentenced young people. Historically, young people on remand or progressing through a trial could transition between youth and adult custodial services following an appearance at court - they would go to the court from a youth establishment and moved to an adult establishment after their hearing. It was always the intention that transition facilitated in this way would be to a pre-determined establishment, but in reality this did not always happen, and where the plan was disrupted, for instance by redirection to an alternative adult establishment, the transition plan was undermined and it was more difficult to ensure that the appropriate safeguards were in place. We have consequently reviewed this process and are now in the final stages of putting an agreement in place with the YJB to ensure that where there is no transition plan, the young person will return from court to the under 18 establishment, and subsequently move from there to the identified adult establishment. It should be noted that this transition plan will, as now, be agreed between the two establishments and that NOMS Population Management Unit does not play the role in decisions over the placement of individuals that you suggest in your report. As a result of this work Governors of under 18 establishments will shortly be issued with instructions to cease all transition to the young adult estate via courts, in order to allow for effective transition planning for this cohort.

Additionally, the YJB has developed a National Protocol for Transitions between Youth Offending Teams and Probation Services (this includes supervision for those in custody), to take account of the recent changes to probation services and the creation of Community Rehabilitation Companies. This document was published in November 2015 and is supported by a process map that outlines actions required and where responsibility for those falls. They have also updated the case management guidance for youth justice practitioners working with young people transitioning to adult justice services to reinforce it as business as usual for practitioners and managers.

Turning to inter-agency working, there is an agreed casework model through which each under 18 establishment deliver a young person's sentence plans. This model is underpinned by multidisciplinary integration and effective communications to meet the needs of each young person in custody. The casework teams act as the medium for co-ordinating the various specialist departments involved in the young person's care within the establishment and the wide range of external stakeholders, including the local authority with responsibility for the individual's care. This provides a single, cohesive approach for managing the young person throughout the period in custody and effectively preparing them for transition to ensure that the process runs smoothly and is as positive as it can be.

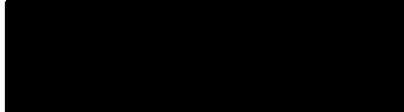
Finally, it is accepted that a universal system of records conveyed by electronic communication between agencies would be desirable. However, there are practical and resource constraints that mean that it is not possible to implement such a system, and this is not the only way to make the improvements to information sharing that are necessary to mitigate risk and address your concern. As you will be aware from the inquest, the YJB has worked with NOMS to develop the 'Y2A Portal', which is a web-based system which aims to improve information sharing between Youth Offending Teams YOTs to probation services and adult YOIs. The Y2A portal has been successfully piloted with community services and is now being rolled-out across England and Wales.

NOMS is currently reviewing the transitions protocol with a view to developing it into a Prison Service Instruction (PSI) which will define the national and local procedures which governors must implement to meet the specific needs of young people who will transition to adult custody, with a particular focus on supporting effective assessments and information sharing as well as promoting collaborative working between the

estates. The PSI will set out mandatory requirements for staff and in particular focus on safeguarding and safer custody procedures, highlighting the factors that affect young people during the transitions period. It will aim to provide clear guidance to all staff with specific responsibilities in these regards and build on the current approach to provide improved support for young people who transition from youth to adult custodial services.

I trust that this provides reassurance that the matters of concern that you have brought to the attention of the Ministry of Justice are being appropriately addressed.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Amy Harbin