



**Policy name: Probation Service Management of Young Adults**

**Reference:** N/A

**Issue Date:** 7<sup>th</sup> February 2022

**Implementation Date:** 7<sup>th</sup> March 2022

**Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled:** None

**Introduces amendments to the following documents:**

None

**Action required by:**

<input checked="" type="checkbox"/>	HMPPS HQ	<input type="checkbox"/>	Governors
<input type="checkbox"/>	Public Sector Prisons	<input type="checkbox"/>	Heads of Group
<input type="checkbox"/>	Contracted Prisons	<input type="checkbox"/>	HMPPS-run Immigration Removal Centres (IRCs)
<input checked="" type="checkbox"/>	Probation Service	<input type="checkbox"/>	Under 18 Young Offender Institutions
<input type="checkbox"/>	HMPPS Rehabilitation Contract Services Team		
<input type="checkbox"/>	Other providers of Probation and Community Services		

**Mandatory Actions:** All groups referenced above must adhere to the mandatory requirements, which are set out in section 4 of this Policy Framework.

**For Information:**

Regional Probation Directors must ensure that any new local policies developed because of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

Section 6 of this document contains guidance to support the implementation of these.

Outside of section 4's mandated requirements, other guidance is discretionary with the caveated expectation that clear reasons to depart from the guidance will be documented locally. Any questions concerning departure from the guidance can be sent to the contact details below.

**How will this Policy Framework be audited or monitored:** Mandatory elements of instructions must be subject to management checks and may be subject to self or peer audit by operational line management or HQ managers, as judged to be appropriate by the managers with responsibility for delivery. In addition, HMPPS will have a corporate audit programme that will audit against mandatory requirements to an extent and frequency determined through the appropriate governance.

**Associated documents:**

- PI 04/2016 Determining Pre-Sentence Reports

**Resource Impact:** This Policy Framework does not replace or supersede existing mandatory actions which apply to the management of all people in our care but instead, is intended to bring together relevant requirements and guidance to enhance the management of Young Adults to meet the particular needs of this cohort. As such, no additional resource demand will be made by this Policy Framework.

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**Deputy/Group Director sign-off:** Nick Poyntz

**Approved by OPS for publication:** Sarah Coccia and Ian Barrow, Joint Chair, Operational Policy Sub-Board, November 2021.

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## **1. Purpose**

- 1.1 The judiciary and public must be confident that the Probation Service manages the sentence of the court in the most effective way, to support the individuals it supervises to lead positive, law-abiding lives, which in turn reduces re-offending, protects the public and prevents further victims. To achieve this, it is sometimes necessary to adjust the approach to working with a specific cohort, such as Young Adults, defined as people between the ages of 18-25 supervised by probation.
- 1.2 This Policy Framework sets out the mandatory actions and guidance for staff to support working with those aged 18-25. It does not replace or supersede existing mandatory actions which apply to the management of all people in our care but instead, is intended to bring together relevant requirements and guidance to enhance the management of Young Adults to meet the particular needs of this cohort.
- 1.3 This Policy Framework supports the implementation of the Unified Model and the commitment made in the Probation Service Target Operating Model to improve the way the Probation Service works with Young Adults.

## **2. Evidence**

- 2.1 Young Adults are much more likely to re-offend, be recalled or breach community orders than their older counterparts.<sup>1</sup> It is now widely understood that a child's entry into adulthood is not a singular event at the age of eighteen but rather is a slow process of maturation lasting until the mid-twenties, and in some cases longer. Low psycho-social maturity affects cognitive skills and can lead to poor impulse control, challenges in evaluating risks and adapting to changed circumstances. These factors contribute to poor problem-solving and decision-making skills, and risk-taking behaviour. Maturation may also be hindered or compromised by traumatic brain injury, substance use, psychiatric and neurodevelopmental disorders and adverse childhood experiences. We now also have a better understanding that young women in the criminal justice system have higher levels of needs and vulnerabilities than young men.<sup>2</sup>
- 2.2 There is a substantial and increasing body of evidence that Probation's approach to working with Young Adults should, where possible, be distinct to reflect the particular needs of this age group in order to secure positive outcomes. This Policy Framework supports this aim and seeks to bring together the mandatory actions that relate to Young Adults and equip staff with focused guidance to work with Young Adults in the most effective way.

## **3. Outcomes**

- 3.1 Implementation of this Policy Framework supports staff in applying good practice principles when working with Young Adults. It ensures that staff:
  - Adhere to the Youth to Adult transition process as detailed on Equip and the Joint National Protocol for Transition (England and Wales).
  - Understand and respond to the particular needs of Young Adults.
  - Assess and respond to maturity levels at critical points of contact.

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<sup>1</sup> Effective Approaches to working with Young Adults T2A Alliance guide for Probation practitioners.

<sup>2</sup> Falling through the gaps, Young Women's Justice Project April 2021.

- Recognise and consider the impact of intersectionality<sup>3</sup> on engagement.

#### **4. Requirements**

- 4.1 Probation Service managers should make sure that staff are aware of this Policy Framework and are familiar with its contents, in particular the mandatory requirements contained within this section.

#### **Transition from Youth to Adult Services**

- 4.2 All Probation staff involved in the transition of individuals between Youth and Adult services must familiarise themselves and follow the [Joint National Protocol for Transitions \(England\)](#) and [Joint National Protocol for Transitions \(Wales\)](#). The protocol sets out the principles of good transition and the role of the Probation Service in managing the transition of individuals both in custody and the community. It establishes the responsibility of Probation Practitioners in the timing, chairing and attending of transition meetings, in addition to the sharing of information and completion of assessments. It also establishes the monitoring and governance arrangements and process for disputes and resolutions.
- 4.3 All Probation staff involved in the transition of individuals between Youth and Adult services must follow the Y2A process in [Equip](#) and recording instructions contained in [CRI025](#). Practitioners must actively consider whether available tools that support transition are appropriate to the specific needs of the Young Adult and use them when suitable to do so.
- 4.4 Local partnership work with local Youth Justice Services should be aligned with the [National Partnership Framework \(YOS\)](#) and secondee agreement.<sup>4</sup>
- 4.5 Probation Practitioners must refer to the [Home Visits Policy Framework](#) and follow the requirements for home visits for individuals who transition from Youth Justice Services.

#### **Court Work**

- 4.6 Pre-sentence reports completed on 18-25-year olds (irrespective of report type) must include consideration of maturity. For Young Adult men the [aide memoire for reports on Young Adults](#) is available to support this consideration. For Young Adult women, report writers should assess their maturity using the available information to inform professional judgement. Where a Young Adult is assessed as having low maturity, this should be clearly referenced within the Pre-Sentence Report and the proposal should state how the sentence will address and manage maturity issues. Where low maturity is not identified as an issue for the Young Adult, this should also be stated within the report, to demonstrate to sentencers that maturity has been assessed and is not deemed relevant. Guidance for report writers is contained in paragraph 6.8.

#### **Sentence Planning, Risk Management and Delivery of the Sentence**

- 4.7 A Young Adult's care leaver status must be recorded on the Diversity and Inclusion Form and in the personal circumstances section of NDelius, in line with the case recording instruction contained in Annex A of [Working with people who have experienced care](#). In Young Adult

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<sup>3</sup> When more than one dimension of a person's identity can create discrimination or privilege.

<sup>4</sup> The Youth Justice Board now refers to 'Youth Justice Services' rather than the statutory definition of youth offending team. This is to acknowledge the evolution of services in all their guises and to move away from the stigmatising language of 'offending'. Please refer to page 15 of the National Partnership Framework for local arrangements.

cases where care leaver status is identified and consent is given, contact must be made with the relevant local authority in order to exchange information and enhance sentence delivery, risk management and to support the local authority objectives.

- 4.8 The maturity of Young Adults must be assessed as part of the sentence planning process. Key questions in Oasys inform a maturity assessment for Young Adult men and should be utilised for this purpose; for women, practitioners must use professional judgement to inform their assessment. When low maturity is identified this must be clearly recorded in OASys. The sentence plan must include activity that will be undertaken with the Young Adult to support development of maturity as part of the delivery of the sentence.
- 4.9 For Young Adults serving custodial sentences, they should be managed in line with Offender Management in Custody (OMiC) arrangements set out in [Equip](#).<sup>5</sup> For those serving 10 months or less from point of sentence, where low maturity is identified as a need area, the Community Offender Manager (COM) must consider tasking the Prison Offender Manager (POM) with activities (such as exercises from [Choices and Changes](#) for Young Adult men) that develop maturity of the Young Adult and prepares for them for release. For those Young Adults serving over ten months in custody from point of sentence, the COM should participate in relevant handover meetings, identifying and including family members (of if a care leaver, the Young Person advisor), key to the Young Adult's resettlement.
- 4.10 For Young Adults sentenced to Unpaid Work where low maturity is identified, an explanation of what actions will be taken by Unpaid Work staff to support engagement and compliance is required within the Unpaid Work assessment.
- 4.11 Probation Practitioners must ask Young Adults from an ethnic minority background about their experience of discrimination as part of the assessment and sentence planning process and record this within the assessment. Guidance on working with Young Adults with an ethnic minority background, including their experience of discrimination, is included in para 6.26.

## 5. **Constraints**

- 5.1 No identified constraints.

## 6. **Guidance**

- 6.1 'Maturation' is the broad term that describes the various developmental processes through which an individual reaches adulthood. It includes the interactions between physical, intellectual, neurological, emotional and social development. Maturity is shaped by personal life experiences, individual characteristics and in some instances, neurodevelopmental disorders. We also know that there are gender differences in the maturation process and how low maturity impacts on behaviour; consequently, the journey each Young Adult may take through this process can vary.
- 6.2 Taking these development processes into account and attending to the Young Adult's risks and needs in an individualised way, is likely to be the most effective approach in engaging the Young Adult in their sentence, delivering change work and reducing their likelihood of re-offending and harm. This guidance supports the requirements set out in Section 4. It provides guidance on how best to work with Young Adults at key service delivery points and for those Young Adults with specific diversity needs.

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<sup>5</sup> Practitioners should be aware of the Women's estate OMiC model, where both key work and case management time will be allocated to women based on their level of need in addition to their risk of harm.

## Transition from Youth to Adult Services

- 6.3 The transition between youth and adult probation services should be managed in a way that safeguards both the Young Adult and their community. Good transition is underpinned by the following principles:
- Individual needs and safeguarding requirements are recognised and addressed.
  - Those who are eligible for transfer will be identified and allocated to an adult Probation Practitioner at the earliest point and relevant information shared before transfer.
  - Every child who could transfer to adult services must have a transition plan that focuses on providing flexible and continuous services tailored to meet individual needs, with both services working together to maintain interventions and progress.
  - Transition planning considers the individual's diversity issues; notably protected characteristics included in the Equality Act 2010.
  - Children and their families or carers will be actively involved in planning for their transition and understand and agree the plans in place.
  - Each transition will be reviewed, and services will seek continuous improvement, facilitating the journey towards a positive future and desistance from offending, building on skills, strengths and interests.
- 6.4 Where the Young Adult has been the subject of child safeguarding arrangements prior to turning 18 years old, Probation should ensure that the individual's vulnerabilities are understood and they are assessed to determine if there are any statutory safeguarding responsibilities pertaining to them as a vulnerable adult.<sup>6</sup> Individuals eligible for transfer between youth and adult services should be identified and allocated to Probation at the earliest point to commence transition in a timely and thoughtful way, in line with the Joint National Protocol and process, as detailed on Equip.
- 6.5 The Young Adult should have a clear understanding of what Probation supervision will entail and the receiving Probation Practitioner should have a good grasp of the risks and needs of the Young Adult, their existing support from family, social connectors and the services already in place.
- 6.6 It is important that the Young Adult's family or significant others are involved in transition planning, to support relationship-building between the Young Adult and the Probation Practitioner and encourage engagement with the sentence plan objectives. Transition planning should be tailored to the individual circumstances of the Young Adult with full consideration of their protected characteristics and diversity needs. Probation Practitioners should be familiar with the [OMiC process](#) in relation to youth to adult transition and the women-specific arrangements for Young Adult women as detailed in [Women's Estate Case Advice and Support Panel \(WECASP\) Policy Framework](#). This will ensure that those Young Adults who transition between services whilst in custody, will experience minimal disruption to their sentence.
- 6.7 Practitioners should assess the suitability of the available approved practitioner toolkits, structured interventions and commissioned rehabilitative services, to support the transition process (be it to gauge maturity, support engagement, build rapport and ultimately manage the

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<sup>6</sup> Adult Safeguarding Equip process and guidance.

sentence) and where appropriate, incorporate them into the sentence plan. Practitioners should also explore whether there are any partners or third sector organisations that could support the move between youth and adult services.

### **Court Work**

- 6.8 The Court process can be an overwhelming and confusing experience for Young Adults.<sup>7</sup> The Pre-sentence report writer should ensure that the Young Adult clearly understands the role of Probation in sentencing and that their voice is heard in the assessment process.
- 6.9 As part of the assessment, report writers should consider:
- The extent to which age or maturity has contributed to the Young Adult's susceptibility to peer influence and impulsivity, particularly in group offending.
  - The vulnerability of the Young Adult and whether there are any adult safeguarding concerns.
  - The Young Adult's pro-social family and social ties.
  - How likely a Young Adult is to respond to specific sentence options.
  - Strengthening the proposal for a specific intervention targeted at developing maturity and supporting engagement.
  - The extent to which a custodial sentence may impact on the development process for that individual.
  - Where maturity is not considered relevant, this be clearly stated within the advice to sentencers to demonstrate that the maturity of the individual has been considered.<sup>8</sup>
- 6.10 Further guidance for PSR writers on maturity is available on Equip, in addition to an [aide memoire for reports on Young Adults](#) that staff should utilise. For reports on young women, this guidance should be considered in conjunction with the [aide memoire for reports on women](#).
- 6.11 Where the Young Adult has previously been known to the local Youth Justice Services, information should be obtained on previous response to supervision and any relevant information which could include details of any previous assessments completed, such as the ASSET.
- 6.12 The gatekeeping of reports is key to quality assuring the advice provided to Court but also a tool for reflection and professional development. When applied to reports on Young Adults, gatekeeping should provide assurance that the requirements contained in this Policy Framework are being adhered to and that the associated guidance informs the interviewing and report-writing process.
- 6.13 In line with available resource, Court Senior Probation Officers should consider how reports on Young Adults could be prioritised for gatekeeping, or particular cohorts of Young Adults, such as women or individuals from an ethnic minority background.

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<sup>7</sup> The voice of Young Adult defendants - Justice Innovation 2019.

<sup>8</sup> Maturity in the Magistrates Court. A report by the Magistrates Association February 2021.



## Sentence Planning, Risk Management and Delivery of the Sentence

- 6.14 Understanding an individual's level of maturity is an important starting point for practitioners in their work with Young Adults. Prompted by key questions in Oasys, practitioners should use their assessment of the individual's maturity to inform risk management and sentence planning.<sup>9</sup> This assessment should also explore the Young Adult's potential vulnerabilities and be used to determine if there are any statutory safeguarding responsibilities pertaining to them as a vulnerable adult. Risk Management and Sentence Plans should address these factors and build on the strengths of the Young Adult. Plans should be achievable and where available, draw on those social and family connectors who provide pro-social, protective relationships for the Young Adult. Practitioners should also recognise and respond to the needs of Young Adults who have limited family support or (as can be the case with Young LGBT+ Adults) have experienced abandonment or rejection.
- 6.15 Practitioners should treat the sentence as a vehicle for developing the Young Adult's maturity. Resources such as [Choices and Changes](#) should be used for this purpose but maturity can also be developed by less formal methods. Practitioners should work with the Young Adult to identify their strengths and their future goals, supporting the Young Adult to increase their skills and confidence in accessing the services required to achieve them. In addition to developing the Young Adult's sense of identity, Practitioners could set small, achievable goals that encourages the Young Adult's autonomy and independence.
- 6.16 Activities that develop the Young Adults maturity should be delivered in conjunction with other offers that focus on the needs associated with specific types of offending, such as sexual or violent offending, knife crime or county lines activity, for example. Probation Practitioners should consider how any cohort-relevant interventions available from the suite of accredited programmes, Commissioned Rehabilitative Services<sup>10</sup>, Structured Interventions, toolkits or services funded through the Regional Outcomes Innovation Fund (ROIF) could be used to target the needs of the Young Adult.
- 6.17 When seeking to build engagement with the Young Adult, practitioners should set and maintain clear and realistic boundaries, adopting an approach that considers individual maturity, mitigating the risk of non-compliance so that change work can be delivered. Practitioners should invest time in developing a rapport with the Young Adult and make use of the POD model to support consistency of contact with the individual.<sup>11</sup>
- 6.18 The mode and frequency of contact should be in line with [National Standards](#) and [Blended Supervision guidance](#). Practitioners should ensure that the balance is struck between engaging the Young Adult in a manner that suits their individual needs and circumstances with that of providing adequate levels of contact to manage the risk of harm and level of assessed need, utilising the modes of supervision that support delivery of the Sentence and Risk Management Plan.

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<sup>9</sup> Taking Account of Maturity - T2A Alliance.

<sup>10</sup> CRS Refer and Monitor.

<sup>11</sup> A pod is a small team of staff who will be familiar to the Young Adult. It may be that one practitioner holds responsibility for the management of the case, whilst another delivers an intervention. It provides consistency in contact and knowledge of the circumstances and needs of the Young Adult.

- 6.19 Young Adults can also be parents, with children and family ties a strong force for desistance. Using the pull of family ties, practitioners can have a 'hook' into offending behaviour work which helps the individual desist from offending but also supports the breaking down of inter-generational offending.<sup>12</sup>
- 6.20 When managing a Young Adult in custody, the same good practice principles apply. Early engagement and relationship building with the Young Adult whilst in custody supports better outcomes upon release. Pre-release, careful thought should be given to the types and numbers of conditions applied to licences to ensure that they are proportionate, appropriate and sequenced optimally to manage risk and reduce re-offending. Care should be taken to explain what licence conditions mean in language that is accessible to the Young Adult and their understanding verified.
- 6.21 A holistic approach with the Young Adult is achieved by working in partnership with other agencies involved in the Young Adult's life. This may be in order to fulfil statutory obligations in relation to safeguarding children or vulnerable adults or with police, prisons or third sector organisations, to manage the risk of harm posed and to progress the sentence plan. Practitioners should recognise and respond to the Young Adult's intersectionality in delivery of the sentence, in order to work with the Young Adult in a holistic, effective manner.

### **Compliance and Enforcement**

- 6.22 Recall and breach rates are typically high in the Young Adult cohort and every effort should be made by practitioners to encourage compliance with the sentence. Every interaction with the Young Adult is a potential 'teachable moment', an opportunity for Practitioners to demonstrate their interest in the Young Adult's compliance and successful completion of their sentence, to support their journey to desistance. Practitioners can support the development of important life skills such as time management and prioritisation, encouraging compliance through text and phone call reminders for appointments.
- 6.23 Where compliance does deteriorate, Practitioners should strive to maintain contact with the Young Adult and encourage ongoing engagement, irrespective of sentence type. Practitioners should not delay the timetable for the breach or recall process as set out in the [Enforcement of Community Orders, Suspended Sentence Orders and Post-Sentence Supervision Policy Framework](#) and [Recall, review and re-release of recalled prisoners Policy Framework](#), guarding against condoning repeated non-compliance and retaining management of risk of serious harm as the priority. However, the Young Adult should be encouraged to submit explanations for non-compliance and as in all cases, practitioners should apply professional judgement to the decision-making process on acceptability.
- 6.24 When a Young Adult is at risk of recall, practitioners should consider the impact of a return to custody on their maturity and explore alternatives to recall, in line with the guidance provided on [Equip](#), ensuring that management of risk of serious harm remains the focus. Practitioners should explore whether (in relevant cases) referrals to Multi-agency Public Protection Arrangements (MAPPA), Multi-agency Assessment Risk Assessment Conference (MARAC) or the Integrated Offender Management (IOM) scheme would add value to the Risk Management Plan.<sup>13</sup> Reviewing the contact arrangements and licence variations could also provide opportunities to both bolster the Risk Management Plan and improve engagement.

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<sup>12</sup> The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime - Lord Farmer 2017.

<sup>13</sup> National IOM Operational Guidance April 2021

6.25 The enforcement process itself can also be used positively by practitioners to help re-engage a Young Adult and improve consequential thinking skills. Adopting Procedural Justice principles in communicating enforcement decisions will support this and provide further opportunity for the Young Adult to articulate what additional support they may require to improve engagement.<sup>14</sup>

### **Race and Ethnicity**

6.26 The Lammy Review (2017) and HMI Probation inspection of Racial Equality in Probation (2021) both detail the extent to which Black, Asian and minority ethnic people on probation experience racism, discrimination and disadvantage in their contact with the criminal justice system. HMPPS have responded with a number of commitments to improve the experience of both staff and people on probation from an ethnic minority background.

6.27 As part of the assessment and planning process, Practitioners need to sensitively explore the experience and understand the impact of discrimination on Young Adults with ethnic minority backgrounds. Practitioners should guard against making assumptions about a Young Adult's experience based on their race or cultural background and respond to them as an individual. Many Young Adults from an ethnic minority background will have experienced multiple disadvantages and encountered discrimination within educational settings, the care system, their community or employment, which the justice system has amplified. Practitioners should take steps to understand this to help identify possible links with their offending behaviour and to foster a positive therapeutic relationship.<sup>15</sup>

6.28 The Young Adult's individual diversity needs should be captured in the relevant sections of the assessment and their experience of discrimination recorded on the case management system. Practitioners should consider how these needs will be worked with to deliver the sentence and better outcomes for the individual.

6.29 Probation Practitioners should work with Young Adults from ethnic minority backgrounds to understand their cultural and family context, both its relationship to their offending behaviour and their journey towards desistance. To support such work, practitioners should link the Young Adult with culturally appropriate services within their local community (which can include faith groups) or through the available range of interventions. Practitioners should be familiar with the [HMPPS Faith Partnership Framework](#) and where faith/belief is identified, they should assess the place of faith/belief in the life of the Young Adult and support this where it has been assessed as a protective factor.

6.30 Practitioners are encouraged to reflect on their practice and take steps to mitigate bias in decision-making. Activities contained within the [Core Quality Management Framework](#), such as the Touch Point Model, Reflective Practice Supervision Standards and Quality Development Tools, support this.

6.31 Poor compliance with sentences is considered a significant issue for Young Adults from ethnic minority backgrounds, with a disproportionate number recalled to custody. In addition to this guidance, the seven-minute briefing on [reducing recall rates for BAME Young Adults](#) sets out

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<sup>14</sup> According to procedural justice theory, if individuals are treated in a procedurally just way, they view those in authority as more legitimate and are more likely to comply with the authority's decisions, even if the outcome is unfavourable or inconvenient.

<sup>15</sup> The report of the commission on Race and Ethnic disparities.

the approaches practitioners and their managers can adopt before approving a recall decision. Applying Procedural Justice principles to interactions with Young Adults helps increase trust and belief in the fairness of enforcement procedures which can lead to better compliance with sentences.<sup>16</sup> This is particularly relevant for Young Adults from ethnic minority backgrounds who may have had negative experiences with authority or the criminal justice system in the past.

### **Young Women**

- 6.32 Women only make up around 15% of the people supervised by probation and there has been limited research specifically examining the experiences of Young Adult women. We know that women are more likely than men to have experienced trauma, and that the trauma they experience is more likely to have been caused by someone close to them. Nearly two thirds of girls and Young Adult women in custody are estimated to have been in care compared to just under half of boys and the traumatic experiences that many young women have had are likely to have taken place not that long ago. We also know that they are also much more likely than young men to harm themselves as a way of coping with their experiences.<sup>17</sup>
- 6.33 Practitioners are supported in working with Young Adult women in a gender responsive, trauma informed way with resources and tools available on [Equip](#). Additional guidance on working with trauma can be found from paragraph 6.42.

### **Care Leavers and Care Experienced**

- 6.34 A care leaver is a young person aged 16-25 who has been looked after for at least 13 weeks in total since the age of 14. The Children Act 1989 places duties on Local Authorities in relation to 'looked after' children as they exit the care system. These include for example; a 'Local Offer for Care Leavers' such as guidance and information signposting; and linking the care leaver with a personal advisor up until they reach the age of 25.<sup>18</sup> Care leavers are often reluctant to disclose their status to other agencies or unaware of the help available to them. The experience of trauma, living in foster care or institutions and poor or absent support from families, can present care leavers with particular challenges as they transition into adulthood. Care leavers are more likely to be attempting to live independently at a much younger age and less likely to be in education, training or employment compared with their peers. They may also be seeking to re-establish family relationships, with little success, causing anxiety and distress. It is therefore important that Probation Practitioners identify care leavers at the earliest opportunity, whether this is in the Court setting, transition from youth services, pre-release or at induction.
- 6.35 Establishing a working relationship with the local authority will support the care leaver in developing important life skills, stability and positive social connections.<sup>19</sup> Aligning local authority pathway plans with sentence plans has the potential to reduce likelihood of re-offending and risk of serious harm. Probation practitioners should help individuals to address some of the potential disadvantages of being a care leaver, creating a space to safely share experiences of being in care and promoting care leaver networks and facilitated support groups.

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<sup>16</sup> Procedurally Just Communication checklist.

<sup>17</sup> Female Offender Strategy 2018.

<sup>18</sup> Statutory arrangements for care leavers differ between England and Wales.

<sup>19</sup> HMPPS Strategy for care-experienced people.

- 6.36 There are also Young Adults who are care experienced, having spent some time in local authority care, who do not qualify as care leavers and as a consequence, do not have access to the same level of support. It is likely that these Young Adults will have experienced similar trauma and challenges and will require additional support from Probation Practitioners to develop positive attachments and life skills. Further information is located on [Equip](#) including more detailed guidance on [working with people who have experienced care](#).

### **Neurodiversity and Acquired Brain Injury (ABI)**

- 6.37 Neurodiversity is the umbrella term for a range of neurodevelopmental conditions where there are variations in how the brain processes or retains information. Whilst there is no universally accepted definition, it typically includes autism, learning disabilities and learning difficulties such as communication issues, Attention Deficit Hyperactivity Disorder (ADHD) and dyslexia. Engaging Young Adults with neurodiversity is vital to helping them engage with their sentence and reduce their risk of re-offending and harm.<sup>20</sup>
- 6.38 Within the range of these conditions, there is a huge variation in the impact on daily life. Practitioners should therefore work to understand the specific needs of the Young Adult. Young Adults with autism, for example, may experience issues with social interaction and communication, sensory sensitivity and a need for a strong routine. They may also find it overwhelming when presented with the vast amount of information generated by social contact through turn of phrase, tone, context or non-verbal cues. Neurodiversity can make navigating new environments such as a Probation Office challenging, with time needed to acclimatise to surroundings or experiences. There can also be sensory process challenges, meaning an individual can be hyper-sensitive to lights, sounds and touch. Practitioners should respond to an individual's neurodiversity, considering whether complex and important information could be broken down and communicated in bite-size chunks, and how office environments, which includes noisy reception areas could be managed in the best possible way for the Young Adult. The neurodiversity of the Young Adult and how they best engage, should inform decision-making on modes of contact.
- 6.39 A Young Adult with neurodiversity may have been motivated to offend for reasons that aren't immediately obvious, and practitioners should explore the individual's insight of their own offending behaviour.
- 6.40 Where a Young Adult with neurodiversity may depend on a strong routine, ensure consistency of contact, minimising where possible, the re-arranging of appointments and changes of officer. Where change cannot be avoided, take steps to prepare the Young Adult for this. Support engagement by accessing [learning disability and learning challenges toolkits](#) and make links with third sector organisations such as the National Autistic Society, or local neurodiversity support groups. Encouraging the Young Adult (who may be coming to terms with a diagnosis) to see their differences as strengths, will support the development of a positive identity and delivery of sentence plan objectives.
- 6.41 Brain injury is a non-visible disability which is two to three times more prevalent in the offending population than in the general population. It can be the result of childhood abuse, falls, sporting injuries, fights or road traffic accidents and particularly in women, domestic abuse. Brain injury can cause memory loss, poor concentration, limited awareness of emotional state, low impulse control, poor social judgment and fatigue. It can be mild, moderate or severe in nature, with the side effects commonly mistaken by professionals as challenging, disruptive or unmotivated

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<sup>20</sup> Criminal Justice Joint Inspection: Neurodiversity in the criminal justice system July 2021.

behaviour. For Young Adults with an acquired brain injury, the maturation process has an added complexity.<sup>21</sup> By practitioners identifying possible brain injury, it can help work with individuals in a strength-based, flexible way and support them in understanding and managing their own behaviour in a pro-social manner. While a formal diagnosis may not always be available, practitioners are able to use the Disabilities Trust's [Brain Injury Screening Index \(BISI\) tool](#) to screen for acquired brain injury, without the need for formal training. This can be accessed, along with further training and guidance, through my learning.

### **Adverse Childhood Experiences and Trauma Informed Practice**

- 6.42 Adverse Childhood Experiences (ACEs) are “highly stressful, and potentially traumatic, events or situations that occur during childhood and/or adolescence. They can be a single event, or prolonged threats to, and breaches of, a young person’s safety, security, trust or bodily integrity.” (Young Minds, 2018). Examples include, experience of abuse or neglect, living with someone with substance misuse or mental health difficulties and death or other loss of a parent.<sup>22</sup>
- 6.43 There is a growing body of evidence to suggest that experience of adverse childhood experiences (ACEs) can have a significant effect on health and well-being throughout life, leading to negative outcomes such as difficulties in forming positive relationships and involvement in offending behaviour. Experience of trauma can result in Young Adults seeing potential threat and danger everywhere, leaving them feeling unsafe and stuck in either a fight or flight mode of self-preservation.
- 6.44 People on Probation are more likely than the average population to experience adverse emotional, social, neurological and developmental effects from traumatic experiences in childhood and adolescence. Many Young Adults supervised by Probation will have experienced multiple traumas and have a range of complex needs linked with their offending behaviour. Probation Practitioners should identify these at the earliest opportunity, taking time to understand the impact of past trauma on the Young Adult’s offending behaviour and thinking patterns. Practitioners should use this information to help inform the prioritising and sequencing of interventions.
- 6.45 To work with a Young Adult in a trauma-informed way, practitioners need to shift the focus away from ‘what’s wrong with them’ to ‘what’s happened to them’. Understanding how trauma may have impacted on a Young Adult’s thoughts, feelings and behaviours will minimise the risk of triggering a trauma reaction or potentially retraumatising them. This empathic approach should support Young Adults in engaging with their sentence plan and build their ability to access and benefit from other services.

### **Learning and development**

- 6.46 Practice with Young Adults should be informed by the latest evidence of what works. Practitioners should access material made available through the Learning and Development team, My Learning platform, seven-minute briefings and evidence base summaries. A range of learning resources have also been produced by third sector organisations which can enhance practitioners’ approach to working with Young Adults and are available for reference. These learning and development products support Practitioners in delivering more responsive change work to Young Adults.

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<sup>21</sup> The transition to adulthood, brain injury hub, The Children's Trust.

<sup>22</sup> Personal ACEs include verbal, physical, sexual abuse and neglect and family ACEs; domestic violence, parental separation, parental mental illness, parental alcohol abuse, parental drug abuse and incarceration.



## 7. **Further resources**

Young Adults My Learning

7-minute briefing on engaging Young Adults

### **Transition from Youth to Adult Services**

Joint National Protocol for Transition (England)

Joint National Protocol for Transition (Wales)

National Partnership Framework (YOS)

YOS transfer in case recording instruction

Y2A Equip Process

CRI025

OMiC Youth to Adult transition process

National IOM Operational Guidance April 2021



Secondment  
Agreement NPS to YC

### **Court Work**

Maturity in the Magistrates Court. A report by the magistrates association

The voices of Young Adult defendants -justice innovation briefing

Maturity Aide Memoire for Court staff

Aide memoire for reports on women

### **Sentence Planning, Risk Management and Delivery of the Sentence**

Stand-alone Maturity Screening Tool

National Standards

Choices and Changes – resource pack supporting Young Adult men

Knife Crime Resource Pack

Procedurally Just Communication checklist probation

The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime - Lord Farmer 2017

Effective Approaches to working with Young Adults T2A Alliance guide for Probation practitioners



[Using an identity lens Nacro 2020](#)

[HMI Probation Effective case management \(youth\)](#)

[Becoming Trauma Informed toolkit](#)

[HMPPS Faith Partnership Framework](#)

## **Compliance and Enforcement**

[Reducing recall rates for BAME Young Adults](#)

[T2A Maturity Guide](#)

[Enforcement of Community Orders, Suspended Sentence Orders and Post-Sentence Supervision Policy Framework](#)

[Recall, review and re-release of recalled prisoners Policy Framework](#)

## **Race and Ethnicity**

[Lammy Review 2017](#)

[HMIP Race Equality in Probation thematic inspection report 2021](#)

[The report of the commission on Race and Ethnic disparities 2021](#)

[Core Quality Management Framework](#)

## **Young Women**

[Women's Estate Case Advice and Support Panel \(WECASP\) Policy Framework](#)

[Falling through the gaps, Young Women's Justice Project April 2021](#)

[Female Offender Strategy 2018](#)

[Young Women's Justice Project briefing paper 'I just wanted to be heard' 2021](#)

## **LGBT+**

[Resources for Professionals, Gendered Intelligence](#)

[Resources for Professionals, Mermaids](#)

[The LGBTQ+ Youth Homelessness Report, AKT 2021](#)

[Preventing suicide among lesbian, gay and bisexual young people, Public Health England 2015](#)

## **Care Leavers and Care Experienced**

[HMPPS Strategy for care-experienced people](#)

[Working with people who have experienced care \(including case recording instruction\)](#)

[Care Leaver process - Equip](#)

[Care Leavers 7-minute briefing](#)

## **Neurodiversity and Acquired Brain Injury**

[Criminal Justice Joint Inspection: Neurodiversity in the criminal justice system July 2021](#)

[Learning disability and learning challenges toolkits](#)

[Brain Injury Screening Index \(BISI\) tool](#)

[Talking to others about your brain injury - a guide for young people, The Children's Trust](#)