

In Care, Out of Trouble

How the life chances of children in care can be transformed by protecting them from unnecessary involvement in the criminal justice system

An independent review chaired by Lord Laming

Progress update - May 2017

This document provides an update on progress since December 2016 towards implementing the recommendations of Lord Laming's review. It follows the impact report published in January 2017.

Concordat to reduce the criminalisation of looked after children and amendments to statutory guidance

The Department for Education made a public commitment in late December 2016 to produce a concordat this year aimed at reducing the criminalisation of looked after children in England, which was one of the review's main recommendations. To this end officials have set up a stakeholder group to help develop a first draft, and John Drew (secretary to the review) represents the care review on this group.

Lord Laming and John Drew met the Secretary of State for Education, the Rt Hon Justice Greening, in April 2017. She welcomed the review findings and made clear her commitment to seeing through the development of the concordat, subject to any events beyond her control that might arise due to the general election in June. She explained that she intends to hold a review of the statutory guidance on corporate parenting after the concordat has been finalised.

Lord Laming and John Drew met the Secretary of State for Justice and Lord Chancellor, the Rt Hon Liz Truss, in March 2017. She welcomed the review findings.

John Drew has continued discussions with officials in Cardiff following the meeting he and Lord Laming held in December 2016 with the Welsh government advisory group on improving outcomes for looked after children. In March 2017 John Drew spoke about the review findings at a national Welsh conference organised by the Association for Fostering and Adoption Cymru.

Work with other national bodies

John Drew continues to work closely with the National Police Chiefs' Council (NPCC) to progress implementation of the review recommendations. Both he and Lord Laming spoke at the NPCC's annual Children and Policing conference in January 2017, alongside a young review panel member.

Pursuant to discussions between the care review team and the Youth Justice Board for England and Wales (YJB), the YJB has established 'looked after children' as one

of its three national cross cutting priorities in the coming year and has convened a Looked After Children forum of relevant agencies and experts to pursue reforms in this area. The forum is chaired by YJB board member Dr. Carol Homden, who is the Chief Executive Officer of Coram, and John Drew represents the review on the forum.

Officials in the YJB and Department for Education have met in order to identify how the data about the numbers of looked after children in custody may be improved.

Lord Laming's review identified that looked after children from minority ethnic backgrounds are over represented in custody, that some of them perceive racial bias against them from criminal justice agencies, and that not enough is known about their experiences in the criminal justice system and in care. The review recommended that these matters should be specifically considered by David Lammy MP as part of his review of possible racial bias in the criminal justice system. In his interim report in late 2016 David Lammy MP confirmed he would be considering looked after children specifically. His report is now due to be published in autumn 2017.

Work with local authorities

When the review report was published, we wrote to all local authority Chief Executives in England and Wales offering short pro bono consultancies to any authority that sought help to review their own local performance and produce local improvement plans. This work is, of necessity, carried out under the cloak of confidentiality but more than a dozen local councils or partnerships responded positively to our offer and John Drew is now conducting the first phase of consultancies.

Speaking engagements and articles

Lord Laming spoke about the review findings at a regional conference for social work practitioners in March 2017, hosted by the University of Suffolk. He is due to speak about the review at a conference in Birmingham in July for the CoramBAAF Health Group.

Katy Swaine Williams has had an article about the review accepted for a special edition of the Safer Communities Journal, Manchester Metropolitan University, guest edited by Anne-Marie Day of Salford University and focusing on looked after children and criminalisation, which is due to be published in July 2017. Articles are also being contributed by Dr Claire Fitzgerald, Dr Julie Shaw and Dr Jo Staines.

Work with the Howard League for Penal Reform

The Howard League began a two-year programme of work in October 2016 to end the criminalisation of children living in residential care, supported by an advisory board chaired by the Rt Hon Michael Gove MP. John Drew is a member of this board, along with three members of Lord Laming's review panel, ensuring continuity between Lord Laming's review and this fresh initiative.

Prison Reform Trust May 2017