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Consultation Unit  
Department for Education and Skills  
Floor 1A, Castle View House  
Runcorn, WA7 2GJ

4 July 2007

Dear Ms Carr,

### **Education and Training for Young People in the Youth Justice System**

The NSPCC welcomes the opportunity to contribute to the Department for Education and Skills consultation on Education and Training for Young People in the Youth Justice System. The aim of our FULLSTOP Campaign is to end cruelty to children. We believe that, given the will, all abuse can be prevented. To help achieve this, it is vital that all children, whatever their needs, have a range of education to equip them with the skills to live a safe and healthy life, and that those who have safeguarding needs have access to the relevant services.

The NSPCC welcomes the acknowledgement that teaching staff require specialist training and that current Personal, Social, Health and Economic Education (PSHEE) programmes are not sufficient to meet the needs of children. Our comments specifically focus on:

- Issue paper 2, Question 2;
- Issue paper 3, Question 4; and
- Other issues.

#### **Issue paper 2, Question 2: Curriculum in custody**

The NSPCC strongly supports the statement contained in the consultation document that young people in custody do not receive sufficient programmes relating to personal, social and health or sex and relationships education. We consider that PSHEE should be a statutory requirement in the national curriculum for all key stages, to ensure that children learn about appropriate behaviour and how to stay safe in relationships from an early age.

This must include young people in the youth justice system (YJS), some of whom are the most disadvantaged in society, with complex needs, including mental health problems, and often a history of abuse and maltreatment and disrupted family backgrounds. For example, 88 per cent of sentenced male young offenders have a personality disorder.<sup>1</sup> Clearly, many young people in the youth justice system are therefore likely to require specialist therapeutic support to help them overcome the impact of their experiences. In addition, the education they receive must include PSHEE, which we consider is a crucial element in safeguarding children and achieving the five outcomes of the Every Child Matters framework to help all children and young people reach their potential. It helps them to learn about personal safety and improves their understanding of pro-social and

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<sup>1</sup> Lader, D., Singleton, N., Meltzer, H., 2000. *Psychiatric Morbidity among Young Offenders in England and Wales*. London: Office for National Statistics. P. 21.

respectful relationships, including parenting and family relationships, as well as abusive behaviours. It also helps them develop the skills to ask for help which can contribute to a reduction in childhood abuse and neglect. This is something the Children's Commissioner for Wales recognised through the Clywch inquiry; it became evident that children often correctly suspected that they were being abused but were unsure due to a lack of knowledge of what is, and is not, appropriate behaviour.<sup>2</sup> For young offenders who have experienced abuse, it may help them to begin to alter maladaptive relationship patterns that have developed through their childhood, although therapeutic support will also be needed to achieve this, as well as specialist training for teachers of PSHEE so that they can respond to the needs of this group effectively (see below). Teachers must also have knowledge of how their work fits into the broader multi-agency system for the support of children in the YJS.

It is essential that PSHEE receives a significant amount of teaching time to enable teachers to use different strategies to help children and young people develop necessary skills and understanding. PSHEE helps them to resolve conflict without resorting to violence and to be able to build their self esteem and make informed choices in later life.

PSHEE is especially important in the YJS. Seventy-two per cent of children in Secure Training Centres in September 2005 were assessed as vulnerable, with 41 per cent of children of all ages in custody classed as vulnerable.<sup>3</sup> These statistics do not include all children in the youth justice system, who have an *Asset* assessment upon entry to the YJS.

PSHEE should also include a focus on children's rights as set out in the UN Convention on the Rights of the Child. Without a proper understanding of what their rights should be, it is difficult for children and young people to know when those rights are being infringed. Receiving this education is essential, and a requirement of Article 42 of the UNCRC. Children may be vulnerable in terms of physical strength, knowledge and understanding and are therefore more dependant on adults for protection, well-being and development. They need to understand that they may be vulnerable to manipulation, exploitation or abuse because of their age or developmental stage and need the skills to know what to do if their rights are being breached. It is important that young people should also consider the rights of their peers, in particular those who may be considered in a minority or 'different' in some way and to develop respect, empathy and the skills of assertiveness, both for themselves and on behalf of others.

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<sup>2</sup> Harries, J., 2006. *Promoting Personal Safety in PSHE*. London: NSPCC & Paul Chapman Publishing

<sup>3</sup> Lord Carlile of Berriew QC, 2006. *An independent inquiry into the use of physical restraint, solitary confinement and forcible strip searching of children in prisons, secure training centres and local authority secure children's homes*. London: The Howard League for Penal Reform.

### Issue paper 3, Question 4: Specialist education roles

*Teachers must be able to act upon signs of abuse or disclosures of abuse*

Based on a survey, in 2000 the NSPCC published *Child Protection and Education*<sup>4</sup>, which is the most recent research into the amount of child protection input on higher education courses. It found that most initial teacher training courses offered child protection training for between one and three hours in one year for postgraduate (PGCE) courses, and over four years for Bachelor of Education courses. All teacher training courses must invest greater time and resources in educating teachers in safeguarding skills, including how to act upon signs of abuse.

A recent report showed that less than one fifth of head teachers, governors and council employees eligible to take up key child protection training recommended by the Bichard inquiry have completed the programme.<sup>5</sup> That slow take up is worrying and does not bode well for the take up of future follow up training. The government should now identify the reasons for the low take up.

New guidance from the DfES<sup>6</sup> also attempts to rectify the problem of training by directing all school staff in contact with children to undertake refresher safeguarding training every three years. The NSPCC recommends that the guidance be extended to education staff in the YJS, as well as those in schools and FE Colleges, in line with the 2002 concluding observations of the UN into the UK's implementation of the UNCRC.<sup>7</sup> Newly qualified teachers need additional support and training in this area, as do those in areas where there is a high turnover of staff. This is particularly relevant for the YJS where only three Young Offenders Institutions (YOIs) could confirm that 80 per cent or more of their teaching staff were full-time.<sup>8</sup> We recommend that teachers entering the YJS are given specialist refresher training.

*Effective delivery of PSHEE*

As well as being able to act upon signs of abuse, staff in the education service also need the skills and resources to teach PSHEE in the YJS. The NSPCC has co-produced a teaching aid called *Promoting Personal Safety in PSHE*<sup>9</sup> for students

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<sup>4</sup> Baginsky, M, 2000. *Child Protection and Education*. London: NSPCC.

<sup>5</sup> Community Care, 26 May 2007. Low completion rate of child protection training recommended by Bichard [online]. Available from: <http://www.communitycare.co.uk/Articles/2007/05/26/104613/low-completion-rate-of-child-protection-training-recommended-by-bichard.html?key=BICHARD> [Accessed 28 Jun 2007].

<sup>6</sup> DfES, 2006. *Safeguarding Children and Safer Recruitment in Education*. Nottingham: DfES.

<sup>7</sup> Convention on the Rights of the Child, 2002. *Committee on the Rights of the Child, Thirty-first session, Consideration of reports submitted by States Parties under Article 44 of the Convention, Concluding observations: United Kingdom of Great Britain and Northern Ireland*. CRC/C/15/Add.188. OHCHR: Geneva.

<sup>8</sup> DfES, 2007. *Education and Training for Young People in the Youth Justice System – A Consultation; Issue Paper 3 – Workforce Development*. London: DfES. Available from: <http://www.dfes.gov.uk/consultations/conDetails.cfm?consultationId=1459> [Accessed 19 June 2007].

<sup>9</sup> Harries, J., 2006. *Promoting Personal Safety in PSHE*. London: NSPCC & Paul Chapman Publishing.

aged 11 to 16, though resources tailored to the more specific needs of children aged 10 to sixteen in the youth justice system is likely to be required, and a specialist teaching resource developed, together with specialist training courses for teachers who teach in these settings. PSHEE must also be a core subject of the PGCE and Bachelor of Education courses.

## **Other issues**

### *Safeguarding procedures for staff working in the YJS*

Children and young people in the YJS are often the most vulnerable in society and are more likely to have been maltreated than the general population of children.<sup>10</sup> It is therefore as important to ensure that, as with any other person who works with children and young people, that those with working with young offenders have had proper checks made to ensure that they are appropriate to work with vulnerable children.

Vetting individuals working in the education system and barring those who are unsuitable to do so plays a critical part in safeguarding children, but it is only one element of a much wider picture. Safeguarding children requires broader action. Alongside CRB checks, education settings must maintain a culture of vigilance about risks to children and clear understanding about appropriate interaction with children, challenging unacceptable behaviour, providing examples of good conduct and ensuring children and young people know where to turn to if they have problems or are being abused.

### *Access to counselling services*

Very high proportions of young people who go through the youth justice system have been maltreated or have suffered very traumatic life experiences. As stated above, 41 per cent of children in custody have been assessed as vulnerable and therefore require additional services. Research shows that offending and anti-social behaviour are common consequences of early maltreatment.<sup>11</sup> Such children require access to counselling services, to help them through their experiences and to give them the skills to live a safe and healthy life upon release from the YJS.

The NSPCC has experience in this area, through the provision of services at the Thorn Cross Young Offenders Institution, in a North Yorkshire Youth Offending

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<sup>10</sup> Boswell, G., 1996. *The prevalence of abuse and loss in the lives of Section 53 offenders*. Young and Dangerous – the background and careers of Section 53 Offenders. Avebury; Weeks, R & Widom, C.S., 1998. *Self-reports of early childhood victimization among incarcerated male felons*, Journal of Interpersonal Violence, Vol 13. No. 3, pp346-61; Hamilton, C. E. Falshaw, L. & Browne, K. D., 2002. *The Link between recurrent maltreatment and offending behaviour*. International Journal of Offender Therapy and Comparative Criminology. 46(1) pg75-94; Lader, D., Singleton, N. & Meltzer, H., 2000. *Psychiatric morbidity among young offenders in England and Wales*. London Office for National Statistics, London. Available to download at: [http://www.statistics.gov.uk/downloads/theme\\_health/PyscMorbYoungOffenders97.pdf](http://www.statistics.gov.uk/downloads/theme_health/PyscMorbYoungOffenders97.pdf); Hawkes, C. Jenkins, J. A. & Vizard, E. (1997). *Roots of Sexual Violence in Children and Adolescents* in Varma, V (Ed), 1997. *Violence in Children and Adolescents*. Jessica Kingsley Publishers. London; Varma, V., 1997 *Violence in Children and Adolescents*. Jessica Kingsley Publishers. London.

<sup>11</sup> Bunn, A., 2006. *A literature review of effective therapeutic interventions for abused and neglected children* (draft). UK: NSPCC

Team, with a children's advocacy and rights service in Staffordshire and an advocacy and therapeutic service in Hillside Local Authority Secure Unit in Wales. We provide counselling, peer-mentoring, advocacy and psychotherapy, among other services.

The NSPCC considers that counselling services must be available for all children who require them and that this is the best way of ensuring that children are safeguarded and their welfare promoted. Counselling services in the YJS seek to address children and young people's needs by giving them access to an adult who can help them deal with their problems and give them the tools to rebuild their lives, through helping them recover from abuse and build their resilience and self-esteem.

Although physically located in YJS facilities and schools, such counselling services should be independently run, thus ensuring that the child's emotional and psychological problems and difficulties are responded to separately from the judicial process. This service should be provided by the Child and Adolescent Mental Health Service (CAMHS) from the Primary Care Trust.

Counselling services must work within a multi-agency framework. They should operate alongside other health services and the statutory and voluntary services that offer treatment and intervention, such as the child protection service, child and adolescent mental health services, sexual health clinics and family support services.

ChildLine is a service provided by the NSPCC and offers children and young people a free, confidential, 24-hour phone counselling service. Children in the YJS, whether in schools, custody or other settings, are usually isolated from people they can talk to or confide in and ChildLine is a way for them to access the help they need. We recommend that all children placed in Secure Training Centres (STC), YOIs or Local Authority Secure Children's Homes (LASCH) in the YJS should have private access to a telephone that has a dedicated connection to the Freephone ChildLine number: 0800 1111. Posters and other information should clearly signpost their access to this phonenumber, and it should also be discussed as part of their PSHEE lessons.

If you require any further information or would like to find out more about our practice experience, please contact Emily Arkell, Policy Adviser for Safeguarding, on 020 7825 1352 or [earkell@nspcc.org.uk](mailto:earkell@nspcc.org.uk) or David Coulter, Policy Adviser for Youth Justice on 020 7825 2742 or [dcoulter@nspc.org.uk](mailto:dcoulter@nspc.org.uk).

Yours sincerely

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