COMMISSION YOUNG LIVES

THEMATIC REPORT 1

OUT OF HARM'S WAY

A new care system to protect vulnerable teenagers at risk of exploitation and crime

DECEMBER 2021

THE COMMISSION ON YOUNG LIVES

The Commission on Young Lives, launched in September 2021, will propose a new settlement to prevent marginalised children and young people from falling into violence, exploitation and the criminal justice system, and to support them to thrive. Its national action plan will include ambitious practical, affordable proposals that government, councils, police, social services and communities can put into place. We are engaging with those in government and system leaders who have the power to create change, making the case for them to do so. Taking a public health approach focused on prevention, inclusion and supportive relationships, its work is steered by its commissioners, alongside panels of young people and practitioners.

The Commission is supported and hosted by Oasis Charitable Trust, a national charity that has been pioneering models of sustainable and holistic community development for 35 years. Oasis works in over 40 local neighbourhoods in England, delivering schools, housing, health and a wide range of other projects with young people and their families. It is also funded by the Passion Project Foundation, a charitable social impact aggregator and investor, which brings scaled investment to transform perennial social problems.

The Commission team is grateful to all those individuals and organisations who are supporting and engaging in our work.

We want to thank the young people who told us about how their lives have been shaped by the care system, before and after the pandemic, and who have shared their ideas about the kinds of changes needed to support children and those taking care of them. We have been blown away by their openness, insightfulness and empathy and are indebted to those practitioners who facilitated these discussions.

We also want to thank our practitioners' panel, Young Lives Panel and all of those who made time to speak to us, including our expert witnesses. We are grateful to everyone who responded to our call for evidence. We have had 75 detailed responses to date and have drawn on many of these in this first paper and will continue to use these insights in our future reports.

Given the subject of this report is the relationship between being in or in need of care and the risks of exploitation, we inevitably focus on the system failures and shortcomings and how these are being tackled.

But it is also important to champion the excellent work being done in different parts of the care sector. This includes those care providers, foster parents, and adoptive parents, providing critical support, love and stability. The Commission will highlight some of this good practice, drawing on people's lived experience and the insights and expertise of young people, parents and frontline staff.

More information about the work of the Commission and our expert Commission panel is available on our website: https://thecommissiononyounglives.co.uk

FOREWORD

ANNE LONGFIELD CBE, CHAIR OF THE COMMISSION ON YOUNG LIVES

There is an ongoing epidemic of drug-running, grooming and serious youth violence in England. Harmful criminal exploitation is now an ever-present reality of some childhoods. It involves tens of thousands of marginalised and vulnerable young people, brings misery and destroys lives and prospects.

Recent government statistics show that last year almost 13,000 children in England were identified by social services as being involved with gangs, thousands more sexually exploited. Yet this is just the tip of the iceberg, the children who we know about. There are thousands of others growing up surrounded by addiction issues, domestic violence, serious parental mental ill health, or poverty. Frequently they go unsupported and invisible to the agencies who should be able to protect them. They are the children most likely to fall through gaps in the education or care systems, and who can end up exploited by the ruthless organised criminals or abusers who have such a talent for spotting the most vulnerable.

As Children's Commissioner for England, I shone a spotlight on the experiences of these children and many other groups of children invisibly experiencing harm. At the end of my term in February 2021, I was determined to carry on work on this group of children. In September I launched the Commission on Young Lives, a year-long commission hosted by the Oasis Charitable Trust. It seeks to transform the outcomes of these marginalised teenagers. *Out of Harm's Way* is the first in a series of reports, leading up to our final report in Autumn 2022.

The motivation behind the Commission on Young Lives is to find solutions to the generational problems that have held back so many young people in this country, and which can put them at risk of exploitation, abuse, serious violence and even death. Children like Jacob, who was just 16 years old when he died in 2019. Found intoxicated and distressed in his bedroom, the multiple failures of systems that were supposed to keep him safe are chronicled in the Serious Case Review into his death, which concluded that he had been criminally exploited.

The Review described Jacob as a cheeky, determined and friendly child who took pride in his appearance. Professionals who knew him shared memories of a child with aspirations. His family recall his kindness and his sense of humour. Yet Jacob experienced more horrors in his brief teenage years than most of us could ever comprehend in a lifetime. He was reported missing more than 20 times, initially from home and then from his care placement. Shortly before he died, Jacob owned three mobile phones, he was seen selling drugs and he was recorded as a suspect or an offender in 26 police reports, mostly for violent crimes. He was even treated for knife injuries to his hands and face.

Jacob's tragic death came at the end of a journey that saw him sucked into a dangerous criminal world that no-one was able to save him from. He fell through gaps in the school, care and youth justice systems and by the time practitioners were fully involved, they were unable to prevent tragedy from occurring. The pages of his case review leave us in no doubt that his death could have been prevented. His family want his story told in order to affect change across the safeguarding system in the UK.

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It didn't need to be like this. As consistent Serious Case Reviews into the deaths of teenagers show, with better identification, help and support it could have been so different. All of us who want to improve children's life chances or deliver it, either via the corridors of power in national or local government, through local services or third sector and grassroots community work, are aware that there are millions of vulnerable children who will need extra support if they are to enter adulthood with the best opportunities to do well. We know too that within this large cohort there are those who are extremely vulnerable.

These are the children who too often end up lost to gangs[1] or sexually exploited, caught up in the criminal justice system in their teens, in care for their own protection and leaving school without qualifications or many options. They are over-represented in our adult prisons, more likely to be homeless and more likely to suffer mental health problems. As children they are more likely to be Black and more likely to be poor. These children were vulnerable before the pandemic but are now at heightened risk.

This report looks at how children's safeguarding, and in particular the social care system, needs to change to protect vulnerable teenagers like Jacob from harm and to give them the opportunities to thrive and flourish. Our focus is on solutions and we will be sending our recommendations to the ongoing Independent Review into Children's Social Care.

We find a care system, designed primarily to protect young children from neglect and abuse within the home, struggling and often failing to cope with the growing number of teenagers.

Set against the backdrop of growing concern about the safety and welfare of these teenagers and the independent review, our mission is to identify how the care system is responding to teenagers at risk and what needs to change to provide the protection and support they need. In doing so, we find a care system, designed primarily to protect young children from neglect and abuse within the home, struggling and often failing to cope with the growing number of teenagers.

The system is better at recognising these harms than it was and has an increased reference to a language of 'contextual safeguarding'. However, the Independent Review into Children's Social Care has already established that a failure to grasp the complexity of these cases where children are open to numerous services, are both victims and perpetrators, and face harm from different and harder to manage sources, has led to ineffective and confused responses and a lack of accountability resulting in confusion, gaps and ultimately worse outcomes for these children.

Last year, the Government's National Child Safeguarding Review Panel, the body tasked to review and learn from the deaths of children, published an analysis into safeguarding teenagers at risk of criminal exploitation.

It found that even when local areas and practitioners know the children at risk of being drawn into criminal exploitation, many are not confident about what they can do to help them. It also found that whilst there are a number of different approaches being taken across the country, there is little reliable evidence of what works, and no central point where effective evidence is evaluated and disseminated.

The Review Panel outlined a practice framework that should provide a more comprehensive approach at the point when a child has been identified as being at risk of criminal exploitation. This includes building a relationship with the child, actively engaging parents and providing them with targeted support. These approaches have been supported by everyone we have spoken to and many of those who have been working in communities for decades find it hard to believe it is not already happening everywhere. We will explore these themes further in future reports.

The panel also recommended: that the Government should fund trials of the practice framework so that it is robustly evaluated; a review of Working Together 2018 to reflect the experience of children who are at risk of criminal exploitation; a review of the use of the National Referral Mechanism; and data collection to improve local and national understanding of prevalence, characteristics and service response. The practice framework is now being piloted in a number of areas.

We welcome the focus brought by the independent review, the safeguarding review panel and the range of initiatives that are being undertaken by charities, local authorities, some schools and the police. We welcome the Prime Minister's commitment to close county lines. Violence Reduction Units and the work some Police and Crime Commissioners are doing to help to drive change. The Youth Endowment Fund also has an important role to play in supporting and evaluating effective approaches to reduce violence.

We urge each one of these individuals and organisations to continue these programmes and to redouble their efforts to keep children safe. However, no matter how encouraging individual projects might be, they are mostly small scale, in their infancy and often with short-term funding.

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[1] We are aware that the overuse of the word gangs can be vague and problematic. Here we use this to refer to contexts where young people are at risk of violence and exploitation.

The scale and urgency of the response is not of the level needed to protect the thousands of teenagers who are at risk of harm. We must face the fact that we are dealing with organised criminals that are agile and ruthless. Their business model depends on the exploitation of children, using coercion, control and manipulation to push them into criminal activity. They are highly skilled at identifying and entrapping children who often become too scared to walk away.

We now need a widespread change in how the social care and other services respond to vulnerable teenagers on an everyday basis. We have a system that is poor on identification and data sharing, poor on communication, confused, uncoordinated and frequently produces an inadequate response. Too many cries for help are not followed up and too many cases are closed. Every child at risk needs a ring of protection around them and that will take a national effort from everyone one of our professionals and volunteers that can help; backed by leadership, drive and funding from the top of government. Put simply, the system to prevent children from harm and exploitation is not fit for purpose.

The Commission on Young Lives wants to see children protected from harm and exploitation through early identification and long-term support for them and their family, and we will explore this in more detail in our next report. But we also recognise that there are a growing number of teenagers on the edge of care or entering care because their parents are unable to protect them. The 10–15-year-olds are the fastest growing group of children entering care and 16-and-17-year-olds now make up 23% of children in care. This is a major change for a care system designed for younger children.

As this report makes clear, at this late stage of crisis, teenagers will be at considerable risk and require significant levels of support and protection. However, it is also clear from all our evidence that in too many places the care system is ill-equipped to provide both these things. Relying primarily on family-based foster care designed for younger children, the system has failed to adapt to the needs of the growing number of teenagers in care who are less likely to wish or be able to live in normal family care.

The reliance on a limited number of residential places, where demand significantly outstrips supply, has far-ranging consequences that put many teenagers at increased risk whilst also driving costs sky-high.

We are told time and time again how the chronic shortage of appropriate care places for teenagers, which are now delivered primarily by a handful of big private chains, drive a range of dysfunctions in the so-called children's home market, leaving some children with the most complex needs at risk. Stand back from it and it is incomprehensible how a children's system as ill-suited to protect very vulnerable teenagers has been allowed to continue for so long without major reform.

— **Teenagers in care are often sent far from their home area and sometimes to neighbourhoods that have high levels of crime.** The homes they are sent to are disproportionately located in the parts of the country where accommodation is cheaper, with particular shortages in London and the South East. This means that many teenagers in crisis are moved away from their home area and away from their family, their friends and school, stripping them of their support networks and people they trust and rely on, leaving them feeling confused and out of place. Police mapping shows how many children's homes are located in areas of high crime, making it doubly dangerous for teenagers who are at risk of exploitation.

— **Teenagers in care are often moved frequently.** The shortage of places and reliance on a small number of large private providers leads to a 'providers' market where standard places are offered and will always be taken whether they meet the particular needs of the child or not. As a result, teenagers with the highest needs are most likely to be moved often as the placement breaks down or to take a child with less complex needs; again, preventing children from forming relationships and disrupting their education.

— **Some teenagers in care are placed in provision that is not regulated leaving them without care, sometimes in dangerous accommodation and sometimes at risk of organised crime.** It is staggering that the state as a parent continues to house vulnerable teenagers under 18 in accommodation that is often unsuitable and sometimes dangerous. This must stop. We have even heard of criminal gangs being tipped off from within local authorities when vulnerable children are moved into unregulated accommodation, because of the opportunity this can bring for cuckooing or other exploitation.

The introduction of new national standards for unregulated provision is likely to increase the quality of this kind of accommodation over time. However, in our view, semi-independent living remains unsuitable for exploited teenagers so at risk of harm that they are removed from the care of their parents to protect them.

These responses are not only often inadequate, but also extremely expensive. The average cost of a residential place is over £4,000 per week; a proportion of which will be fuelling the profit margins of the larger chains. The narrowed focus on acute care means that the cost of children's social care has soared, leaving less and less funding for early intervention and protection. This is as unsustainable as it is wrong.

At every stage, children and teenagers who are being criminally exploited and at risk of extreme violence are being let down by a system that has not learnt the lessons of child sexual exploitation 10 years ago, where children were not recognised and not supported. From the response to identification to child protection and care support, the system is inadequate and inappropriate and vulnerable teenagers are carrying the burden of risk.

This Commission is about solutions and finding ways to protect and support our vulnerable teenagers. There is a responsibility here for many people, for families and communities, for schools and GPs, mental health teams and for the police. Protecting and supporting these vulnerable teenagers is not just a job for the children's care system, as the safeguarding boards and mechanisms locally demonstrate, and our future reports will explore the role of wider agencies.

This Commission is about solutions and finding ways to protect and support our vulnerable teenagers. There is a responsibility here for many people, for families and communities, for schools and GPs, mental health teams and for the police.

But this report is focused on children's social care, and against the backdrop of a once in a generation national review taking place, we are determined to see an ambitious and urgent change to the care system's approach and effectiveness in protecting teenagers.

A new care offer is needed for our vulnerable teenagers and the Independent Review of Children's Social Care provides the opportunity and mechanism for making that happen. We will continue to develop our understanding of emerging models of care throughout the life of the Commission but there are areas that are of immediate priority for action and development.

— The mechanisms to identify teenagers at risk of harm, data, information, planning and co-ordination of response need to be at the forefront of scrutiny by agencies and politicians both nationally and locally. This is urgent and will be vital to identifying both individuals who need protection but also where the gaps in support are and where resources are needed as a priority. Those findings must drive immediate action.

— Interventions to protect teenagers already being exploited need to be a priority for the care system. There need to be creative new approaches to family intervention and support, pre-care 'home from home' that can add support and accommodation when needed and wrap-around protection that strengthens families' ability to protect their teenagers with intensive support that keeps them at home. Where effective programmes such as No Wrong Door[2] are in place they should be extended and built upon.

— New care home models need to be urgently developed that keep children at their local school and in communities they know and where they have support. New local community children's homes would be able to work therapeutically and long term with children and their families, responding to their needs. These local homes, commissioned and led by local authorities in partnership with health, schools and charities have the potential to create a new kind of support for vulnerable teenagers that provides protection whilst strengthening families. Government funds for residential care should prioritise these developments and local councils should consider using their capital funds as part of a long-term business case to improve effective support and reduce costs.

[2] https://www.northyorks.gov.uk/no-wrong-door

— New models of specialist foster care should be developed for teenagers at risk, working intensively with families and enabling models of shared care. We are particularly keen to explore how experienced youth workers can become foster carers, bringing their expertise in understanding and engaging with young people, building relationships and supporting teenagers' development.

As the Commission continues, we will consider other factors, including the particular needs of girls, the potential of a 'young lives' workforce, the role of wider agencies, the role of communities and community support and support for families. We are particularly concerned about racial biases in the system which put Black boys at risk of harm. We are also concerned about the disproportionate number of children in care who become involved in the criminal justice system.

We recognise that 'resetting' children's social care into a new offer for teenagers will take determined action and funding but are clear that the benefits will not only be to those vulnerable teenagers, but also to the public purse which is too often paying staggering amounts for inappropriate and inadequate care. Our final report next autumn will make the case for our recommendations in social and economic terms.

The experience of exploited teenagers is bleak, and the system in place to support them infuriatingly inadequate. Too many children are dying or suffering serious harm as a result of criminal exploitation. Investment in helping to protect this group is essential and urgent. We will not keep children safe for as long as we are cutting corners to save money and having to spend vast amounts when crisis point is reached. Continuing to do so is no longer a financial or moral option. Long-term savings will only occur once the system is reformed, and a greater emphasis is placed on protecting and supporting children before they ever need to enter care.

At the moment we are making it too easy for criminals to exploit our teenagers, and a care system that is supposed to keep children safe is actually handing some children over to the ruthless and manipulative gangs and criminals who are so good at exploiting them. We have to stop this happening. These are young lives with promise ahead of them, and we all have a duty to protect them and nurture them to succeed.

Anne Longfield CBE
December 2021

GEMMA

Gemma was 12 when she came into care. She and her three siblings had been removed from their mothers care due to sexual abuse. The mother had been sexually abused most of her childhood by her own father and she had maintained contact with him into her adulthood and allowed her children to visit with her father, the girls grandfather.

One of the younger children had disclosed at school that her grandfather and others had been touching her and her siblings in a sexual manner for some time. It then because apparent that Gemma had been left with her grandfather and his associates for a number of weekends and had suffered multiple sexual assaults. All the children were placed in care in different placements, and all stayed within the local area.

Gemma started secondary school soon after this and behaviour was an issue. She continued to have a social worker and, later, mentoring within school. The placement Gemma was in initially broke down very soon after starting secondary school. The foster carer said that Gemma's behaviour had suddenly changed. That she had started wanting to go out more. Gemma then went missing one weekend and was found back at where her birth mum lived. Gemma was only supposed to have supervised visitation but would go and see her mum almost daily in whatever flat/house her mum was in. Mum was now addicted to heroin and was sofa surfing. The property where Gemma was found with mum was extremely worrying. The foster carer said she was unable to keep Gemma safe and so she was moved. Between the ages of 12 and 14 Gemma moved between five placements. Gemma went missing many times during this period. There were also concerns about drug use and about her peer groups. She struggled to bond with social care professionals, and these also changed frequently.

Gemma disclosed to a school staff member that she had a new "grandad". A man who she went and "Did jobs for and got paid". This was raised to social care and various meetings took place with constant discussion around her being taken out of care and finding a permanent placement so she would feel settled. Neither happened. Eventually Gemma disclosed (with evidence) that she had been sexually exploited by a man in the local area who knew her family. He had befriended her and then sexually abused and exploited her. The address of the perpetrator had been reported to the police.

Gemma had told professionals that she was receiving "free weed" from "a man" many times. Gemma also disclosed that she had been taking her 12-year-old sister to this man's house and other addresses in the area. At the peak on Gemma's exploitation by the man who she referred to as her "other grandad", Gemma had a social worker and a social work assistant and a mentor from another local agency. She was known to the Missing Person's Team and the local police and was receiving support from child and adolescent mental health services (CAHMS). Gemma was also being supported by the safeguarding lead and the special education needs coordinator at her secondary school, alongside various members of staff.

Gemma spoke about elements of her exploitation to many different professionals as well as displaying all the signs of a child being exploited. She already had many factors in place that made her vulnerable to exploitation. Taking her into care did not decrease Gemma's abuse; it just put her in the arms of another type of abuser. Her abuse went from interfamilial to extra-familial due to the actions of the adults around her.

Gemma is now 23 and has a child.

1. GROWING UP VULNERABLE

Before looking at the care system in detail, it is important to reiterate that there are thousands of children and young people in England growing up in households and situations that leave them particularly vulnerable, and that most of these children are neither in care nor receiving any help at all. Without support, life for many becomes increasingly precarious and every year hundreds are falling through the gaps in the education and social services systems and facing exploitation, violence and criminalisation in the community.

These risks fall disproportionately on teenagers who are growing up in poverty, living in areas of deprivation, including those of Black and minority ethnic (BAME) backgrounds who are twice as likely to live on low incomes and who also face racism and discrimination.

16,830 *Children assessed by children's social services in England between 1 April 2020 and 31 March 2021 where child sexual exploitation was a factor.[3]*

12,720 *Children assessed in the same period were deemed to be at risk due to gang involvement. [4]*

Analysis by the Office of the Children's Commissioner (OCC) for England published in July 2020 highlighted the heightened impact of lockdown on the 120,000 – one in 25 – teenagers in England already slipping out of sight before the pandemic.[5] The Commission's focus is on this relatively small but significant proportion of the under-18 population of England (about 12 million). The risks they face do not arise overnight. For most, it will have been clear that they and their families have been struggling for some time and that they needed help earlier.

This failure to provide support at the right time is linked to long-term trends compounded by a shrinking system of support, from early intervention and family centres to youth workers and the pandemic. But even when these teenagers face acute risks, too often we fail again by not seeing their vulnerability or acting accordingly and urgently.

2,710 *Children assessed by children's social services in England between 1 April 2020 and 31 March 2021 where trafficking was a factor.[6]*

14,940 *Children assessed by children's social services in England between 1 April 2020 and 31 March 2021 deemed at risk because they were missing.[7]*

As those who sit on the Commission's Young Lives panel demonstrate, children can be incredibly resilient. The panel includes some young people who are or have been in care and who are now working to support others in their communities facing some of the same challenges they have conquered.

We are aware that in exploring trends around vulnerable groups, there is a risk of further stigmatisation of those who are over-represented within them and, in endeavouring to stress particular needs and circumstances, it is important not to overlook the courage and determination of individuals and the effective work being done. There are powerful voices amongst those with lived experience, challenging the stigma they face.[8]

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[3] Department of Education (28 October 2021). Characteristics of Children in Need, https://explore-education-statistics.service.gov.uk/find-statistics/characteristics-of-children-in-need/2021
[4] *Ibid.* While this figure is 13% lower than pre-Covid 2019/20 (14,700) it is 16% higher than 2018/19 (10,960).
[5] OCC (July 2020). *Teenagers falling through the gaps* 2017/18, https://www.childrenscommissioner.gov.uk/report/teenagers-falling-through-the-gaps/

[6] *Op cit.* Department of Education (28 October 2021)
[7] *Ibid.*
[8] Corum (March 2020). Bright Spots Insights. *Challenging Stigma in the Care System.* https://coramvoice.org.uk/wp-content/uploads/2020/03/Bright-Spots-Insight-Paper-Stigma-web.pdf

VULNERABLE FAMILIES AND INVISIBLE CHILDREN

The OCC's 2019 vulnerability report estimated that around 100,000 teenagers were receiving one or more kind of high-cost statutory support during 2017/18.[9] This included:

— Being in care.
— Being on a child protection plan.
— Having an education, care and health plan (EHCP); and
— Being enrolled at pupil referral unit (PRU) throughout the whole year.

While these groups are important in themselves, the OCC looked at those children with additional needs who risk falling through the gaps and becoming disengaged from the systems supposed to support them. These included:

— Having multiple 'children in need' referrals in the year but no 'children in need' plan.
— Having special education needs or a disability (SEND) and multiple exclusions from school during the year.
— Having a permanent exclusion but who do not enter a PRU during the year.
— Are in care and living in an unregulated placement and/or who have multiple placement changes during the year.
— Having a permanent exclusion.
— Having high levels of unauthorised absence.
— Dropping out of school in Year 11.
— Missing at least an entire term of school in the previous two years; and
— Being in care but go missing from their placement multiple times in a year.

Absence from school is a key driver of risk, acting for many as both a catalyst to further problems and an indicator of things going wrong.

55% *The rise in the number of permanent exclusions of children between 2010/11 and 2017/18 (reaching 7,894).*[10]

20% *The rise of permanent exclusions of children in primary schools in the autumn term of 2019.*[11]

In 2017/18 around 81,000 teenagers aged 13 to 17 in England met at least one of the vulnerability criteria including 13,000 who met two or more of these criteria.[12] Another 42,000 were not in education, employment or training (NEET).

The national rate of teenagers highly vulnerable was around 4%. In Liverpool, Medway and Blackpool it was over 7% and it was below 2.5% in Wokingham, Barnet, Kingston upon Thames, Westminster, Harrow, Richmond upon Thames, West Berkshire and Rutland. Due to data limitations these figures do not include teenagers who may be falling through gaps, for example, those with untreated mental health needs or involved in gangs but not known to the police.[13]

Table 1: Teenagers falling through the gaps 2017/18, Office of the Children's Commissioner, July 2020.
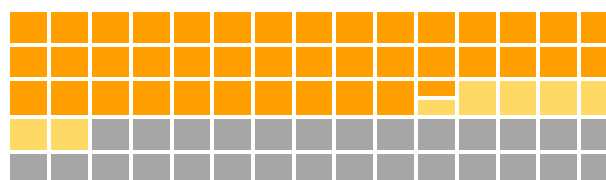
█ *81, 000 who meet one criterion.*
█ *Including 13,000 who meet two or more criteria.*
█ *42,000 who are NEET.*

In 2019, the OCC estimated that around 2.3 million children in England were living with risk due to vulnerable family backgrounds.[14] This included around 100,000 children where domestic abuse, parental drug and alcohol dependency, and severe mental health problems, were *all* present. Prior to the pandemic nearly 50,000 children (17% were over 16) were taken into care because of abuse or neglect at home.[15]

[9] OCC (4 July 2019). *Childhood vulnerability report.* https://www.childrenscommissioner.gov.uk/report/childhood-vulnerability-in-england-2019/
[10] Partridge L. et al. (March 2020). *Pinball Kids: Preventing School Exclusions.* RSA.
[11] Department of Education (29 July 2021). Permanent Exclusions and Suspensions in England. Gov.UK.

[12] *Op cit.* OCC (4 July 2019).
[13] *Ibid.*
[14] *Ibid.*
[15] ONS (January 2020). Child abuse extent and nature England and Wales: year ending March 2019.

PRE-PANDEMIC TRENDS

The OCC estimated that over a third – 829,000 – of the 2.3 million children estimated to be living in vulnerable households were 'invisible' (not known to or not getting support from services). A further 761,000 were known to services but where the level of support is unclear.[16] This suggests that in England 1.6 million children from a vulnerable family get no or patchy support.

For nearly a decade, teenagers have been the fastest growing cohort in both child protection and care, and they now represent the largest age group.[17] This follows growing recognition by government and safeguarding partners of harms that happen outside of the home, which often, although do not exclusively, affect this group. The number of identified children involved has been rising for some years.

124% — *Increase in social care assessments identifying concerns about children's gang involvement between 2016/17 and 2019/20 (when it reached 14,700).[18]*

55% — *Increase in teenagers admitted to hospital due to assaults with a knife or sharp object between 2012/13 and 2019 (reaching more than 1000).[19]*

45% — *Increase in children identified as being trafficked at social work assessment between 2017/18 and 2021.[20]*

Many of these children are highly vulnerable and many suffer serious harm or die. A thematic review of 60 children in Croydon published in 2019 found they experienced multiple adversities.[21] Many had experienced parental absence, drug use, domestic abuse, and poor mental health in their families. At least 41 of the children had received fixed-term exclusions in secondary school.

The key age of the children's behaviour escalating, and the risks increasing, was 12 years old and at age 14 there was a peak of children in the cohort coming into care, suggesting that the children's situations had deteriorated and interventions to that point had been unsuccessful

PANDEMIC EFFECTS

Very soon after the arrival of Covid-19, there were signs that the pandemic was impacting negatively on children and mitigating action was needed.

Just a few months after the first lockdown, the NSPCC warned of three broad areas that were increasing young people's risk. These included additional stresses on parents and a reduction in protective services. It also reported an ''increase in children and young people's vulnerability to abuse at home and online, and through sexual and criminal exploitation''.[22] Despite this, the 'invisibility' of thousands of vulnerable children identified by the OCC has increased. There was a 31% drop in referrals (just under 36,000) made by schools in England to children's social care services between pre-Covid 2019/20 and 2020/21, when there were two school lockdowns.[23] Some vulnerable children dropped out of the sight of teachers, often the first to spot the need for an assessment.

While nearly 600,000 children and young people were referred to children's social care services in the year to 31 March 2021, this was a fall of 7% compared to the previous 12 months.[24] In the same period, 388,490 children were deemed to be 'in need', the lowest number since 2013.[25] However, it would be a mistake to equate this data with a decline in the number of children at risk; the evidence shows that these statistics mask a rise in particular risks to vulnerable teenagers in care and those 'on the edge of care', including sexual and criminal exploitation. Indeed, many of the indicators that drive teenagers' risk rose rapidly, including parents' mental health.

[16] *Op cit.* OCC (4 July 2019).
[17] Department of Education (2020). Children in need and child protection. Gov.UK. https ://www.gov.uk/government /collections/statistics-children-in-need
[18] OCC (February 2021). *Still not Safe: the public health response to youth violence.*
[19] Hospital admissions for youths assaulted with sharp objects up almost 60%. NHS. 9 February 2019
[20] ADCS. *Safeguarding Pressures Phase 7.* ADCS. February 2021.

[21] Croydon Safeguarding Children Board. *Vulnerable Adolescents Thematic Review* (February 2019).
[22] NSPCC (2020). Social isolation and the risk of child abuse during and after the coronavirus pandemic.
[23] Department of Education (28 October 2021). Children in Need and child protection. 2020-2021.
[24] *Ibid.*
[25] *Ibid.*

25% *Increase in calls to the Domestic Violence Helpline in the week after lockdown was announced in March 2020.[26]*

20% *Proportion of recorded violence flagged as domestic abuse-related in April to June 2020, an increase of about 5% compared to the same period in previous years.[27]*

20% *Increase in the number of alcoholic related liver deaths between 2019 and 2020, compared to a 3% rise the year before.[28]*

Meanwhile, a University of Oxford study found that parents' depression, anxiety and stress, increased between April and June 2020.[29]

While the onset of the pandemic saw sharp and rapid impacts, the trends around exploitation of young people had been rising for years. For the last 12 years the Association of Directors of Children's Services (ADCS) has collected data from 129 local authorities in England. Its latest report outlines the pressures faced by local authorities during 2019/20, focusing on activity in the first six months of the pandemic. This showed increases in nearly all of the 'extra-familial' risks particularly facing teenagers.

Table 2: Exploitation factors identified at the end of an assessment, ADCS Safeguarding Pressures Report Phase 7.[30]

	2017/18	2018/19	2019/20
Alcohol misuse (child)	12,800	12,010	12,900
Sexual exploitation	20,000	18,720	18,700
Drug misuse (child)	23,190	23,710	29,170
Gangs	8,650	10,960	14,700
Going/being missing	16,070	15,740	18,200
Trafficking	2,070	2,490	3,010

The National Crime Agency (NCA) figures show that over 14% of referrals were flagged as county lines in 2020, compared to around 11% in 2019.[31] The problem is particularly acute in major cities and in poorer areas.

The LGA highlights data from Rescue and Response, a pan-London service that supports London young people who are involved in or affected by county lines activity. It reported:[32]

35% *Increase in referrals at the beginning of the pandemic, with a total of 553 received from May 2019 to April 2020.*

31% *Of referrals were children in care, up from 20% from the previous year.*

43% *Of referrals of school aged young people were not in education at the time.*

[26] Bradbury-Jones C, Isham L. *The pandemic paradox: The consequences of COVID-19 on domestic violence.* J Clin Nurs. 2020 Jul;29(13-14):2047-2049. doi: 10.1111/jocn.15296. Epub 2020 Apr 22. PMID: 32281158; PMCID: PMC7262164.
[27] ONS (25 November 2020). *Domestic abuse during the coronavirus (COVID-19) pandemic, England and Wales: November 2020. Indicators from a range of data sources to assess the impact of the coronavirus (COVID-19) pandemic on domestic abuse in England and Wales.*
[28] Alcohol consumption and harm during the COVID-19 pandemic, OHE, 15 July 2021.
[29] Covid-19 worries, parent/carer stress and support needs, by child special educational needs and parent/carer work status. Co-Space study, interim report 02: May 2020.
[30] *ADSC Safeguarding Pressures Report Phase 7. February 2021*
[31] More girls being recruited and horrifically abused by county lines drug gangs. LGA. 8 July 2021.
[32] *Ibid*

2. IN HARM'S WAY

It is important to remember that most children who go into care are likely to have more positive outcomes than they would have had if they had not been removed from homes where they were not safe. Many children growing up in care live in stable and loving environments, do well at school and have happy childhoods. However, it is clear that there are other children who go into care, particularly those who enter the care system as teenagers, whose experiences are the polar opposite. They are more likely to experience instability through multiple placement moves and changes in social worker, and in some cases they are moved into completely unsuitable accommodation.

The terrible irony is that a system that is supposed to be protecting children from harm, is actually putting some vulnerable children in harm's way, putting them at risk of criminal or sexual exploitation.

The chances of children and young people who have been exploited or who have been or are involved in the criminal justice system reaching adulthood without being traumatised and with positive opportunities are low. They will, as adults, be more likely than their peers to experience serious mental health problems, poor relationships, unemployment, homelessness and prison.

31% *Of women in prison have been in care at some time when they were a child (compared to 24% of men).[33]*

1 in 4 *Homeless people have been in care at some stage[34] and a survey by Centrepoint found 14% had slept rough.[35]*
.

Changing these trajectories is, of course, not in the gift of children's social care services alone, and the Commission's final action plan will speak to its broader scope, making the case for specific support and investment from government. In doing so it will draw on wider evidence and engagement.

This includes those who have lived experience of exclusion, gangs and violence, with children's and family services – including being in care – the education and youth sector, justice services and others. Place-based approaches are being explored through fieldwork, consultation and evidence sessions. Running through all this work are some cross-cutting questions and these have been used to frame our call for evidence.

This process will enrich our understanding of the web of issues facing these young people, their parents and carers, the range of services that are there to protect them, and the different systems that exist to support this. But charged as it is with taking the role of the 'state parent', protecting children when their parents are unable to do so, children's social care needs to lead this agenda, adapting rapidly and substantively to the cohort of children it now serves if it is to meet the needs of vulnerable teenagers at risk.

We need a new offer for vulnerable teenagers at risk of exploitation. This first thematic report focuses on those children, including those who are facing risks that are driving them closer to being exploited and/ or into custody, and their relation to the care system, as well as those already in care or in the process of leaving it. We focus on child sexual exploitation and child criminal exploitation, and contextual safeguarding and 'extra-familial risk'. This recognises a broader set of risks, including online and peer-to-peer abuse, and recognises that parents can be unaware of what is happening or do not know how to intervene or help.

This report highlights the changing characteristics of children in and on the 'edge of care', including unaccompanied minors, increasing numbers of young people with unmet complex needs and BAME young people. We also outline some of the longer-term trends that vulnerable teenagers face, including county lines, sexual exploitation and violence and how these have altered and, in some cases, made worse by the pandemic.

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[33] Prison Reform Trust, Bromley Briefings Prison Factfile, Winter 2021.
[34] National Audit Office (2015) *Care leavers' transition to adulthood.* Available at: https://www.nao.org.uk/wp-content/uploads/2015/07/Care-leavers-transition-to-adulthood.pdf

[35] Centrepoint (July 2017). *Six Reasons Why Leaving Care is not the Step Forward it Ought to Be.*

50% *The increased likelihood of teenagers entering the care system having an EHCP.*[36]

10 x *More likely as a teenager going into care to have attended a PRU.*[37]

6 x *More likely as a teenager going into care to be living in a residential or secure unit.*[38]

The report shares evidence from our witnesses, young people and practitioners, many of whom describe how risks – such as online grooming – have, during the pandemic, intensified and spun out on to the streets at a time when parents are under additional pressures. Many highlight the reduction in preventative support – such as youth work and children's centres – pre-Covid only to see what remains of some services topple over or become subsumed by increased demand. By way of conclusion, we outline some of the changes needed in the context of a brand-new offer for vulnerable teenagers at risk.

The report shows that broad consensus exists about the underlying drivers of risk – including poor parental mental health and drug and alcohol problems, and domestic abuse, poverty and discrimination – as well as protective factors and the wisdom of prevention. It provides a stark reminder that too often, our collective responses to these vulnerable teenagers remain downstream, piecemeal, uncoordinated and underfunded. The systems meant to protect them are failing to do so and urgent reform is needed. Sadly, this is a generational problem.

MISSED OPPORTUNITIES

'Kyle' first entered the prison system in his early 20s having been in trouble on and off since his early teens. Diagnosed in prison as having acute dyslexia, he now understood why he found school so hard. On release Kyle settled down for a while, but his relationship was toxic, he lost his job and pretty much any contact with his children. Back inside years later, this time for a drug related offence, and determined this would be his last time inside, Kyle engaged in prison education and helping out others.

He now understood that his mother – who had her own traumatic past, including the death of her first child before Kyle was born – had never 'attached' to him and this helped to explain why she was abusive. He now understood why he sought love in the wrong places and did risky things in a bid to belong.

'Charlie' is in his early 20s. His mother has serious mental problems, exacerbated by the stress of living with the consequences of persistent poverty and – unable to cope with Charlie's ADHD – he spent time in care. Now, for the umpteenth time, in a Young Offenders Institute, he self-harms and is on medication because of his addiction. Charlie's mum still can't cope, and he wishes she had got help when he was little. Asked about his release, Charlie thinks he will go back to hanging around with the 'wrong people' and to drugs.

As well as the damage done to Kyle and Charlie, the wider tragedy is that there are over 30 years between their first custodial experiences. While some progress has been made – for example, fewer under 18s now go to prison – too many end up still in the criminal justice system because their families needed some additional support but did not get it. For Kyle and Charlie, problems spiralled out of control and their families could not provide the protection they needed.

Listen long enough to people in prison and they will tell you not just that they wished things had been different when they were younger, but will often pinpoint when, how and who could have helped. For some this goes back to familial neglect and abuse in their early years but, for many, problems escalated in their teenage years when fraught relationships with parents exploded into rows or when sorrow about bereavement or parental separation turned to anger.

Others describe how anxiety about their own sense of self, their desperation to belong and be part of something, made them prey to exploitation, or where lack of self-regulation and control turned into harming themselves or others. People in prison often recall when problems arose at school because they could not concentrate and how this led to behaviour that got them excluded, out of the safety and oversight of teachers and the classroom, spending more time away from family on the streets and hanging out with others in the same boat.

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[36] Op cit. OCC. (11 November 2020). *Stability index 2020.*
[37] *Ibid.*

[38] *Ibid.*

Some – particularly if they are Black and male – talk of how, as teenagers, they were repeatedly stopped and searched for no reason, a sign that the system was stacked against them. Many of those in custody will look back to how experimenting with drugs turned to dependency, with some taking to dealing and carrying a weapon. Others recall how social media became a different kind of weapon with which to bully, be shamed or groomed.

For most, their need to push the boundaries of freedom led to ignoring or rejecting those who stood in their way, ultimately losing the autonomy they craved. As teenagers many of us will experience at least minor fractions of some of these conflicts, temptations, and flashpoints. But for most of us, these dissipate or are resolved with the support of friends and family before things escalate. But some teenagers experience a combination of these factors, occurring in contexts that make them more vulnerable to a chain of events that result in them being taken into care and/or being at risk of sexual and criminal exploitation, and criminalisation.

It is these young people that the Commission is concerned with and, as the evidence in this report shows, there is an increasing number experiencing a conveyor belt of familial vulnerability, conflict, exclusion, exploitation, care and custody. We are investigating a range of issues around these children, the contexts in which they grow up, what drives these risks, and how we can prevent and reduce them.

The Commission follows the evidence. While all families can struggle, those who face poverty, instability and discrimination experience greater stress and trauma, and have constrained choices. Likewise, as the results from Freedom of Information requests we made to London local authorities show, every community includes vulnerable children. The challenge of protecting them is harder in areas under pressure in relation to jobs, housing and poverty.

As we shall see, many of our evidence givers, including some of those on our young people's and practitioners' panels have seen these trends in action. Many gave evidence of the horrors caused by county lines and child sexual exploitation and the methods being used to entrap children and young people becoming increasingly brutal and sophisticated.

Whilst these trends are now well known, and we are getting better at recognising these harms, government departments and safeguarding partners have been unable to come to a shared understanding and to develop effective integrated policy and operational models of prevention and intervention.

A CHANGING CONTEXT

The Commission's work begins as the Independent Review of Children's Social Care Services moves towards its completion in early 2022. This report was being finalised in the wake of details emerging from the horrific murders of six-year-old Arthur Labinjo-Hughes by his stepmother and father, and of 16-monh old Star Hobson by her mother's partner.

The Government has announced of a review of these by the National Child Safeguarding Practice Review Panel who will investigate the circumstances leading up to these deaths. Sadly, while Arthur and Star's case understandably made headlines, there are also many, many other horrific instances of abuse, sometimes even leading to the death of a child.

Recent weeks have also seen the implementation of the ban on the use of unregulated provision for under-16s and work to develop national standards for this type of care. Unregulated supported accommodation for 16- and 17-year-olds will be overseen by Ofsted under a new set of mandatory national standards from 2023, the outcome of a government consultation reveals. They have also seen the publication of the Government's drugs strategy, which commits to delivering 54,500 more treatment places, preventing 1,000 deaths and closing 2,000 county lines by 2031.[39] The Government has also provided some funding for pilot schemes in some schools to support children who are at risk.

In their different ways, these events could signal a potential moment of decisive change. This report makes the case for an ambitious response to the increasing number of vulnerable teenagers entering care or on the edge of care, setting out proposals to reduce the number at risk of exploitation, violence and criminalisation. In the next section we outline some of the data in relation to children in care and some of the characteristics of these teenagers.

[39] Cross-departmental report (9 December 2021). *From harm to hope: A 10-year drugs plan to cut crime and save lives, Gov.UK.*

3. THE GROWING NUMBER OF TEENAGERS AT RISK IN AND AROUND CARE

In 2019, around 669,000 children were being helped through a formal, national programme of support - some through the Supporting Families programme, the rest through various forms of children's social care. Every year around 128,000 children are receiving the most intensive forms of statutory support, such as being in care or through a child protection plan.[40] In England 151 local authorities provide children's services to about 400,000 children each year. The number of children entering the care system in the 12 months prior to 31 March 2021, was 28,440 (down 8% on the previous year).[41]

However, the number *ceasing* to be in care reduced by 6% to just over 28,000, partly due to and long-term delays in court proceedings made worse by Covid-19.[42] The result was that on 31 March 2021 there were 80,850 children in care in England, a 1% rise on the year before and the highest on record.[43] This continues longer term trends identified by the Independent Review of Children's Social Care. [44]

7% *Increase in referrals to children's social care services made between 2009/10 and 2019/20.*

**4%** *Increase in the number of children deemed to be 'in need' between 2009/10 and 2019/20.*

129% *Increase in Section 47 investigations (used to determine safeguarding action) between 2009/10 and 2019/20.*

32% *Increase in child protection plans between 2009/10 and 2019/20.*[45]

When a child is taken into care children's services need to identify primary need. The overall distribution of primary needs identified have remained relatively stable. However, the percentage removed because of neglect and abuse rose 3% between 2017/18 and 2020/21, now accounting for two thirds of the total.[46]

The areas with the highest ratio (per 10,000 children under 18) entering care were Blackpool (210); North East Lincolnshire (179); Hartlepool, Middlesbrough and Stoke on Trent (all 172).[47]

Figure 1: Children in England in care on 31 March by primary need, 2015-2020.
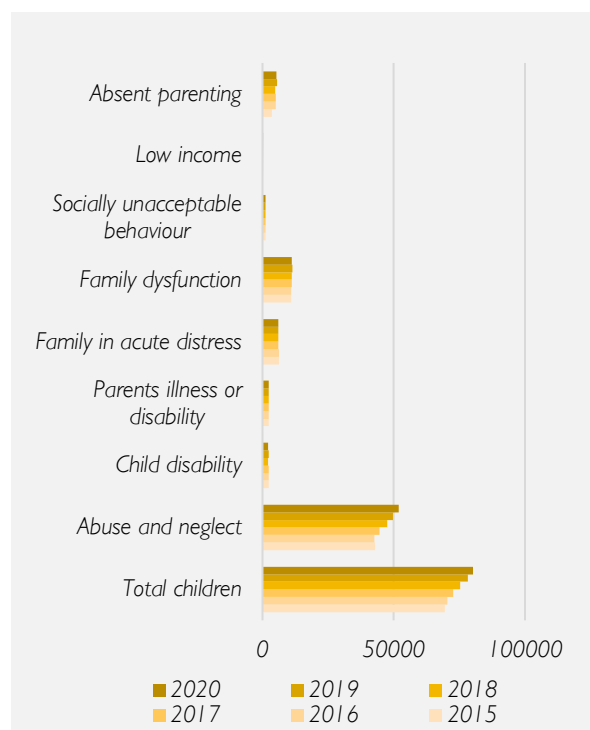
THE CARE POPULATION IS GETTING OLDER

Perhaps the most significant shift in the care population is that it is getting older. Teenagers are now the largest and fastest growing age cohort of children in care. According to data analysis published by Nuffield Family Justice Observatory, the number of 10 to17-year-olds subject to care proceedings rose by 95% between 2011/12 and 2019/20 (from 3,081 to 6,013 children). Increases in the oldest children coming into the system were particularly sharp, with the number of 15-year-olds growing by 150% and 16-year-olds by 285% during that time.

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[40] *Op cit.* OCC (4 July 2019).
[41] Department of Education (18 November 2021). Children looked after in England including adoptions, Gov.UK.
[42] *Ibid.*
[43] *Ibid.*

[44] The Independent Review of Children's Social Care (2020). T*he Case for Change,*
[45] *Ibid.*
[46] *Op cit.* Department of Education (18 November 2021).
[47] *Ibid.*

A decade ago, adolescents constituted just 18% of all children in care proceedings in England; this had risen to 27% by 2019/2020.[48] All of our evidence givers and practitioners had seen these age trends in action, including one senior social worker reporting an increase in the number of teenagers asking to be taken into care during the pandemic.

Table 3: the age breakdown of the 80,850 children in care England in the year ending March 2021 by percentage.

23%.	were over the age of 16
39%	were aged 10-15
19%	aged 5-9 years
14%	aged 1-4 years
5%	aged less than 1 year

Recently the Commission on Young Lives made Freedom of Information requests to every London borough, asking the age, sex and race of children in care in their local areas.

A snapshot of London authorities: gender and age

From the FOI data that we were given and analysed we were able to conclude that there was both a significant gender and age split of children taken into care (from the boroughs that supplied us with age and gender data)

— *In 2020-21 there were 788 males that were taken into care compared with 644 females.*
— *In 2020-21 there were over 1341 over 12s that were taken into care compared with 655 over 16s.*

Both of these gaps are likely to be even larger once all council data is taken into account as the trends from all the data we have seen are consistent and steady.

The 'ageing' of the care population is raising some central questions about what is driving this change and whether the children's social care system of 2021, has adapted sufficiently to the changing age cohorts that it seeks to serve. It suggests first and foremost a failure of prevention and the impact that funding pressures and cuts have had on children's social care and wider children's services. We return to these questions later.

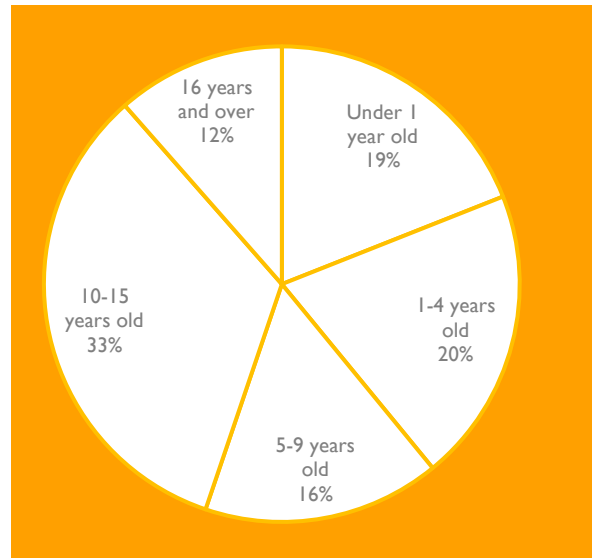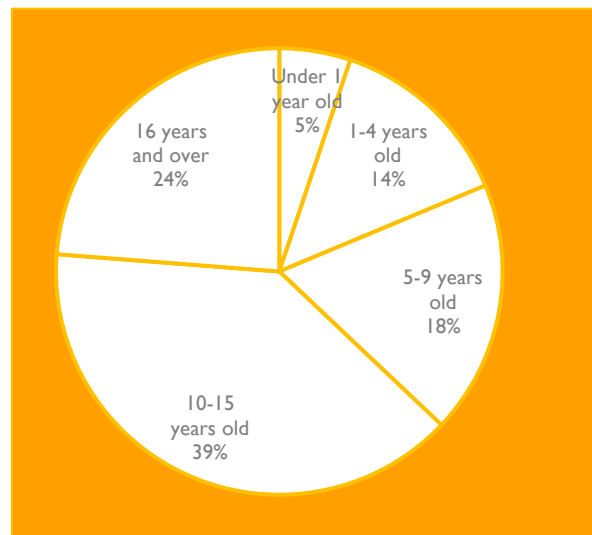*Figure 2: Age breakdown of children in care in England 2009/10.*

Figure 3: Age breakdown children in care in England 2019/20.

MORE BOYS THAN GIRLS IN CARE

In 2021, taking an overview, 56% entering care were male and 44% female.[49] In England there was an increase of 14% for looked after boys between 2015 and 2019, compared to an increase of 10% for girls. This difference is likely to have been driven in part at least by an increase in unaccompanied asylum-seeking children over this period;[50] in 2019 85% of unaccompanied minors over 16 were male,

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[48] Nuffield Family Justice Laboratory (October 2021). *Older children and young people in care proceedings in England and Wales.*

[49] *Ibid*
[50] NSPCC Statistical briefing: looked after children. March 2021.

The DfE collects data on some of the general outcomes for children while in care. This includes information on offending rates for those 10 years (the age of criminal responsibility in England) or over; 40,480 children in 2021:[51]

3% *The percentage of boys in care convicted or subject to youth cautions or conditional cautions during the year, compared to 1% of girls.*

3% *The percentage of boys and girls in care as identified as having a substance misuse problem.*

3x *The increased chances of female care leavers becoming teenage mothers than those who have not been in care.[52]*

In 2017 a study found that girls in care between the ages of 11 and 18 were more than twice as likely to be dissatisfied with their lives than boys of the same age in care.[53] Girls were also less positive about the future, less likely to say that life was worthwhile and to record that life was improving. Both boys' and girls' wellbeing scores decreased as teenagers. However, DfE data on the emotional and behavioural health of children in care shows that 40% boys had SDQ (Strength and Difficulties Questionnaire) scores that were a cause for concern, compared to 33% of girls.[54]

EXPLOITATION

More than 18,700 suspected victims of child sexual exploitation were identified by local authorities in 2018-19, up from 3,300 five years before.[55]
How does the brutal and ruthless exploitation of children happen? Child exploitation is often the result of grooming, based on a promise of offering what a child may want or need, including money, attention, 'love' and 'protection'. Exploiters target the vulnerable; for example, teenagers in care, and/or those who are missing and/or isolated.

While these issues increasingly make the headlines, arguments about root causes tend to pivot around the emphasis given to system failure on the one hand and individual shortcomings on the other. The process of recruiting and retaining young people into gangs and criminal exploitation is depressingly consistent.

As Joe Calouri from Crest Advisory told us during an evidence session, the potential for perpetrators of child criminal exploitation to control and 'run' young people while reducing the risks to themselves is enabled by technology. While online grooming has increased during the pandemic and is used in relation to child sexual exploitation, here children and young people are "the commodity" being used and often shared directly amongst abusers.

Recruiters will target vulnerable young people – most likely those who are isolated– especially those out of school, with special educational needs, poor mental health or in care to shower them with money, attention, 'love' and 'protection'. Police forces report that children in care living in children's homes and 'unregulated' provision are at particular risk of being targeted, as are children missing from home, attending some pupil referral units and alternative provision.

With gangs and criminal networks seeking to recruit to replace up to 'delivery network' at any time, and with children and teenagers remaining the delivery technique of choice, targeting and grooming is a serious and ruthless business invested in with time and resources. The police warn of particular risks for young people around fast-food shops and parks. Some professionals tell us how children can be drawn in through something as simple as accepting a portion of chips that is casually offered by a stranger at the counter.

Almost to a blueprint, children are given responsibilities and then systematically robbed, leaving them indebted for the goods they have lost and completely within the power of the gang until they have paid it off.

Once under the thrall of the gang, controlling and retaining children is a key part of the process achieved through a debt bond. Almost to a blueprint, children are given responsibilities and then systematically robbed, leaving them indebted for the goods they have lost and completely within the power of the gang until they have paid it off. Any refusal to follow orders can be met with extreme threats of violence to them and their family. The child will be required to run errands, deliver drugs and enforce punishments or violent attacks on competitors. Many teenagers are trapped in criminal exploitation, often desperate to escape, but unable to do so.

[51] Op cit. Department of Education (18 November 2021).
[52] Public Health England (2019). *A framework for supporting teenage mothers and fathers*.
[53] University of Bristol's Hadley Centre for Adoption and Foster Care Studies and Coram Voice (2017). Our Lives, Our Care: Looked after children's views in their well-being.

[54] Op cit. Department of Education (18 November 2021).
[55] Independent, 19 December 2019. "Grooming epidemic as almost 19,000 children identified as sexual exploitation victims in England

In both our calls for evidence and our witness statements the most significant issues raised around gender was the varying responses between those teenagers who were sexually exploited and those who were being criminally exploited. It was felt that there are differences in our responses arising at least in part to assumptions about gender and – crudely put – girls being subject to sexual exploitation and boys being subject to criminal exploitation.

Ana-Sofia Baillet of Stop the Traffic, shared survey findings showing that respondents had high levels of awareness about child exploitation but that "gendered and racial views of exploitation types, as well as their age, can be a barrier." Our responses are tied to our biases around 'innocence', 'victimhood' and teenage behaviour.

As the shocking details of exploitation in Rotherham and other towns and cities over the last 10 years has shown, the girls who were exploited, while extremely vulnerable, were often not readily seen as victims and some had been used to recruit other girls. However, the response to cases like this, have challenged these notions and there is a wider understanding about the role of control, grooming and broader acceptance to seeing child sexual exploitation for what it is: extra-familial abuse. A similar shift needs to take place in relation to boys and those – of whatever gender – being exploited by organised criminal groups.

County Lines

The Government defines county lines as: "Gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons."

Perpetrators use children and young people to maximise profits and distance themselves from the criminal act of physically dealing drugs. Gangs use phones to receive orders and contact young people to instruct them where to deliver drugs. This may be to a local dealer or drug user, or a dealer or drug user in another county.

A snapshot of London authorities: Gender, child exploitation and gangs

From the FOI data that we were given and analysed we were able to conclude that there was both a significant gender and age split of children taken into care (from the boroughs that supplied us with age and gender data)/

— *In total, 18 local authorities responded to the question regarding referrals from a social worker in relation to child sexual exploitation and the figures showed that this was a reduction from 811 in 2019/20 and 809 the year before.*
— *In total 18 local authorities answered the question regarding social worker referrals in relation to gang involvement and their responses showed there was a reduction from 1087 in 2019/20 and 976 the year before.*
— *Of the 906 assessments made in the year ending 31 March 2021 by social workers in relation to gang involvement, 70% were male.*
— *Of the 657 assessments made in the year ending 31 March 2021 by social workers in relation to child sexual exploitation across the local authorities responding to our FOI, 70% were female.*

This is needed not just to protect young people but also to decrease their criminalisation, including those young people in care. As we can see from our FOI returns from London local authorities, while girls are more likely to be victims of child sexual exploitation, boys can be victims also. Likewise, the evidence suggests that increasing numbers of girls are involved in criminal exploitation. These things may overlap.

COUNTY LINES

27,000 *Children in England have been identified as a member of a gang.*[56]

Likewise, there is increasing evidence that the assumption that boys make up the vast majority of those involved in county lines, is wrong and that operatives are increasingly targeting girls. In 2018 the National Crime Agency (NCA) reported that referrals were mostly related to 15–17-year-olds and that 91% were male.

[56] OCC (February 2019). *Keeping Kids Safe: Improving Safeguarding Responses to Gang Violence and Criminal Exploitation.*

However, it also said: "Females may be underrepresented as both offenders and victims of exploitation in this form of criminality. Potential gender bias, through which females may be seen as less likely to engage in criminal behaviour than males, is likely to reduce suspicion by law enforcement and present fewer opportunities for identification of females involved in county lines offending."[57]

Recent findings suggest that up around a third of young people in gangs are girls.[58] They are often recruited as they are believed to be less likely to attract the attention of police and fulfil several roles in the gang from administrator and organiser to girlfriend. Like boys, they are controlled and punished, often through extreme sexual threat and violence. They too can be discarded and ostracised, becoming targets for victimisation. Girls in gangs often go unrecognised with little professional understanding about the impact this can have. While new work is emerging, there are relatively few support services in place, and most children supported by services such as YOTs are boys. The Commission will focus on girls at risk of exploitation and violence in a later report.

The issue of lack of understanding about girls' experiences was raised by Clare Fitzpatrick of the Law School at Lancaster University.
"While it is now recognised that children who have been in care are over-represented within the youth justice system, little attention has been given to care experienced girls and young women".

UNACCOMPANIED MINORS

Section 17 of the Children Act imposes a general duty on local authorities to safeguard and promote the welfare of children within their area who are in need. This includes those seeking asylum who have no adult to care for them and are therefore 'in need'.

1 in 6 — *Trafficked and unaccompanied children in care are reported missing in the UK.*[59]

6% — *The percentage of children in care who were unaccompanied asylum-seeking children in 2019 when there were 500 (a 3% reduction on the previous year).*[60]

In July 2016 the national transfer scheme was introduced so that unaccompanied asylum-seeking children can be transferred to a local authority with greater capacity on a voluntary basis. This became mandatory in November 2021 with local authorities receiving increased funding on a per night basis; the Government also increased the contribution for former unaccompanied minors who were care leavers.[61]

The duties owed to children in care apply equally to unaccompanied asylum-seeking children, most of whom are teenagers. Some may be engaged in an appeal against a refusal to remain and can experience short-termism in care planning, especially in education. The DfE guidance covers topics more likely to arise, including age determination, trafficking and the need for legal advice.[62]

These young people can be more at risk of trafficking. In 2017, statutory guidance from the DfE stated: "Exploitation takes a number of forms, including sexual exploitation, forced labour, forced criminality, begging, organ harvesting and domestic servitude.[63] Between 1 January 2012 and 31 December 2019, sexual exploitation was the most common reason for referrals to the National Referral Mechanism (followed by labour exploitation').[64]

In 2020, the average number of days to wait for a conclusive trafficking decision was 339, and before the pandemic in 2019 it was 345[65]. Numerous organisations have identified repeated failures to refer potential victims and lack of effective support. In July 2021 After Exploitation said data secured via Freedom of Information (FOI) revealed that the majority of reconsidered trafficking claims later rule in favour of the claimant, highlighting that this meant 152 potential survivors may have faced needless delays in receiving the urgent support.[66]

[57] NCA (2019). *County Lines Drug Supply, Vulnerability and Harm* 2018.
[58] OCC (November 2019). *The characteristics of gang associated children and young people.*
[59] OCC, Still in Harm's Way, 2019
[60] Department of Education (10 December 2020), Children looked after including adoptions.
[61] Home Office announcement, 23 November 2021.

[62] Department of Education (November 2017) *Care of unaccompanied migrant children and child victims of modern slavery Statutory guidance for local authorities,*
[63] *Ibid*
[64] Open Democracy. The victims of 'unknown exploitation' hiding within the UK National Referral Mechanism, 27 January 2021
[65] Beddoe C. *Into the Arms of Traffickers.* Paul Hamlyn Foundation (October 2021).
[66] After Exploitation July 2021

CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS

According to the DfE data 56% of children who were in care in the 12 months prior to 31 March 2020 had a special educational need, compared to 15.39% of all children and 48.3% of children in need.[67] Research by UCL Great Ormond Street Institute for Child Health suggests these estimates are too low as they are based on one year of learning, not the whole school journey.[68]

The research investigated SEN status across schools according to social care provision and included data from 475,363 children who started year 1 in 2005. It found that of the children who entered the care system at any time during their school years, 83% received provision for SEN at some point between the age of five and 16.

As in past years, in 2020/21 children in the key social care groups (including those in care) perform less well than peers across all key stage 4 measures; the average Attainment 8 scores were less than half those of the overall pupil population. However, persistent absences were lower for children in care for a full 12 months prior to 31 March 2020 compared to all pupils (12.5% compared to 13.4%). This rose to over a third for those who had been in care for less than 12 months in the same period.[69]

More broadly we know teenagers with SEN are more likely to be excluded from school and that this is a contributing factor to the rise in the number of teenagers in care. This is often combined with other factors that are more likely to be present when a child is excluded including: poverty, low attainment, being from certain minority ethnic groups and being bullied.

Some members of the Young Lives panel had experienced exclusion and/or late diagnosis of SEN. This included one who was dyslexic, had struggled in school and been bullied in care. Another, who was diagnosed with ADHD on entering care, had two siblings, both with SEN but where only the younger one had been since been diagnosed as having autism. This young person spoke about their mum's inability to understand her children's SEN, to know she needed help or to ask for it.

The National Referral Mechanism (NRM)

Established after the Government ratified the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT), which came into force on 1 April 2009. It commits the UK to minimum standards for the protection of victims of human trafficking and is the sole way of being recognised as a trafficking or slavery victim in the UK. The process includes three stages, referral, an initial assessment of reasonable grounds (which if 'positive' should trigger assistance and support such as safe housing, counselling, basic financial assistance, and temporary protection from deportation) and a final conclusive decision. The National Child Safeguarding Practice Review Panel recommended that the NRM be reviewed.

The Modern Slavery Act 2015

Designed to combat modern slavery in England and Wales and consolidates previous offences relating to trafficking and slavery. The Act defines a child as anyone under the age of 18.

SEXUALITY

Another relatively overlooked area is the experiences of lesbian, gay, bisexual, transgender, or questioning (LGBTQ) young people. It is difficult to estimate the number of LGBTQ young people in care in England because care systems do not routinely keep track of young people's sexual orientation or gender identity. While these children and young people can enter care for similar reasons to others, including the inability of parents to provide a safe and stable home, often these issues arose in teenage years.

Research in the US suggests that LGBTQ young people may end up in care through two routes: as young people who come out while growing up in care or as adolescents who enter care through birth family rejection after coming out.[70] The second route suggests that LGBTQ young people may be overrepresented within the care system, particularly those from BAME or particular religious backgrounds.[71] In some cases, families reject, neglect, or abuse their children when they learn that they identify as LGBTQ. This can include violence and being forced to leave home because of conflicts about their sexual orientation of gender identity.

[67] Department of Education (25 March 2021). Outcomes for children in need, including children looked after by local authorities In England.
[68] Jay MA, Gilbert R. Special educational needs, social care and health. Arch Dis Child. 2021 Jan;106(1):83-85. doi: 10.1136/archdischild-2019-317985. Epub 2020 Jan 22. PMID: 31969350.

[69] *Ibid.* DfE 25 March 2021.
[70] Mallon, G. P. (2001). *Lesbian and gay youth issues: A practical guide for youth workers*. Washington, DC: *Child Welfare* League of America.
[71] (Erney & Weber, 2018; Sullivan, Sommer, & Moff, 2001).

MENTAL HEALTH

Going into care can be a further traumatic experience, due to increased levels of uncertainty and insecurity, as well as feelings of loss. Changes in placements affect not only relationships with family and friends, but also wider relationships, such as those in the child or young person's school. Because of their experiences both before and during care, looked-after children are at much greater risk of poor mental health than their peers. We will return to these issues in a later report. We found that the teenagers on our Young Lives panel were open and frank about some of the mental health issues that they had faced during the pandemic. They emphasised the more serious mental health impacts that it had and several shared that they had begun to self-harm during lockdown but had since opened up to parents and/or teachers. They were aware that many of their peers had had similar experiences and one described a "general low level" sadness pervading their lives since the arrival of Covid.

Two of the children in the group, who were or had been in care, talked of their wish that their parents had support when they were younger. "My mum should have had more support but who from? I was little bugger, I had mental health problems, but mum did not know that and thought I was just pushy. If things had been calmer that could have worked but I got taken away."

CARE LEAVERS

In 2020/21, there were 43,000 care leavers in England now aged 17-21, 62% of which were male.[72] Around 10,000 young people in England age out of the care system every year on their eighteenth birthday.

7% *The percentage of 17-year-olds living in accommodation deemed to be unsuitable in 2020/21(down 3% from 2019/20). Rates of unsuitability accommodation were better for 18 (4%) and 19-21year-olds (5%).*

49% *The percentage of 17-year-old care leavers were living with parents, 6% were in semi-independent transitional accommodation and 5% were in custody.*

Local authorities are expected to stay in touch with care leavers and have a statutory duty to provide transitionary support and safeguarding as they move to independent living. In 2021, local authorities did not have information for one in four of care leavers aged 17, 4% of 18-year-olds and 7% of young people aged 18-21.[73]

The impression witnesses and practitioners gave was that increasing numbers of vulnerable young people 'drift' out the care system with no support or plans. As we come on to some young people are placed in accommodation that is either unfit and/or *which places them at risk. Care leavers make up 25% of the homeless population.*

Our witness, Chris Wilde, spoke powerfully about his own experience of care and the long-term damage that can be done to the wider family making it harder for teenagers to leave care and live with relatives. He suggested that pathways out of care need much more consideration when a child first enters the system to ensure that decisions made now increase the chances of later resettlement with family members. "[This is needed] if you are ever to achieve that chance to get back to the family. That family has taken away even when they were not involved in the reasons for going into care. They ignore the extended family."

Balbir Chatrik, Director of Police and Communications at of Centrepoint, told us about how the current system sometimes failed to provide care leavers with the kinds of transitions that many other young people living at home would have. This often includes moving in and out of the parental home and being supported towards independence. But too many care leavers suddenly find themselves trying to access accommodation, when financially unstable and having a lack of skills such as budgeting. Balbir believes that while far more needs to be done upstream, funding for preventative work has been reduced. This includes Centrepoint's own work in this area.

She believes that all local authorities should have preventative strategies, including protecting care leavers from vulnerability and tackling the over representation of BAME young people at risk. This would include ensuring cultural sensitivity amongst homeless services and supported housing staff.

Natasha Langleben of the London Borough of Brent told us that transitional safeguarding for care leavers is not being well understood on a national or local authority level. "Young people hit the age of 18 and suddenly support dries up and the law changes … I have more and more young people who are victims of exploitation, mainly criminal exploitation and county lines but also sexual exploitation. Police automatically see young people as perpetrators when they become adults, the [National Referral Mechanism] process is very slow and often not particularly effective."

[72] *Op cit.* DfE, 18 November 2021

[73] *Ibid.*

Housing First is an innovative programme for young people facing the most severe challenges showed. Centrepoint's first phase pilot showed that with a dedicated professional team and wrap around support, young people maintain their tenancy in the long term, take good care of their properties and themselves, and stayed away from violence and crime. Through the delivery of Centrepoint's Independent Living Programme – which links accommodation with jobs and rent with income – it will also deliver 300 homes in London and Greater Manchester in which a young person is never charged more than a third of their salary in rent.

Andy Walker, Life skills Coordinator at Steetlife in Bradford, stressed to us the importance of 'not closing' support to vulnerable young people because of a particular birthday, even though commissioning models do not tend to support this. Progress can be slow and incremental and young people may be stable and then suddenly need support. We will return to transitional care and transition to adulthood issues in a later report, alongside exploring the sometimes-blurred line/overlap between victims and perpetrators.

UNKNOWN TO AUTHORITIES AND ON THE EDGE OF CARE

Children who end up being exploited by the gangs, criminals or abusers are often extremely vulnerable. The OCC's analysis of unmet need[74] used a range of criteria. This indicated disrupted schooling, multiple referrals not resulting in being allocated a social worker and children with special needs who experienced multiple exclusions, for example. Not in school and often looking to belong, these children can be easy prey (those who want to exploit them become efficient at spotting the most vulnerable).

As we have seen these children are more likely to have an EHCP plan and to have attended a PRU or a secure home. The OCC investigated the contexts that these children were coming from.[75] It found that before they entered care, around two-thirds were eligible for free school meals and just over two thirds had special educational needs. They were more likely to face instability in school: in the year before entering care, one in 10 was out of school for a term, one in six moved school in the middle of the year, one in three was persistently absent, and more than one in three had a fixed-term exclusion.

We describe these children as being on the edge of care, not meeting the threshold of children's social care in relation to need and often unable to access support services. For some young people this lack of preventative support can cause them to spiral and/or experience mental health problems, either going largely unnoticed or taking them down the criminal justice route.

These issues were also raised by practitioners, some of whom reported a higher level of mental health needs than they had ever seen before, while mental health services were already overloaded. This included a marked rise in eating disorders, high levels of bereavement and isolation. One talked of a family where the young mother, a care leaver but no longer the responsibility of the local authority, was struggling with a new baby during lockdown, when all the early years provision from parenting support to family centres had closed.

Our discussions with Catch 22 highlighted that a lot of the programmes viewed "as nice to have" within secure settings and PRUs – such as trauma informed interventions and family support aimed at protecting familial connections – had disappeared during lockdown and some had not fully returned. This included teenagers in custody themselves or the children of people in prison where visits had ceased and become virtual during lockdown. The children of prisoners are more likely to end up in care; some will be cared for by grandparents, but a greater proportion are put into foster care. compared to those affected by paternal imprisonment.[76]

The practitioner panel echoed what some of the young people told us about pressures within the home that put them at risk of going into care. These compounded the stresses on parents and families and could quickly spiral out of control, sometimes resulting in permanent exclusion and vulnerability to exploitation. As one said: "These young people want to belong, they want to be affiliated. A relationship outside of the home can start with friendship and concern but can quickly escalate to offering them money, contacting them on social media and offering kind of love and supportiveness but of a kind that is not in the child's best interests. "Some of these young people then end up being exploited and involved in crime." As another member of our practitioner panel said: "We have to stop them getting there, educating children and young people and find ways to better protect them before care."

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[74] *Op cit.* OCC, July 2021.
[75] OCC (17 February 2021). Characteristics of children entering care for the first time as teenagers.

[76] Crest, (2019) *Children of Prisoners, Fixing a Broken System.*

7% *95% of those whose mother goes to prison must leave the family home.*[77]

In her submission, Maxime Rowson, Policy and Research Officer at the Office of the Police and Crime Commissioner for Northumbria referred to research around the closure of youth services.

She highlighted evidence that shows more young people are now in potentially unsafe environments, groomed online and hidden from view. As our practitioners repeatedly described, this online grooming then moved on to the streets.

Project Crew

In 2015, Catch22 and Cheshire East Council were awarded Department for Education (DfE) Innovation Programme funding to test a different approach to engaging children in need and their families, through Project Crewe. By creating individually tailored and intensive interventions for children, young people and their families, the project aimed to improve outcomes and reduce repeat referrals and escalations to child protection and the care system. This would subsequently reduce social care team caseloads and reliance on agency social workers, providing a more cost-effective service to the authority

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BIAS IN CRISIS

Several of our panel members highlighted that these issues were particularly impacting on BAME teenagers in some areas. This included higher levels of bereavement, trauma and overcrowding – exacerbated by younger children being off school – in BAME households and the impact this has on parental stress. This was sometimes coupled with low levels of trust in some services, including parental fear about teenagers being removed from them and placed in the care system.

For example, one practitioner talked about a mother experiencing domestic violence, but who did not notify the child's school for fear of her children being taken into care as the school would need to notify children's services. These factors were contributing to more serious incidents at home, which were driving young people on to the streets.

Some of the practitioners said these issues led to a disproportionate number of BAME teenagers being criminalised as a result, echoing broader findings, including the particular risks facing BAME boys and the corrosive effect of Stop and Search policy.[78] Due to the difficulties of accessing culturally sensitive and inclusive services, BAME families often experience the escalation of minor problems which cause family breakdown.

The main concern raised the submission from Bev Higgs, Chair of the Magistrates' Association, Linda Logan, Chair of the Magistrates' Association Youth Court Committee and Helen Richardson, Policy and Research Officer for Family and Youth Courts at the Magistrates' Association, was the number of children in care entering the youth justice system and "the significant and persistent disproportionality in terms of likelihood to get in trouble, outcomes and experience of the process for Black, Asian or minority ethnic children." These are older problems getting worse.

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[77] Beresford S. *What About Me? the impact of children when mothers are involved in the criminal justice system.* Prison Reform Trust 2018.

[78] *It was hard to escape: Safeguarding children at risk from criminal exploitation,* The Child Safeguarding Review Panel, 2020.

MICHAEL

Michael is 15. Shortly he will be appearing in court for stabbing another teenager. His mother is the subject of regular domestic violence, as is he. His mum has also become alcohol dependent.

Michael's attendance at school has been increasingly sporadic School staff have worked hard to stay in touch and follow him up, and as part of this, over the last three years he has been referred to social services over ten times. He has yet to receive any sustained intervention. Instead, the first time the police intervened, they removed Michael from his home, and he was taken into care overnight. However, because social services were swamped, he was returned home the next day, which made his domestic situation worse than ever. This is a common problem; a child is sent back into the family where their situation can become more dangerous than ever, with relationships broken. Over recent years, Michael's situation at home has been progressively deteriorating.

Being consistently out of school has made Michael vulnerable to his local gang. Hanging around on his estate, he was gently groomed by them - picked up, talked to, made to feel important, listened to, given a sense of status. He had a bit of money. He was made to feel popular. By then he was completely beyond the control of his Mum. At home he was nothing, but with the gang he felt special. Michael was being exploited; that is the way gang recruitment works. Then he was told that he owed the gang money and that the money and gifts he had received were never free, they were investments. He began to be forced to deliver drugs onto another gang's territory. He carried a knife for safety.

A few weeks ago, Michael stabbed another boy whilst delivering drugs, he says in self-defence. He will go on trial soon and is very likely to receive a custodial sentence.

Earlier recognition and intervention by social services and others could have saved this from happening.

5. PROTECTING AND SUPPORTING YOUNG PEOPLE AT RISK - THE SYSTEM WE HAVE

This report has highlighted that teenagers are the largest growing cohort in both child protection and care following a growing recognition of harms that happen outside of the home, which affect this group. As the Independent Review of Children's Social Care points out in its Case for Change, whilst the system is better at recognising these harms, government departments and safeguarding partners have failed to come to a shared understanding about the appropriate solutions and agency responsibility in responding to these needs.

Its *Case for Change* states: "A failure to grasp the complexity of these cases where children are open to numerous services, are both victims and perpetrators, and face harm from different and harder to manage sources has led to ineffective and confused responses and a lack of accountability. Different parts of the children's social care, justice and health systems are responding differently to the same teenagers. This leads to confusion, gaps and ultimately means worse outcomes for these children."[79]

A confused and inadequate response across the system is seen in the vast majority of cases that we come across and is particularly clear to see for those children who experience child criminal exploitation at the prey of violent, dangerous and ruthless criminals and gangs. What emerges is a picture of a system of services and care that is:

— *Unaware.* Ill equipped to identify children at risk of exploitation and respond until crisis.
— *Confused and careless.* Unclear about who is responsible for responding if a child at risk is identified, and uncoordinated and piecemeal in its response.
— *Inappropriate and dangerous.* Ill equipped with services and inappropriate care solutions where actions taken often increases harm.

At every stage, children who are being criminally exploited and at risk of extreme violence are being let down by a system that has not learnt from the lesson of child sexual exploitation 10 years ago where children were not recognised and not supported. From the response to identification to child protection and care support, the system is inadequate and inappropriate.

Too often teenagers are left carrying the burden of risk as a result, often with devastating consequences and sometimes with tragic results. Our current approach is not equipped to manage this challenge.

A CARE SYSTEM THAT ISN'T WORKING FOR VULNERABLE TEENAGERS

1. Poor identification of children at risk of criminal exploitation and crime and an early response

The role of the children's social care system is to protect children at risk of harm. While it is performing this function for many thousands of children, consistent evidence shows that there are thousands of children with unmet needs are coming to the attention of services late, while many remain invisible or do not get the help they need.

It is clear that many teenagers at risk have unmet needs and the increasing numbers of late entrants at risk of sexual and criminal exploitation, and/or 'dropping out' of both family and care support systems, with a disproportionate number entering the criminal justice system. It is estimated that only one in six young people in gangs are known to local authorities and YOTS report says most young people have had no help until they are referred to them.

Local understanding of the numbers of young people at risk is poor and, according to the OCC, evidence suggested that only a quarter of safeguarding boards have an effective mechanism for identifying those children at risk.[80] Good data and data sharing is needed and a clear mechanism to gather information on risk and need to inform a response.

We will continue to explore these aspects throughout our thematic investigations including in our next report on early support and support for families of teenagers at risk to protect and prevent things escalating and/or when they fear their child at risk of exploitation.

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[79] *Op cit.* Independent Review of Children's Social Care.

[80] *Op cit.* OCC. February 2021.

2. A confused and piecemeal response

We are pleased that the independent care review's *Case for Change* recognises that the frustration and risks of parents asking for support from services and not receiving it is compounded by a confused multi-agency response to teenagers.[81] Like them, we found the evidence of a thematic review of the 60 most serious case reviews in Croydon, report, striking.

The review found they experienced multiple adversities. As well as the hardships that the children were experiencing, set out earlier, at least 41 of the children had received fixed term exclusions in secondary school, 28% had faced multiple moves living in homeless and temporary accommodation. Tragically, five of these children had died by the time the report was completed.[82] *The Case for Change* concludes that "Our current approach is not equipped to manage this growing challenge. The legislative framework and guidance for social work practice focuses largely on the family. A study of 841 cases in one local authority found that all cases referred due to serious youth or gang-related and other forms of extra-familial harm were closed without assessment."[83]

It is clear from our evidence gathering that agencies are often unclear about their roles in protecting teenagers at risk and their responsibilities to work together to do so resulting in poor decisions and major gaps in support when teenagers need help. In its annual review of 2021, the Child Safeguarding National Review Panel raises the urgency of addressing multi-agency working.[84] It highlighted weak information sharing, and communication and risk assessment which as it says, "has for decades impeded our ability to project children and help families. "In 2020 the panel's review of safeguarding children at risk of exploitation focused on 21 children from 17 areas who died or experienced serious harm.[85] It found:

— Of the 21 children, 15 were from a BAME background and all were male.
— Most of the children (and their families) were not known to children's social care before problems associated with exploitation surfaced.
— 17 of the children had been permanently excluded. The panel concluded: "if it is unavoidable then there needs to be immediate wrap-around support to compensate for the lack of structure, sense of belonging and rejection that exclusion from mainstream school can cause".

The panel's findings resonate strongly with the other evidence we have gathered including emerging new practice but not at scale, and lack of confidence on the part of practitioners, even when they knew children were at risk of criminal exploitation the panel's other findings are worth sharing in some detail.

— There are critical moments in children's lives when a decisive response is necessary to make a difference to their long-term outcomes, including when they are excluded from school, when they are physically injured and when arrested.
— Moving children/whole families provides a breathing space and immediate safety but was not an effective medium- or longer-term strategy.
— At the local level, there was little information or working knowledge among safeguarding partnerships of what intervention strategies were being taken against the perpetrators of criminal exploitation. The panel said that this was in marked contrast with the dual approach taken to children who are sexually exploited.
— The National Referral Mechanism (NRM) is not well understood and is inconsistently used.
— Suggested that an intensive risk management plan which includes control measures, within the context of a good relationship with the child and with parental support, can reduce risk.

The panel – which is undertaking a second review focused on contextual safeguarding and recommendations for practice development - highlighted the critical role of a trusted relationship between children and practitioners, the time and skill needed to do this, and that parental engagement is nearly always a protective factor. This echoes the experiences of parents of teenagers at risk who frequently report their shock and exasperation by the lack of response from services and being told repeatedly that nothing can be done.

One of the findings of the Child Safeguarding National Review Panel was that when it came to harms outside the home progression of cases required social workers to attribute harm to parental care or control, even when the risks identified were harms outside the home. Social work tools and processes in their traditional forms are ineffective in responding and managing risk outside of the home.

81 Op cit. The Independent Review of Children's Social Care. 2021
82 Croydon Safeguarding Children Board, (2019). Vulnerable Adults Thematic Review.
83 Op cit. The Independent Review of Children's Social Care. 2021

84 Child Safeguarding National Review Panel. Annual Review 2020.
85 Child Safeguarding National Review Panel. (2020). It was Hard to Escape.

The Disrupting Exploitation Programme

The programme, run by the Children's Society, received funding from the National Lottery Community Fund. The programme works with children who are vulnerable to or victims of child exploitation, with a focus on child criminal exploitation, including exploitation along county lines. The programme operates on two fronts: 1. Working one-to-one directly with vulnerable young people and through targeted group work.

Working on systems change focused on transforming the policies, procedures, contexts and cultures around young people to improve the response to children in comparable situations in the future. 75% of children and young people involved report having better relationships with family and friends and report being safer as a result.

These findings speak to the heart of the challenge facing local authorities and children's social care providers. Yet, in its 2019 the Children's Society found that almost two thirds of local authorities that responded did not have (nor were in the process of developing) a strategy to tackle child criminal exploitation or county lines,[86]. In addition:

— Older adolescents are more likely to be recorded as having been criminally exploited but there is evidence that primary school age children – as young as seven – are targeted.
— Gender, age, ethnicity and background can all affect the way in which professionals do or do not recognise young people as victims, or at risk, of criminal exploitation and this can then affect the response they receive.
— Criminal exploitation often happens alongside sexual or other forms of exploitation.
— The vast majority of police forces and local authorities were not able to share figures of the number of children affected by criminal exploitation in their area and there were no consistent agreed 'markers' to 'flag' at risk.
— Around one in four local authorities responded that they collect data but only around one in five reported that this data is retrievable to be shared.

— Children and young people who are exploited by criminal groups experience an inconsistent response driven by a lack of consistent national and local safeguarding strategies and procedures.
— Where children are being criminally exploited, safeguarding responses are largely reactive and typically, in these instances law enforcement takes precedence over safeguarding.

There had also been an increase in the number of suspected child victims of child criminal exploitation to the National Referral Mechanism but very few local authorities collect or can provide this data. The Independent Anti- Slavery Commissioner reported that police were not regularly considering whether young people found to be in possession of drugs, were doing so as a result of being trafficked and exploited. This means that the section 45 defence in the Modern Slavery Act was not being used to protect these children. Too often trafficked or exploited children were being criminalised when their exploiters did not face justice.[87]

13% *The rise in the percentage of children arrested for intent to supply class A drugs between 2015/16 and 2017/18.[88]*

Educational instability plays an important role. In 2019, the OCC showed that children associated with gangs are five times more likely to have experienced a permanent exclusion in the 12 months prior to their latest assessment and six times more likely to have been in alternative provision than other children assessed by children's services once differences in demographic profiles are accounted for.[89]

We are also concerned by analysis of two serious case reviews that highlight concerns that Black boys who are already disproportionately affected by gang child criminal exploitation, are receiving different services, including police responses as they are adultified: perceived as older than they actually are.[90] These kinds of findings – and in particular the Child Safeguarding National Review Panel, as well as the work of Carlene Fermine outlined later in this document – have resulted in new pilots including work in Hackney London, taking the findings and applying a contextual safeguarding approach.

[86] The Children's Society (2019). Counting Lives: responding to children who are criminally exploited.
[87] Independent Anti-Slavery Commissioner, 2020)
[88] *Op cit.* The Children's Society, 2019.

[89] *Op cit.* OCC. 2019.
[90] Davis j. and Marsh, N. ''The cost of 'adultification' to safeguarding Black boys. *Critical and Radical Social Work*, Volume 8, Number 2, August 2020, pp. 255-259(5). Policy Press.'

It is positive that more work is being done to raise awareness of how to respond to child criminal exploitation, however we now need a widespread change in how the police and other services respond to vulnerable teenagers on an everyday basis.[91]

3 Inappropriate care solutions that often increase harm

This report has shown the growing numbers of teenagers entering care late because their parents are unable to protect them. At this late stage of crisis, teenagers will be at considerable risk and require significant levels of support and protection. However, it is clear that the care system is ill equipped to provide both of these things. Relying primarily on family based foster care designed for younger children, the system has failed to keep up with the needs of the growing profile of teenagers in care who are less likely to wish or be able to live in normal family care. The reliance on a limited number of residential places where demand significantly outstrips supply has far ranging consequences that put many teenagers at increased risk whilst also driving costs sky high.

Many local authorities and charities have stopped running children's homes, often because of the costs and risks. However, there are around 2,400 children's homes in England and the number has grown over the last few years, particularly in the private sector, which now accounts for over 80% of the total.[92] Despite this growth, there remains a chronic shortage of places for teenagers. Provision is also unevenly distributed around the country. These pressures combine to drive a range of dysfunctions in the so-called 'children's home market' including a shortage of places for children with the most complex needs and a static 'take it or leave it' placement offer from many providers.

Whilst each local authority has a duty to take strategic action in relation assessing and planning for the needs of children in care, it is apparent that this is not being adequately met in most areas. This includes a 'sufficiency duty' to assess the steps that secure, so far as reasonably practicable, sufficient accommodation within its area to meet the needs of children and others who need accommodation within the local authority area.

THE USE OF UNREGULATED ACCOMMODATION

The shortage of registered children's homes places has also driven a growing use of unregulated provision, establishments which provide accommodation and support but not full care and therefore do not meet the criteria of a children's home and are not required to register with Ofsted.

89% *Increase in the number of children in care living in unregulated accommodation between the end of March 2010 and the end of March 2020, from 3,430 to 6,480.[93]*

6,050 *The number of children placed in unregulated placements in 2020/21(down 7% on 2020 but up from 2018)*

There is widespread agreement that unregulated provision can be inappropriate, inadequate and dangerous. An investigation by Sky News in February 2021 found that at least 86 local authorities were using unregulated accommodation and that some children were sent to live in tents or caravans, placed into hostels or even housed in barges on canals.[94]

As well as unfit and unsuitable accommodation, these placements can make already vulnerable young people more at risk of criminal and sexual exploitation. For example, in a report by BBC's Newsnight, Cambridgeshire and Hertfordshire Police voiced their concerns that some unregulated accommodation was well known to local criminals who targeted young people in order to exploit them.[95] Unsurprisingly, some of these children are scared for their own safety.

In September 2020, the chair of this review and then Children's Commissioner called for a ban on the use of unregulated settings for all those under 18, and the Government did ban its use for children under 16 in September 2021.[96] Unregulated supported accommodation for 16- and 17-year-olds will be overseen by Ofsted under a new set of mandatory national standards from 2023, the outcome of a government consultation reveals.

[91] What Works Centre for Crime Reduction, 2020

[92] Ofsted, October 2021. Multi-building children's homes: creating more capacity in the system.
[93] David Foster, House of Commons Library, February 2021. Looked after children: out of area, unregulated and unregistered accommodation (England))

[94] https://news.sky.com/story/10-000-children-in-care-were-sent-to-potentially-unsafe-places-to-live-including-caravans-tents-and-barges-12222322
[95] https://www.bbc.co.uk/news/uk-48300157
[96] OCC (September 2020). *Unregulated: Children in care living in semi-in dependent accommodation.*

From the boroughs that supplied us with data through our FOI request and the data which we were able to use reliably we can conclude that as a low estimate:

— *In 2020-21 the number of children in care in the boroughs we FOI'd who spent some or all of their time in a placement outside the borough was at least 4,340*
— *In 2020-21 the number of children in care in the boroughs we FOI'd who spent some or all of their time in a placement outside greater London was at least 1516.*

In addition to inadequate placements, teenagers are also disproportionately likely to be placed out of their local area and away from family, friends and their local community, adding to risk. Many placements were also out of the local area. Under the Children Act 1989, accommodation provided by local authorities for children in care must be "within the local authority's area" unless this is "not reasonably practicable."

There is no provision in legislation that prohibits a local authority from placing a child out of its area and these placements can be made to because of risks to the child in their home area. However, the Government has stated that they should be "a last resort, unless it is in the child's best interests".[97] When children are found to be involved in exploitation and at risk, families are sometimes moved around the country to get the child out of the gang area.

28% *The percentage rise in children in care placed outside their home local authority between 2010 and 2020, rising from 37% of all placements to 41% over the period.[98]*

As well as not solving the initial problem, this often results in families being left without help when they move; this is an issue we will explore in our next report on family support. This raises concerns about

— Problems with continuity of relationship with social workers and advocates.
— Being placed so far away from home can be traumatic for children and young people.
— The vulnerability of children living far away from home means that they are at greater risk of exploitation and going missing.

— Children can feel isolated and often cannot see loved ones enough.

The use of unregulated care and out of area placements links to that of children missing from care.

65,800 *Number of missing children in in 2019/20 in England and Wales according to the Missing Persons (compared to 67,853 in 2018/19, a 3% decrease)[99].*

12,430 *No of incidents of children being missing from care in 2020 (56% from secure units, children's homes and semi-independent living, 25% from foster care and 14% living independently. [100]*

Concerns about these issues were raised consistently by our witnesses in evidence sessions, by submissions to our call for evidence, by our practitioner panel and others we have spoken to in preparing this report. Amongst these, there was universal agreement that unregulated care – particularly when out of the child's home area – increased risk to young people, while making it easier for those who want to exploit them. In extreme cases they become providers of unregulated care.

In response to our call for evidence Leeds City Council Department of Children and Families said: "The biggest issue for teenagers in care is the lack of suitable places. The current 'marketplace' for placements is broken, with teenagers at risk of exploitation and perceived to be risky always coming bottom of the list for providers who will prioritise 'easier' young children".

Joe Calouri of Crest Advisory highlighted the case of Itman Ismail and Omorie Nixon who used missing children as part of the county lines network based in Devon and Cornwall. This included the exploitation of two 15-year-olds and two 16-year-olds who were transported, taken to houses, and used to carry heroin and cocaine inside their bodies. Ismail was employed by a care group in London between 2017 and early 2020 and had been Nixon's key worker. "Child criminal exploitation is different to child sexual exploitation in that the child is an instrument in the business rather than a commodity. The range of issues are broader, for example drug supply chains enabled by technology help isolate the perpetrators from risks…. we have made it easier.

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[97] https://hansard.parliament.uk/Commons/2020-01-20/debates/FA9FE50A-3479-4E82-B09D-D1AF298FC671/Looked-AfterChildrenOut-Of-AreaPlacements%23debate-385404²

[98]*Op cit.* House of Commons Library (12 November 2021).
[99] UK Missing Persons Unit, Missing Persons Data Report 2019/
[100] *Ibid,*

"Supported semi-independent placements (unregulated)] were initially designed for transition to independence for children who had grown up in care and were ready to move on but are now being used as the main form of 'care' for older teenagers coming into the system late who are at risk of harm and exploitation. They have also expanded to include cowboys and those wanting to get to and exploit children… The risks to gangs have been reduced while the risks have increased for young people."

Witnesses to the Commission on Young Lives, Detective Inspector of Bedfordshire Police, Elaine Cook, and Detective Sergeant, Andy Boyer of the Bedfordshire Child Exploitation and Missing Person's team, said that the majority of the young people they worked with were from care homes and they knew which care homes where there was most violence. Elaine and Andy talked about the work of the team and multi-agency working across the tactical, strategic and operational levels, including a good relationship with the local authority and a strong commitment around these issues from the PCC. Like others they identified particular issues in relation to out of area placements and unregulated care and the risks to young people. Elaine shared one example: "We had [one young person] who had been placed 'out of area' from [another local authority] and was going missing two or three times a day and self-harming. It was only when [the young person] tried to take their own life that they were returned to their home area."

More broadly these witnesses felt there was a need amongst children's social care services to think more about what made children's homes a 'home' that they wanted to be in. This meant not just looking at age-appropriate placing and risk factors but also – citing a visit to one teenager's bare room – basic teenage needs. To this end, Elaine felt there needed to be more flexibility for children's services to fund things that would help young people belong and build local networks, for example providing laptops (an issue that became more pressing during lockdown). She also wanted to see a broader scope for Police and Crime Commissioner (PCC) funding, that was narrowly focused on diversion from criminality rather than meeting the needs of children in need. We return to these issues later in this report.

Katherine Sacks-Jones, Chief Executive of Become, the national charity for children in care and care leavers, told us it was clear that the system was being driven by lack of suitable care accommodation for vulnerable teenagers, not their needs.

"Sufficiency is a critical issue. We need a national strategy for children's homes based on the best interests of children. …If you look at where they are, homes are opened in areas of cheaper accommodation, high crime and deprivation with young people being placed there without the support they need".

Yvette Stanley, National Director, Social Care at Ofsted said that although sufficiency is not something that Ofsted can ensure, it constantly raises the issue. She could already see changes taking place in unregulated care in response to the recent ban in use of provision for children under 16 and anticipated further significant changes as new national standards are introduced. Her concern was how to manage such a rapidly changing market, suggesting that there is a need for an interim strategy.

As many witnesses said, additional turmoil is often caused when young people who are placed out of area and have developed new support networks, only to then find they need to start again when they hit 18 and have to return to their home area.

Both Yvette and Kathryn felt there was a need to explicitly revisit the entitlements of those leaving care. This includes exploring the uneven response to children placed out of area, including those who came to the UK as undocumented minors. The Commission will explore this further before our final report.

MULTIPLE PLACEMENTS AND INSTABILITY

The 2019 OCC's Stability Index found that while rates are lower amongst younger children, the number of children with two or more placement moves in a year were increasing at a faster rate than the numbers of children in care in these age groups. For example, numbers of children aged 5-11 with multiple placement moves in 2018/19 were up 15% on 2016 levels compared to a population rise of 6.5%. Overall, amongst children aged 0-11 rates of multiple placement moves in a year were up 17% compared to a population rise of 10%.[101]

This rise has been driven by rises amongst younger children looked after under full care orders where the rate of children with multiple placement moves is up 34% on 2016 levels compared to a 17% rise in the numbers of these children in the care population.

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[101] OCC Stability Report. 2019.

Rates of multiple placement moves have stayed broadly similar when analysed by a child's first type of placement during the year. Rates were highest for children whose first placement was in secure/specialist residential placements (25.5%) or children's homes (16.7%).[102]

However, when children are moved the sorts of moves they are experiencing are changing. For example, there has been a small but consistent increase in the numbers of children being moved across LA boundaries at a placement move. The numbers of children whose initial placement was within their responsible authority who are moved out of area at least once during the year 2018/19 was up 15% on 2016 levels (up to 6,633 children) compared to a 9% rise in the population of children initially placed within area.[103]

In addition to the risks to teenagers in the decisions made about the nature of their care and where they are placed, risks are also increased by moving children frequently. The OCC work also showed that teenagers with the most complex needs are the most likely to be moved.

For example, in Hull, a shortage of foster carers meant 55 children were moved between seven or more placements in the year to June 2021. Teenagers aged between 13 and 16 when they enter the care system were most likely to have three or more placements.[104]

68% *In the 12 months up to 31 March 2021: 68% children in care in England had one placement and 11% had three or more[105].*

Research published in 2012[106] explored social workers' experiences in areas with higher-than-average placements and identified key problems:

— Difficulty accessing mental health services.
— Lack of placement options and foster placements.
— Over-hasty placement decisions due to strict time restrictions on emergency placements.
— Carers' unwillingness to, or inexperience in, managing challenging behaviour.

Multiple placements compound children's feelings of loss and instability. Being moved from one care setting to another reduces opportunities to develop bonds and exacerbates behavioural and emotional difficulties.[107] This makes it more difficult for children to establish relationships with carers and contributes to further placement breakdown.[108]

Children who have many placements fare worse than those who do not in terms of psychological, social and academic outcomes.[109] Some moves can be positive, particularly when a child is moving to a more stable situation and where they feel that their concerns have been listened to.[110] Additional problems can also occur when teenagers had been in care but returned home and where the relationships break down again. Each time this happens, the problems between teenagers and families and the risks facing young people can increase in severity.

This suggests that more attention needs to be given to 'reunification' support when teenagers return home and – as we propose later in this report – recognising that settling back at home may require a more considered, flexible and less binary approach to those teenagers 'in' or 'out' of the care system.

THE STATE AS PARENT

Chris Wilde, who grew up in care and is now a campaigner for children in care and care leavers, spoke about his experiences and the long-term damage that can be done to the whole family.

As Claudia Sturt, Chief Executive of the Youth Justice Board said during an evidence session, instability can make children more vulnerable to being involved in crime. She told us that children from care often come into the criminal justice service because the system is not good enough at delivering against existing statutory duties, including offering stability. ''We need to try and make sure the quality of care meets young people's needs for safe, stable relationships that help them forge a positive identity and bring reliability and predictability. We need care settings that behave more like better, more vigilant parents…'' would have if they were not taken into care and acknowledge that those with experience of care are challenging the stigma they face.[111]

[102] *Op cit.* OCC. Stability Index.
[103] Ibid.
[104] DfE Children looked after in England including adoption: 2020/21
[105] Hull *Corporate Parenting Board*, as of 3 May 2021.
[106] Norgate, R et al (2012) 'Social workers' perspectives on the placement instability of looked after children', *Adoption & Fostering*, 36(2), pp.4-18. Social Worker Perspectives on the Placement Instability of Looked After Children

[107] Schofield, G., & Beek, M. (2005). Risk and resilience in long-term foster-care. *British Journal of Social Work, 35*(8), 1283–1301
[108] Op cit Norgate et al.
[109] Ward H. (2009) *Patterns of Instability: moves within the English care system, their reasons, contexts and consequences*
[110] Sinclair I. et al. (2007). The Pursuit of Permanence.
[111] Bright Spots: *Challenging Stigma in the Care System*, Corum, 2020.

However, the evidence shows that outcomes for some children in care do not compare well to the broader youth population and that the 'state as parent' is more able to help some than others.

Dr. Sinclair Coward, from Buckinghamshire New University, interviewed Black and dual-heritage children using children's social care services as well as Black social workers.[112] She found that three issues need immediate attention. The first is the lack of genuinely warm relationships that BAME children experience with foster carers and social workers, which negatively impacts on their emotional well-being. The second is the 'horrible' school experiences that these Black and dual heritage suffer, especially in their relationships with teachers who are described as being ''insensitive'', ''prejudicial'' and ''judgmental''.

Throughout evidence sessions and discussions, individuals and organisations consistently raised the issue of the disproportionate numbers of BAME children, and particularly Black young people, not just in the justice system but in every part of the social care landscape. This feedback and the figures included here suggest that systemic racial bias plays its part.

For example, Black children, particularly teenage boys, are less likely to be seen as victims, more likely to be viewed as 'offenders' and subject to 'adultification', where they are excluded from perception of the vulnerable and experience punitive responses.[113] In their response to the serious case review of Child C – a victim of criminal exploitation, murdered in London at 14 years old – Jahnine Davis and Nicholas Marsh reflect on professional and social attitudes towards Black boys, arguing for a greater awareness of this bias and its implications.[114]

DRUG SERVICES

The LGA also highlights the importance of providing well-funded, targeted and effective substance misuse services. This was reiterated to us by Natasha Langleben, London Borough of Brent Care Team manager and lead on transitional safeguarding for care leavers, who responded to the Commission's call for evidence:

''Our young people who end up in crime often lack the educational qualifications and the confidence to achieve jobs that will pay them what they want…This overlaps hugely with substance misuse … many have normalised smoking cannabis and they will do a number of 'unsafe' things to get [it].''

Natasha told us she has seen very limited take-up of substance misuse services and believes there is a need for a larger outreach element, visiting their homes and placements where needed ''One young person I worked with had a real addiction which was affecting his job, his mental health, every aspect of his life, housing… but there is so little support for him… the substance misuse service just wasn't persistent enough.''

[112] Coward, S. (2015). *The Emotional Wellbeing of Black and Dual Heritage Looked After Young People. United Kingdom*: London Metropolitan University.

[113] Goff P. et al (2014). The Essence of Innocence: Consequences of Dehumanizing Black Children. Journal of Personality and Social Psychology, 2014, Vol. 106, No. 4, 526–545. American Psychological Association 0022-3514/14/$12.00 DOI: 10.1037/a0035663

[114] Davies J. and Marsh N. (2020) Boys to men: the cost of 'adultification' in safeguarding responses to Black boys, Critical and Radical Social Work, Volume 8, Number 2, August 2020, pp. 255-259(5) Policy Press

6. CRIMINALISATION OF CHILDREN IN CARE AND THE LIMITS OF A JUSTICE-LED RESPONSE

In its submission to our call for evidence, the LGA highlighted the work that is being done in relation to the criminalisation of children in care, particularly for those in residential care. It referred to research by the Howard League, showing that children in residential care are now three times less likely to be criminalised.

6 x *In 2016, children in care were six times more likely to be sanctioned for an offence than children in the general population.[115]*

15% *In the year ending March 2014, 15% of children in children's homes received a caution or conviction. In the year ending March 2020, this proportion was reduced to 5%.*

This issue was raised by other witnesses including Claudia Sturt who as well as emphasising early parental support, including trauma informed ways of working and better screening, stressed the need to see "vulnerable children as children first and foremost, having their needs and not their behaviour addressed". Returning to 'the state as parent', she highlighted that, despite the figures above, teenagers in care were more readily criminalised because of behaviour, which would not result in police being called at home or school. She advocated for an approach more akin to family forbearance, where minor incidents were absorbed and responded to not escalated to the criminal justice system.

Several witnesses and calls for evidence submissions highlighted how calls to police from care homes still risked both additional breakdown of trust and criminalisation. This included Jules Bottazza of Essex Police who argued that government could address this with a simple process of amending the National Crime Recording Standards for England and Wales. "Why can a school treat a minor incident as a non-crime but for children in care, committing the same act in their home be recorded as a crime?"

There are wider and more complex relationships between vulnerable teenagers going into care and/or being stair-cased through to the criminal justice system. As the criminologist Tim Newburn says in his analysis of the relationship between disadvantage and crime, the links are complex. For example, studies show a higher prevalence of bereavement among people who have contact with the justice system, including children in custody.[116] He argues: "It is hard to conclude that social inequality is anything other than of central importance in understanding crime, anti-social behaviour, criminal victimisation and state punishment."[117]

The prison population includes people from all backgrounds. But contact with the justice system is far more likely to be experienced by those who have been in care, are living in poverty, who have special educational needs, been excluded, suffered abuse, neglect and mental health problems, and these issues can be intergenerational.

Vulnerable Black children are disproportionately represented in the children's social care system, are spending longer periods in care and are more likely than their peers to be subject to a trajectory, where failures in prevention leads to exploitation, criminalisation and incarceration. The Lammy Review, published in 2017 provided extensive evidence of discrimination in the adult and youth justice systems and concluded that "…there is no single explanation for the disproportionate representation of BAME groups"[118] As David Lammy highlighted, the numbers of under-18s being charged for an offence and ending up in custody is falling.

82% *The fall in the number of children in custody between its peak in 2006 and 2020.[119]*

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[115] The Guardian (2016). Half of children in youth custody have been in care system, review finds
[116] For example, Vaswani (2008) and Finlay and Jones (2000).
[117] Newburn T, 2016. *Disadvantage, Crime and Punishment,*

[118] The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System 2017
[119] Youth Justice Board/Ministry of Justice (2021). Youth justice statistics 2019/20e

Experience	Prison population	General population
Taken into care as a child	31% (women) 24% (men)	2%
Abused as a child	53% (women), 27% (men)	20%
Observed violence at home as child	50% (women) 40% (men)	14%
Regularly truanted	59%	5.2% (England)
Expelled or permanently excluded	32% (women) 43% (men)	1% (2005 England) permanent exclusion
No qualifications	47%	15% working age
Unemployed in four weeks pre- custody	81% (women) 67% (men)	7.7% of economic-ally active
Never had a job	13%	3.9%
Homeless pre-custody	15%	4%
Anxiety and depression	49% (women) 23% (men)	15%
Attempted suicide	46% (women) 21% (men)	6%
Used class A drugs	64%	13%
Drank alcohol each day in four weeks pre-custody	22%	16% men and10% women y

7%

The rise in number of Black children arrested in the year to March 2020, compared with 10 years ago.[120]

As well as showing unequal treatment and outcomes for BAME children and young people, this data raises the question, which the Commission is exploring, about what is happening to young people at key 'trigger' moments, including when they come into contact with the police but where no further action is.

42%

Of boys in secure training centres and over half of boys in England and Wales identified as being from a BAME proportion of the wider UK population.[121]

The data also shows that 87% of under-18s on remand in London between July and September 2021 were from a BAME background, while 61% were Black.[122] This is despite 1,000 young, Black men under 25 being removed, in February 2021, from the Metropolitan Police gangs violence matrix, which was criticised for being discriminatory. Some boys were on remand because bail applications were refused when local authorities could not find them a safe place to live. This means longer spells in remand even though two thirds of children remanded to youth detention did not receive a custodial sentence.

69%

Of children in care in England are identified as White or White British in 2019 (down from 73%) since 2015.[123] The percentage who were from Black, Mixed and Other ethnic groups combined went up from 18% to 22%.

33%

The drop in the number Mixed background children adopted between 2015 and 2019.,

33%

The drop in the number of Black children adopted during the same period (adoptions of White children went up),

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[120] *Ibid.*
[121] Ibid.
[122] DfE Children looked after in England including adoption: 2020/21
[123] Adopted and looked after children, April 2021

Between April and June 2021, Her Majesty's Inspectorate of Probation undertook a review of the experiences of Black and Mixed heritage boys in the justice system.[124] Practitioners reported that a large majority experienced multiple adverse childhood experiences and had high levels of unmet need before contact with justice services.

The Inspectorate's review found that almost a third had been victims of child criminal exploitation and that the majority had one or no previous convictions.[125] Most of the boys grew up in the poorest areas and had often been exposed to the violence and family breakdown. The boys, particularly those from London, spoke at length about being subject to police stop and search. These findings resonate with central themes emerging from the Commission's early consultation and which run through this report.
If solutions are to meet the challenges, we need to understand that the pandemic does not account for the depth or stubbornness of the problems facing some vulnerable children and young people or the pressures experienced by families and the services they rely on. It also raises again the issues about low levels of trust amongst children, young people and families generally, but particularly in relation to the criminal justice services and for BAME groups.

CRIMINAL JUSTICE LED RESPONSES

These figures highlight tensions around who is a trusted agency and the particular criminal justice agencies have with some communities. Speaking at the Commission's first meeting, Nevin Rennie, Head of the Scottish VRU (SVRU), highlighted the importance of its public health approach; preventing issues from arising rather than dealing with the aftermath.

Founded in 2005 by Strathclyde Police, to try a different approach to tackling violence and the rising homicide rate, SVRU expanded to become a national unit in 2006, it receives funding of around a million pounds directly from the Scottish Government. The SVRU team includes police officers, civilian police staff, experts and people with lived experience working with colleagues and partners across health, education, social work and other fields. Niven argues that in general, it still focuses on responding to crime, in part because of demand driving reactive policing and lack of time available being proactive, but also because this is easier to measure. The range of activities that the Glasgow VRU underline this. The approach is highly flexible and combines multi-agency working and a wide range of interventions.

Scotland currently has one of the lowest numbers of recorded homicide cases for a single year since 1976. Between 2010/11 and 2019/20 there has been a 35% reduction, with Glasgow city accounting for 41% of that fall.[126]

EXPANSION OF VIOLENCE REDUCTION UNITS

In 2019 the Westminster government, impressed by the Scottish experience announced it would introduce new legal duties on public services to work together to prevent and tackle serious violence as part of its public health approach to tackling violent crime. It defined this as treating "violence like an infectious disease. It suggests that policy makers should search for a 'cure' by using scientific evidence to identify what causes violence and find interventions that work to prevent it spreading. A 'public health' approach involves multiple public and social services working together to implement early interventions."

[124] The experiences of black and mixed heritage boys in the youth justice system: A thematic inspection by HM Inspectorate of Probation October 2021
[125] *Ibid*

[126] A Safer Scotland for All, The Scottish Violence Reduction Unit: Five-Year Strategic Plan, Scottish Police Authority 202

To date the Government has also invested over £100 million in Violence Reduction Units (VRUs) modelled on SVRU. However, the OCC found that these new mechanisms have been quite slow in getting going'; In 2019 it found a shocking lack of awareness[127] and in January 2021 it found only 25% of areas have a plan. VRUs programmes are quite varied, and many are pilots or new. Some have paid for workshops and sessions in schools to raise awareness of gangs and our experience is that some of these seem to have quite an impact.

London VRU

The London VRU provides a wide range of interventions, including:

— *A healthy relationships programme in school to work against exclusions,*
— *A women and girls mentoring scheme that focused on early innervation*
— *A PRU mentoring scheme provided by non-professionals who get professional leadership training over a year.*
— *Working with Redthread and Catch 22 on unwanted contact via social media, helping young people to advocate for themselves.*
— *A critical incident fund so local authorities can apply for a grant to pay for work aimed at better understanding what has happened – for example detached youth workers or additional data – or to test solutions based on lessons learnt.*

The VRU hopes to develop a map of this work to understand better the benefits of different approaches.

WIDER MEASURES

The Police, Crime, Sentencing and Courts Act 2021 introduced the Serious Violence Duty, which requires local authorities, the police, fire and rescue authorities, specified criminal justice agencies and health authorities to work together to formulate an evidence-based analysis of the problems associated with serious violence in a local area, and then produce and implement a strategy detailing how they will respond to those particular issues. Local authority Children and Young People Safeguarding Boards have been seen as the mechanism to co-ordinate and plan local strategies, working with VRUs and building on pre-existing duties to develop and implement strategies to prevent and reduce serious violence.

Thames Valley VRU

The VRU has a range of work that includes providing materials for use in schools. In September 2020, it partnered with Thames Valley Police and the PPC for Thames Valley to publish Dee's Story, a programme of PSHE resources developed around the true account of a girl convicted of county line activity. It also works within schools on violence reduction and knife crime and an intensive one-to-one programme for young people at risk and works within children's custody and a diversion programme.

The VRU have developed a Violence Reduction Network in Oxford to support embedded trauma informed practices in schools. The network has grown to include nearly 20 schools and colleges from across the area and members have had training in various trauma informed areas including the following:

— *The effects of trauma in behaviour presentation,*
— *Starting conversations with students about their substance use*
— *TVP's award winning drug diversion scheme*
— *Informed consent and successfully discussing issues with students*

Yet, the current approaches to child criminal and sexual exploitation are very much being led by the Home Office and the police. For example, while Violence Reduction Units include multi- agency working, they are led by the police. Likewise, several of our witnesses raised the issue of the transfer in 2012 of funding for prevention from YOTs to PCCs. Although both sit within the justice space, where this was raised, witnesses and others highlighted that in some areas this had narrowed the focus of YOTs to dealing just with those who had committed an offence, rather than wider prevention. Some felt that the PCC funding – because it was focused so closely on reducing reoffending – was restrictive when it came to wider spending on crime prevention.

Several witnesses raised the critical importance of establishing good relationships, with teenagers and with the range of agencies involved. PCC's short-term contracting was seen to disrupt this. More specifically in relation to teenagers being exploited, there was a sense amongst witnesses that a public health approach needed to gain more traction from the DfE, who were criticised for some for not being as proactive on this agenda – despite the link to exclusions, SEN needs and children in care – as the Ministry of Justice and the Home Office.

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[127] OCC Jan 2021

For example, the Commission's chair attended one where young people who were taking part in the last of four sessions that had taken place over the month. VRU workers started by asking the participants what the most powerful weapon was they could to defend themselves – at the beginning the young people said guns – by the end they were saying your brain.

The process seemed to have helped them spot signs of grooming and avoid getting into tricky situations. It also helped young people to understand the consequences of violence for everyone around the person involved. They wrote letters to their siblings or people they thought might get or be involved in gangs to tell them why it is a bad idea. Likewise, we heard from Greater Manchester VRU about the scale of engagement that they were doing and parents' role within this.

Northumbria PCC

Working with Action for Children, the PCC has launched a diversion programme aimed at diverting young people away from a life of serious organised crime is being rolled out to Newcastle.

The programme, funded by the National Lottery Fund for three years is targeting vulnerable young people on the cusp of serious organised crime such as drug supply and distribution, money laundering, stealing to order and illegal enforcement. It will offer targeted support to 11 to 18-year-olds through intensive one-to-one support, peer mentoring, education and employment training.

In addition to VRUs, police forces have their own programmes of prevention. However, across the board, the progress of these and the work of Children and Young People Safeguarding Boards is hampered by the high thresholds around children in need, evidenced here by both the reduction in referrals and feedback from practitioners. These high thresholds are a way of rationing resources and result in most teenagers at risk not getting help from children's services until they are at risk of significant harm. For example, we have heard from parents that they have approached children's services when they suspect their child is involved in gangs and they have been told that this is not an issue they can help with. Parents talk about becoming instant experts to try and get help.

The Youth Endowment Fund

Established in March 2019 in partnership with Impetus, with a £200m endowment and 10-year mandate from the Home Office, the Youth Endowment Fund supports a range of projects including work with families as a way to reduce violence and exploitation.

For example, it is working with the Early Intervention Foundation on parenting support and family therapy interventions that have been shown to improve outcomes that are predictive of youth crime. The EIF will also be looking at whether interventions that have shown results for other groups of young people are as effective for teenagers at risk

MISSING CHILDREN

A 2016 review by Her Majesty's Inspector of Constabulary HMIC on missing or absent children found "some good approaches with prompt action to find missing children and joint work to protect them. However, our principal finding was of inconsistencies in properly assessing risks, managing investigations, and providing support and help to the child."[128] Since then, many of its recommendations – including a mandatory interview on return – have been taken up but according to Missing People, the response to children going missing still does not appear to be a strong enough trigger for a child to be considered at risk. In their submission, Missing People said that too often mandatory return interviews with returning children are contracted and they do not always happen or are seen as a closure interview rather than a trigger to further investigation/referral for help.

One mother shared that she knew her teenage son was involved in a gang and that he had gone missing on multiple occasions. She was told that the family needed to report each missing incident to the police to alert them to follow up. Each time they did this they had to go through a long process of registering and retelling the story. Even when she was calling every day or once a week.

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[128] *Missing Children - Who cares? The police response to missing or absent children,* HMIC 2016.

— *Spending on early intervention, aimed at preventing issues escalating through access to things like low-level mental health support, help with children showing difficult behaviours or parental conflict, reduced by almost two-thirds between 2010/11 and 2018/19.*[129]

— *According to the Sutton Trust 1000 family centres closed between 2009 and 2018.*[130]

— *Between 2010 and 2017, youth services experienced funding cuts of 40% and 600 youth centres and 139,000 youth service places were lost between 2012 and 2016.*[131]

— *More than 338,000 children were referred to children and young people's mental health services in 2017 but less than a third received treatment within the year.*[132]

— *Funding for local authorities neatly halved between 2010 and 2018.*[133]

In her submission, Jo Youle of Missing People said: "Young people living in care are 20 times as likely to be reported missing as young people living in their family home. We know there's a real issue with out of area placements – where young people are moved to a new area, isolated from friends and family, and placed into a new school, so it's no surprise that these young people often run away to go back to their support networks. We also know that young people in care are at higher risk of being criminally or sexually exploited and are more likely to have mental health issues which means that when they are missing, they are at very high risk of harm."

At the same time, we know that young people in care are more likely to be reported as missing to the police than other young people in similar circumstances. We know that over-involvement of the police in a young person's life can cause significant harm and can reduce a young person's trust in the professionals around them. It's therefore vital that carers and the police take a balanced and child-centred approach to young people missing from care – and focus on ensuring young people have support and positive relationships through their care placement that prevent them from going missing."

Our intention is to highlight some of the great work that is happening and the way it is happening. It is not to question the legitimacy of this work or question the Government's investment in VRUs or initiatives like the Youth Endowment Fund. But if we are to provide effective prevention, support and intervention for vulnerable young people in care and on the edge of care, there is a need for approaches that are welfare led, integrated and where young people are not seen through different lenses according to the agency they happen to be in contact with.

NEW GOVERNMENT POLICY

In December 2021, the Government published its renewed drugs strategy including measures aimed at: "rolling up" the county lines model, protecting the most vulnerable from exploitation and trafficking by criminal gangs and reducing associated levels of violence and homicide."[134] Supported by £300 million of investment over three years, the Government aims to "mobilise robust and innovative supply interventions through an 'end-to-end' plan which includes sustained investment across the supply chain" in order to dismantle the county line distribution model that is exploiting children and vulnerable adults and devastating our neighbourhoods. This includes making up to £145 million available for its County Lines Programme over the first three years,

As part of an additional £2.3 billion per year by 2023/24, the Government estimates that an additional 345,000 children and young people in England will have access to mental health services each year by 2023/24. The Department for Culture, Media and Sport (DCMS) is also investing £560 million over three years to build a new and improved youth offer across England. Its Youth Investment Fund will be targeted at areas most in need and provide investment in new safe spaces for young people, to access support from youth workers and activities. In relation to children in care the Government highlighted its existing commitment for £259 million to maintain capacity and expand provision in secure and open residential children's homes. And in relation to children's secure centres, NHS England and Improvement are rolling out a framework for integrated care across the secure estate in England, including integrated, trauma-informed services.

[129] LGA - Restore £1.7 billion early intervention funding ahead of surge in children's services demand
[130] Stop Start: Survival, Decline or Closure, Children's Centres in England in 2018, Sutton Trust 2018. https://www.suttontrust.com/wp-content/uploads/2018/04/StopStart-FINAL.pdf
[131] LGA - National Citizen Service funding should be devolved to local youth service, August 2018. https://www.local.gov.uk/about/news/lga-national-citizen-service-funding-should-be-devolved-local-youth-services

[132] CAMHS: the facts, LGA
https://www.local.gov.uk/about/campaigns/bright-futures/bright-futures-camhs/child-and-adolescent-mental-health-and
[133] Financial sustainability of local authorities 2018, NAO, March 2018.
[134] From Harm to Hope, a 10-year drugs plan to cut crime and save lives, HM Government, December 2021

While these measures are welcome, clearly a huge part of the answer is prevention and a constant theme throughout the Commission is the need for better and earlier intervention. The 10-plan highlights the role of family hubs, which aim to bring together services for children and young people up to the age of 19, with a Start for Life offer at their core.

— The Government has committed £39 million to family hubs and £300 million for 'Start for Life' services with the aim of creating family hubs in 75 local authority areas in England.

— £200 million is being invested over the next three years in the cross-government Supporting Families Programme. This takes the total planned investment in England to £695 million.

We return in our final section to how some of this funding can be directed specifically towards teenagers at risk of going into care and their families. It would be churlish not to welcome this funding and the emphasis of the drugs plan on the need to see young people in trouble as distinct from adults. However, as any witnesses raised, the rise of teenagers entering the care system is a symptom of past failures to focus sufficiently on prevention and the removal of the wider support services, including family centres and lighter touch support through Early Intervention Funds.

The £695 million for a combined package of family hubs, Start for Life services and Supporting Families Programme is very welcome, as is the £560 million from the DCMS to support youth work. However, as we have seen, we have increasing numbers of vulnerable teenagers in crisis, alongside increased demand on child protection. The scale of cutbacks to services that support vulnerable families far outstrips these welcome new funding streams.

In her submission to our call for evidence, Lucy Shepherd of Our Time reminds us that "between 2010 and 2020, local government spending on early intervention projects (such as children's centres, family support and youth services was cut."

Meanwhile, spending on costlier late interventions (such as youth justice, looked after children's services and safeguarding) increased by 34% to £7.6 billion."[135] In addition, between 2010 and 2019 more than £30 billion in spending reductions were made to welfare payments, housing subsidies and social services, impacting most on marginalised communities.[136]

AMBITION IN RECOVERY

The pandemic has made things worse but these issues were heading in the wrong direction pre-Covid. For example, less than a year into the pandemic, inspectors of probation, police, prisons and the Crown Prosecution Service expressed "grave concern" about chronic court backlogs, but similar warnings were made earlier.[137] Likewise, the disproportionate use of teenagers on remand pre-dated Covid-19 (in 2019/20, 60% of children on remand were from BAME backgrounds).[138]

For many teenagers, the pandemic has not been the first time they have seen their families tipped into crisis. An 18-year-old leaving care at the end of 2021 would have been about five at the time of the global financial crisis of 2007/8, around seven at the beginning of the period of service cuts and 16 at the start of the pandemic.

Many of today's vulnerable teenagers– and the services supposed to support their families and to protect them – are experiencing a similar trajectory where long-term pressures have become acute. The practitioners we spoke to describe services already struggling for years being "obliterated" by the pandemic

While criminal justice-led approaches such as VRUs and the Government's drugs plan go wider than the criminal justice system, the scale of the issues facing vulnerable families and particularly, teenagers at risk warrants a more ambitious national recovery strategy focused on young people.

[135] Barnardo's et al (July 2021). Children and young people's services: spending 2010–11 to 2019–20
[136] Benjamin Mueller (2019). What Is Austerity and How Has It Affected British Society?

[137] Law Society, 7 September 2021
[138] Howard League and Transform, 2021

7: THE SOCIAL CARE WORKFORCE

CONTEXTUAL SAFEGUARDING

Some of our witnesses suggested specific changes that need to be made to better protect vulnerable young people, including those in care, becoming drawn into exploitation. The contextual safeguarding approach, which is increasingly used in some areas, provides a potentially radical way of refocusing services on teenagers at risk of exploitation and this was referenced by many witnesses. For example, in her evidence submission to the Commission, Natasha Langleben at Brent Council called for multi-agency networks doing more to better understand of the nature of exploitation and contextual safeguarding and many witnesses raised the issue of quickly trends – for example in county lines operations and the use of technology – can change and the challenge of services keeping apace.

This highlights the importance of taking a longer-term view and increasing both the understanding of contextual risks for today's and tomorrow's teenagers and acting on what this reveals, even when this challenges commissioners and providers to act very differently and means deeper systemic change.

First developed by Dr Carlene Firmin (one of our witnesses) in response to child sexual exploitation, contextual safeguarding has been extended into child criminal exploitation and is now a recognised part of children's services approach. Contextual safeguarding provides an approach to understanding and responding to young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse and that parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.

Carlene shared with us developments in relation to its adoption by local authorities. To date, 45 local authorities have committed to adopting the framework and nine have her team embedded. There are two levels of commitment. Level 1 is to use contextual safeguarding approaches to assess zones of risk, putting what you are already doing in a new context. For example, a particular chip shop or children's home, for example.

Hackney Contextual Safeguarding project

The project involved a redesign of the safeguarding system within children's social care and at its interface with other agencies responsible for child safeguarding. Based on Contextual Safeguarding Theory, the new system was intended to address extra-familial risk or harm experienced by adolescents outside the family home, both in the community and online. The aim is to develop a system that could address extra-familial risk and harm at two levels (we return to this later).

— *At Level 1 'contextual thinking' (is incorporated into work with specific young people at high risk, and their families. Intervention is framed through the lens of child safeguarding rather than crime reduction or community safety.*
— *Level 2 involves working directly with communities and peer groups to build strengths, promote welfare, change environments, and reduce risk for all young people in 'hotspot' areas.*

The new system is a partnership building between children's services, related agencies and community stakeholders with a reach into extra-familial contexts (including transport providers, retailers, youth workers, residents' associations, recreation services, schools and so on). Success was to be measured by whether contexts became safer, rather than solely focusing on any behaviour changes displayed by young people who were at risk in those contexts.

Level 2 involves the development of a response to that risk context itself, assessing the needs of the children in relation to that place and adopting a plan to deliver a response (for example, closing down, changing or investigating that site), Carlene's experience is that while many local authorities commit to the first level in general, they are far more hesitant about Level 2 as this requires system change. Increasingly children's social care practitioners and wider safeguarding partnerships are using contextual safeguarding to assess extra-familial risk, and this includes the development of Violence Reduction Units. However local authorities seem more nervous, as adopting Level 2 approaches would put them in a proactive leadership role. Such an approach could raise issues around factors like guardianship capacity to keep young people safe, or issues around the built environment or school exclusions and so on.

As the above suggests, the approach is logical but radical in its implications. For example, Rhiannon Sawyer, Assistant Director of London's Violence Reduction Unit described a flexible and responsive approach and said that the VRU can identify specific children's homes where young people are likely to experience violence and/or criminalisation. A contextual safeguarding approach would highlight the need to address the issues within those homes, rather than just moving teenagers around.

While 54 local authority leaders in England, Scotland and Wales have committed the approach, far fever have yet followed this through to its more challenging potential impact on delivery, that speaks powerfully to a public health approach. For example, Carlene believes commitment to a contextual safeguarding approach at this level would call into question the movement of a young person in care out of area because they are at risk of extra-familial farm through exploitation or violence. As she says, we need to ''stop finding the children that are most likely to be stabbed and start looking at the places where this is happening… we try and fix the child not the context.''

More prosaically it would also highlight some of issues that witnesses, and others raised in relation to the operational delivery of services for vulnerable young people at risk, including the times that children's social care workers are available and the places that young people are in.

Both Chris Wilde and Action for Children's Tim O'Neill talked about the need to be 'where young people were and when they were there'. Chris gave examples of local authorities struggling to fund additional flexible support that does this and said that social work models that have evolved around younger children and their parents, do not have the built-in flexibility needed to provide evening or weekend outreach support. As our practitioners group stressed, those who want to groom, control and recruit young people do not work normal hours.

Dr Carlene Fermine talked about the content of training for social workers and how adolescent development would currently form a small relatively small part of the overall package, whereas early years development would dominate. She raised the issue of time: ''We know what works and what gets people on board; time, we need to give these young people time and this means being flexible about when and where.''

One witness shared that police in his area get a rise in the number of young people on Friday evenings, in part because vulnerable young people are in effect 'handed over' by social workers to a criminal justice system that works 24/7. This suggests that a system where teenagers are the fastest growing recipients may require a different model, not that social workers working with young people simply need to extend hours. Indeed, our witnesses understood the hours and stresses involved in social work and the impact that this was having on recruitment and retention.

THE WORKFORCE

Throughout the Commission's work to date questions have bubbled up about whether children's services – in its broadest sense – are consistent with the context in which they work. For example, both Chris and Katheryn from Belong asked us to imagine what a system and workforce would look like if you started with care leavers knowledge and lived experience and worked from there.

Behind these questions is a sense amongst at least some witnesses that we are using a system designed many yesterdays ago to serve the children and young people of today. Some witnesses posed the question of whether vulnerable teenagers could at times stretch the skills of mainstream social workers who are primarily used to dealing with younger children. We received evidence advocating the development of specialist adolescent safeguarding teams, which span the 14-25 age group and offer more outreach work to support young people to remain in their home where possible, working with families to understand contextual risks.

The issue of trust amongst young people and families was raised by several evidence givers, with different views emerging. Some felt that the particular role of social workers and other statutory roles provided a barrier to trust. We heard the argument that ideas such as wrap around family support or specialist foster care, would be a challenge for social workers. Others – including most of our practitioners (working in a range of sectors but within the charity sector) – disagreed and argued that young people respond to the nature of the relationship and not the role.

The INK Project

The aim of the INK project is to support young people in Liverpool, aged 16-24 who are at risk of Child Criminal Exploitation, including exploitation by County Lines activity. These young people often have a lack of protective factors in their lives, which leaves them at risk of being exposed to exploitation. The project works with males and females but has a particular focus on supporting females. The INK project is based in the Young Person's Hub, where there are a variety of services for vulnerable young people and access to support from specialist agencies.

Using an Intense Mentoring Model, the INK project offers a tailored programme of support that aims to increase awareness around Child Criminal Exploitation, in particular around County Lines activity; boost protective factors in the young person's life; build the young person's resilience and provide opportunities for personal development and ACES recovery. It developed individually tailored programmes for young people over a period of 12 weeks which include:

— *1:1 Mentoring with an experienced young person's mentor*
— *Skills programme including Personal Development; Training, Education & Employment' Life Skills & Tenancy Readiness.*
— *Access to specialist agencies which hold regular 'surgeries' at the Young Person's Hub*
— *Support for young people to understand the impact of ACES*
— *Specialist workshops*
— *Recovery Toolkit work*
— *Access to sports and enrichment activities*
— *Help to identify and access ongoing support.*

Tim O'Neill who recently moved to be managing Director of Children's Services at Action for Children having worked in a local authority setting for most of his career, took a macro perspective.

He believes that the issue is one of system design. "We have a new cohort, and they are not getting what they need. The systems have remained broadly the same, while children's lives have changed massively, and they are struggling in different ways, including as a result of digital technologies."

These are big questions and we do not pretend to have all the answers, but we have a number of proposals for reform. Firstly, building on the work already done by the Independent Review of Children's Social Care and others, taking a whole child, family and system approach looking at how different components fit together to meet the changing needs of children, young people and their families at different times.

Secondly, the system is not short of processes, teams and different functions operating around teenagers at risk and further complexity is unlikely to help. As well as direct case work, this includes VRUs, Multi-Agency Safeguarding Hubs (MASH), which brings together agencies (and their information) to identify risks to children at the earliest possible point and respond with the most effective interventions. YOT workers, youth workers, foster carers, care workers, and therapeutic and pastoral workers in some schools, including some PRUs. Yet, as we have seen, too many vulnerable teenagers on the edge of care are not safe, too few are being helped to stay within their families, too many are at risk when they are in care and too many are not getting the support that they need in returning home or leaving the care system when they reach 18. If we are to meet these teenager's needs, this requires far deeper understanding and implementation of multi-agency work.

Thirdly, we need to listen to teenagers and their parents about the kinds of services they need and the kinds of operational models, skills and behaviours that those who are working with them need.

Leigh Middleton, the Chief Executive of the National Youth Agency felt that: young people have been let down by the lack of investment in youth services. "Recruiting, training and mobilising 10,000 qualified, frontline youth workers is at the core of workforce development that provides the critical support for young people through adolescence. Where youth work is a recognised, professional practice with contextualised safeguarding that provides a safe space for individual support and peer groups, and a trusted adult who knows what is needed to access to specialist services. Youth workers form trusting, long-term relationships with young people across a range of settings, and a positive role model to understand and action their needs."

He argues for a coherent youth workforce strategy to ''open up career pathways, for continued professional development and volunteering opportunities, and cross-collaboration of services working with young people. In turn, decreasing later interventions in social care and youth justice, and creating opportunities with young people to be supported in the present and ambitious for their future.''

FOSTER CARERS

Age

— As of 31 March 2021, the largest group of all approved carers were in their 50s (40%). People in their 20s and 30s accounted for about a quarter of newly approved carers.
— When looking at the age of carers who deregistered, almost 60% were over 50.
— Carers in their 50s had the highest proportion of deregistration (32%) and those in their 20s had the lowest (5%).

Ethnicity

— On 31 March 2021, in line with previous years, most foster carers were White (82%). This is lower than the proportion of White people in the adult (aged 25 and older) population 88%).
— As with previous years, there was a greater proportion of foster carers from non-White ethnic groups in independent fostering agencies (22%) than in the local authority sector (12%), which reflects the proportion of children placed from non-White ethnic groups in each sector.
— Of all newly approved foster carers during 2020 to 2021, 80% were White and 15% were from non-White ethnic groups.

Source: DfE Fostering in England 2020 to 20221:

Despite the number of foster carers in England being at the highest level on record, in November Ofsted warned that sector demand is outstripping capacity, leaving some vulnerable children missing out on care.[139] Its annual data on fostering showed that there were 88,180 approved fostering places, 55,990 of which were filled, and 45,370 approved fostering households, as of 31 March 2021. Over the past five years:

— The number of approved places and approved households have only increased by 2% while the number of children in placements rose by 9%.
— The number of approved households whose primary placement offer was for family and friends care rose from 5,855 to 8,045.
— Patterns of occupancy have stayed broadly the same over the last seven years, with just under two thirds of places being filled.

Step Up Step Down

Based upon the support care fostering model that has already been successfully used in England and Wales, operates in partnership with the South Eastern Health and Social Care Trust in Northern Ireland, where four highly trained and experienced foster carers provide time limited, preventative support care delivered by foster carers to 120 families. The foster carer role is broadened and expanded to enable the foster carers to work intensively alongside birth families to build their skills, capacity and networks.

The programme gives parents the support of a foster carer who can 'step up' if the family needs additional support and 'step down' when parents are in a better place to support their children. If the family experiences a crisis situation, the child/children can stay with a foster carer for a short period of time, rather than being placed with strangers. The support provided for families depends on individual family needs but includes intensive support at times of family crisis, a programme of activities focused on learning and achieving as a family and developing and delivering a peer support model for families

More than 3,300 foster carers looking after well over 5,000 children responded to the Fostering Network charity survey. It also involved 99 fostering services, representing more than a fifth of the sector. All but six of the 99 services that were included in the report said they had a shortage of foster carers in their local population. Local authorities continue to have higher proportions of filled places (68%) than independent fostering agencies (58%). However, this is largely accounted for by family and friend carers, where shorter term placements are more common.

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[139] Ofsted: Lack of foster carers mean children missing out on support. 11 November 2021

In addition, the figures on age and ethnicity bring to the fore not just demand outstripping need but also the extent to which the care system needs to adapt to the changing needs of children.

Shadim Hussain, CEO and founder of My Foster Family, argues that a shortage in Black, Asian and minority ethnic (BAME) adopters and foster carers, and a lack of support for White carers, is leading to BAME children in care receiving care that does not fully respect their culture, beliefs and identity. He suggests that the foster system needs to become "more inclusive and easier to navigate for foster parents from a range of backgrounds". He says rather than focusing solely on placing children in foster families with identical backgrounds and beliefs, we also need develop mutual understanding and increase support for carers in cross-cultural placements.

SHARED CARE MODELS

In addition, there is a need for more specialist forms of foster care, including scaling up the models such as the Stepping Step Up in Northern Ireland, which take a more 'shared care' approach and bring continuity to a child as they move around the care system. This speaks to what children say they want in a lot of instances - kinship care - and enables continued family contact, where appropriate, including with extended family.

There is also a national shortage of remand foster carers where a young person will be looked after in a family environment while they await court dates. Remand foster care provides an alternative to being held in custody or secure accommodation and gives young people a chance to demonstrate positive changes to their behaviour in society. They might be under strict bail or may have to attend court dates and meetings with solicitors and may also have underlying issues that have contributed to their current situation.

Kinship care

Kinship care, where children cannot safely stay with their parents but are able to be cared for by their wider family, can help teenagers have a stable, loving home and build the essential relationships they need to flourish The norm for more than half of children in the care system in Australia and New Zealand, it has been used less frequently in this country but, with the right support, has the potential to provide an important aspect of the system of care for teenagers at risk.

There is significant evidence that for teenagers in care, too often the care system breaks rather than builds positive relationships. The charity Family Rights Group charity is working with several local authorities to develop kin-based approaches to improve outcomes for children and evidence what works. 'Lifelong Links' aims to ensure that a child in care has a positive support network around them to help them during their time in care and into adulthood. and provide a stable network to support them towards adulthood.

The Lifelong Links model includes tools and techniques for Lifelong Links coordinators to use to search for and find family members (known or unknown to the young person) and other adults (such as former foster carers or teachers) who care about the young person. This network is then brought together in a Lifelong Links family group conference to make a life-long support plan with, and for, the young person.

The local authority will then integrate the Lifelong Links plan into the young person's care plan and social workers should work with the young person and their support network during their childhood and transition to adulthood. Evidence to date shows that Lifelong Links increases young people's sense of identity, the likelihood of them remaining in their foster or children's home and the number of positive connections that they can turn to.

8. OUR RECOMMENDATIONS

The current social children's social care system is not serving vulnerable teenagers well, whether they are on the edge of care and at risk of exploitation and violence or experiencing severe harm. The system is not adequately identifying children and young people at risk, is confused and uncoordinated in its response to identified risk and is ill prepared and makes inappropriate decisions about the care they need when a teenager is taken into care.

We are encouraged that the Independent Children's Social Care Review has recognised the strong case for change for teenagers' social care. The chair of the care review called the care system a giant tower of Jenga held together by Sellotape. It is clear that some vulnerable teenagers are falling in between the cracks more than any other children and are at heightened risk of significant harm and becoming involved in the criminal justice system as a result. It is our view that the Review should propose a new and ambitious system of care for teenagers with a strong emphasis on working with families to prevent crisis.

This is not to say that positive things aren't happening. Many charities and local organisations are working tirelessly in communities to keep teenagers safe and to increase their life chances. Some local agencies and partnerships – the police, local authorities, schools, health, PCCs, YOTS and others – are also developing positive and committed programmes that are making a difference. VRUs and work funded through the Youth Endowment Fund and the Crime Plan have some promising programmes to reduce violence. We acknowledge all of these and celebrate successes.

However, these remain the exceptions with many interventions still small scale, new or short term in nature. The fact remains that at both local and national level there remain fundamental failures in the system of children's social care for teenagers which are leaving too many vulnerable teenagers at risk of exploitation, harm and becoming involved in crime.

Work in Government departments is led primarily by those responsible for crime, punishment and reducing reoffending, rather than those who are responsible for children's welfare, who could better lead the focus on stopping criminalisation before it happens.

Project YOUNG ADDER

An intensive approach to tackling drug misuse, which combines targeted and tougher policing with enhanced treatment and recovery services. Project ADDER (Addiction, Diversion, Disruption, Enforcement and Recovery) brings together partners including the police, local councils and health services, and run for three financial years in five areas with some of the highest rates of drug misuse: Blackpool, Hastings, Middlesbrough, Norwich and Swansea Bay.

Young ADDER in Blackpool is a multi-disciplinary team (MDT) that supports young people aged 16-25 who are actively involved in substance misuse and/or at risk of entering the criminal justice system. Each young person is assigned a key worker that they are suited to and feel they will engage best with. This worker will support individuals to address their specific needs, making the most of the 'wrap around' support available from the wider MDT and explore positive pathways for individuals to access. In addition to this, staff encourage young people to take part in meaningful activities such as boxercise, walk and talk, table tennis, golf, swimming which provide ways for individuals to learn new skills, meet new people and improve their physical and mental health, whilst also supporting their recovery from substance misuse.

This picture is often mirrored locally. While there are good practice examples of VRU and other initiatives, too many interventions happen when teenagers are already at risk of going into care, or of harm and criminalisation. The core responsibility to prevent risk and protect teenagers lies with children's social care services, working in partnership with others. However, this lead role is undermined by a series of inadequate interventions before entry to care. Once in care, there are few appropriate models of care and a lack of clear models for getting these teenagers back home.

As a result, many teenagers' needs are not being met, they present with challenging behaviour, resulting in multiple placements and higher levels of risk and damage to their wellbeing and family relationships.

No Wrong Door

No Wrong Door, developed by North Yorkshire County Council and now being adopted in several areas is a new way of providing support to young people who are within or on the edge of the care system. It replaces traditional council-run young peoples' homes with hubs which combine residential care with fostering. It has created two hubs, one in Scarborough to serve the east of the county, whilst one in Harrogate serves the west. Each hub has a dedicated team which includes:

- *A life coach who is a clinical psychologist.*
- *A speech therapist.*
- *Two community foster families who work out of the hub and are part of the professional team: and*
- *Community supported lodging places for 16 and 17-year-olds, again staffed by people who are specially trained and are part of the professional team.*

Every young person in the No Wrong Door programme is given one key worker supported by a single team of trusted and skilled workers. These workers stick with the young person through thick and thin to access the right services at the right time and in the right place to meet their needs.

Vulnerable and exploited teenagers coming into care are too often being placed in harm's way by using unregulated provision designed for supporting young people towards independence as a quick fix driven by a lack of suitable placements. Many are moved around the country, missing out on education, unable to form trusted relationships and not getting the therapeutic treatment they need to recover. The shocking fact is that the inadequacy of the care system for vulnerable teenagers and the quick fix compromises being made about how it is delivered are putting the very vulnerable and exploited teenagers they are meant to protect at increased risk of harm by making it easier for those who want to exploit them.

The average annual costs of each teenager in care is over £200,000 per year, so not only are teenagers not getting the right support, but it is also of huge public cost; in itself reducing the amount of funds available to intervene early and prevent crisis. For too many – particularly BAME teenagers – the system is also failing to prevent teenagers in care becoming involved in the criminal justice system, which further damages their future life chances and is again hugely costly. These teenagers deserve and need a better deal.

Family Group Conferencing, Camden

Camden has developed a Resilient Families Programme to drive and underpin the work of the Early Intervention and Prevention services in the borough. Family group conferences (FGC) are used to help families to be more resilient and prevent them from returning to services. For example, it may be used to address a parental issue, or to tackle a concern for a young person following parental separation, school attendance issues, or behaviour problems in the community.

FGCs are a way of bringing a family together and enabling them to plan and make decisions for a specific purpose. It is a time-limited process with the intention of creating a plan to support and improve a specific parental issue or a problem or issue a young person is experiencing. Through encouraging a family to address their own issues and create an informal network of support it aims to build resilience and strengthen relationships. It can also help to encourage more links within the community. Once a referral is made, the FGC manager links a family to a trained and independent FGC coordinator, who will steer the family through the process.

- *Part 1: Information-giving. This is the part of the meeting where families get the information, they need to make a plan. A professional most closely involved with the family or who has suggested the FGC, can explain why they are worried about the child and outline the sort of help that is on offer. There are lots of chances to ask questions.*
- *Part 2: Private Family Time. The family and friends will be left on their own, to talk about the information that you heard in the first part and make plans together. The co-ordinator and other information givers stay in another room.*
- *Part 3: The Family Plan. family will share the plan with others at the meeting, including any information givers who were there at the beginning of the meeting.*

In preparing this report we have heard from a range of experts from a range of services including social work, policing and the voluntary sector, frontline practitioners and teenagers themselves. They have given us rich and detailed information. While this included a range of specific changes, big and small, there was remarkable consensus about not just an urgent need for new approaches but around some key changes.

We are making the following initial recommendations which we will continue to develop throughout the review. While this included a range of specific changes, big and small, there was remarkable consensus about not just an urgent need for new approaches but around some key changes. We are making the following initial recommendations which we will continue to develop throughout the review.

1. Government establishes a vulnerable teenagers at risk ministerial taskforce to continue the work of the now defunct serious violence task force.

Recognising cross government responsibilities towards these highly vulnerable teenagers and to ensure they are given priority and focus across government, we propose that the Secretary of State for Education establishes and chairs a cross-departmental board of 'Vulnerable Teenagers at Risk' to act on coordination and gaps in the short-term and long-term. Led by the Education Secretary, it should include senior ministers from the Home Office, Treasury, Cabinet Office, Department of Levelling Up, Department of Health and the Ministry of Justice. Our suggested priorities are set out below.

— Action in relation to accommodation and support for vulnerable teenagers in care.
— Support for vulnerable families with teenagers.
— Coordinated action to reduce teenage violence and crime initiatives across government and learning from the Youth Endowment Fund and Violence Reduction Units.
— Coordinated action with regard to school inclusion.
— Co-ordinated health and mental health support.
— Support for care leavers and an HMT-led 'invest to save' review on national public spending in relation to vulnerable teenagers, including an opportunity and enterprise plan for marginalised teenagers in care to boost skills and employment opportunities as a key aspect of Levelling Up.

The group should also undertake research to investigate the experience of Black boys at risk and identify where there is racial bias in our systems. Investing in appropriate, Black-led services that can work more closely with the growing number of Black boys on the edge of care and within the system. This would include working with grassroots BAME organisations to ensure that we have a care system that is attuned to specific issues this group may have and guaranteed a move towards reducing disproportionality in the social care and justice system.

2. The launch of a new Teenager at Risk Helpline.

This should be established and funded by government to respond to children (and their parents) who are worried about the threat of grooming and violence and want help to stay safe. The helpline should have a direct line to local agencies for longer-term help with a guarantee of a named person assigned to help and respond.

3. The Department for Education establishes a Teenagers out of Harm programme to urgently take action to guarantee that teenagers are not placed in inappropriate and dangerous care placements.

This means ensuring that local authorities do not place vulnerable teenagers under 18 in any provision where they are not cared for and protected, and where they are at risk of exploitation and harm. This would mean that unregulated care as it is delivered today could no longer be used for teenagers under 18. The ban on using unregulated provision for children under 16s should be extended to under 18s to formalise this.

This assessment of risk should also preclude local authorities from placing teenagers in provision in unsafe areas of high violence that have been identified as danger zones by the police. Swift action should also be taken to minimise placements out of area unless there is an individual safety requirement to do so.

4. The Department for Education establishes a new Teenager in Care package of appropriate and high-quality models of care for teenagers, delivered by:

— Rapidly accelerating its programme to increase the capacity of residential care for teenagers focusing on support and financing of new local community children's homes where teenagers can remain close to home and families with additional support and protection. Partnerships between charities, councils, health and schools should be encouraged to provide these homes.
— A national programme of recruitment of specialist teen foster carers should be embarked upon to encourage youth workers and others with specialist knowledge and skills in working with young people to become foster carers with a bespoke package of support guaranteed.

5. The Department for Education works at speed with local authorities and other partners to trial the development of new models of Teenager in Need support.

These would provide intensive interventions for teenagers on the edge of care to enable them to remain safe and with their families. The aim should be that this intensive family safeguarding approach should become a central form of multi-agency intervention to protect children at risk over the next five years.

6. The Treasury extends funding for Violence Reduction Units and Young Adder in a Safe Teenagers programme.

This would ensure that programmes are able to operate in all areas of high disadvantage and provide long-term interventions alongside other initiatives including those supported and evaluated by the Youth Endowment Fund.

The Treasury also extends new funding for youth provision in the community to create safe, exciting and supporting environments for young people in areas of high risk.

7. Targeted support for families.

The Supporting Families programme and Family Hubs should prioritise support for vulnerable children with a particular emphasis on supporting families with teenagers at risk.

8. National programmes to deliver mental health support and reduce exclusion from school should prioritise teenagers at risk.

We will say more about these in our forthcoming reports.

9. Local authorities and their partners embark on a safeguarding and supporting teenagers programme to urgently assess their information, data on teenagers at risk and review their safeguarding and interventions across all agencies.

The requirement will be to establish a co-ordinated, intelligence-led response across all agencies to ensure that teenagers at risk are identified and that agencies work together to deliver a comprehensive and co-ordinated response.

All local areas should be required to submit a detailed assessment of need and plan for delivery to the No 10 Delivery Unit should investigate and monitor delivery until they are confident that this is working effectively to improve outcomes for vulnerable teenagers in every area.

WHAT WOULD THIS NEW CARE SYSTEM LOOK LIKE IN PRACTICE FOR AT RISK TEENAGERS AND THEIR FAMILIES?

Early identification and a joined-up approach

— A system of early identification of teenagers on the edge of care or in care who are at risk, supported by professionals, including teachers, parents, police and teenagers themselves, which knows how to identify risk and how to trigger help. Teenagers and their parents will be able to call a Teenager at Risk helpline for help.

— Teenagers and families should have the right to expect a joined-up response, taking the best lessons of what is working around the country, including programmes like the No Wrong Door in North Yorkshire. The new Safeguarding and Supporting Teenagers programmes locally will ensure that agencies are able to identify need and respond in a co-ordinated way.

— Every local area that needs it has a VRU and an ADDER project presence.

— Updated training for professionals, with a specific focus on youth work skills for working with vulnerable teenagers, to keeping young people safely at with their family where possible.

— A recognition that professionals are not always where young people are or available at the time young people need their help, including at evenings and weekends. A focus on changing working practices to reflect the new cohort of children in care and on the edge of care.

Teenagers at risk are a priority for family hubs, support, schools, mental health teams

This will mean changing the current arrangements of several agencies. The Family Hubs and Supporting Family Programme should be at the heart of coordinating a local co-ordinated approach, with some areas linked with new local residential homes/hubs. We will develop this proposal further in consultation before our families paper is published in early 2022.

New help for Teenagers in Need

A new emphasis on supporting teenagers at risk to stay safely with their families with high levels of joined-up support. This could include family-based care, and shared care.

A new 'Teenager in Care' safe and stable care offer

— A new care package, for teenagers who need to go into care with new models of care appropriate for teenagers.

— With specialist Young Lives foster carers who are highly skilled at working with teenagers at risk; modelled around residential youth workers.

New local residential care homes/hubs

New models of local care homes to provide community support to help protect teenagers but also work with families and help them transition back to their families. These would minimise disruption and maintain support networks with long-term trusted, highly vigilant, and skilled staff.

Any teenager under a 'Teenager in care' plan must be placed within accommodation that is appropriate, close to home and safe to reduce risk with specialist trauma informed programmes and young lives workforce.

Ongoing Help and support

Support for teenagers as they transition to adulthood with as they move towards independence or to resettle in the family home

LAST WORD

This interim report is the first of several that will shape the Commission's final recommendations and action plan. Some of the proposals here are more developed than others and the process we have adopted means we can share these with witnesses, our panels and wider networks as we develop more detail.

The questions raised here form part of our wider thinking about implementation and funding, which will include costings, commissioning models and wider issues of quality of services for teenagers.

An issue that was repeatedly raised was around data. There is, as this report shows, a lot of information around this group of vulnerable teenagers, yet our failure to provide the services that they need, suggest we have much to learn.

As part of our wider themes, we will work with our Commissioner Professor Leon Feinstein to develop an emerging proposal around a new preventative data centre. This will draw in examples like that of the Sapling Project in Staffordshire and the data led work of Bradford and Leeds Universities on improving outcomes for children. We will return to this issue and this research in our report on families and our final report.

There is always a danger that in focusing on one thing that you think is going in the wrong direction, you fail to see the big picture and overstate your case. In his seminal work on moral crises about trends in crime (which very often spin around the behaviour of teenagers), the criminologist, Geoffrey Pearson, is persuasive about the need for caution in conjuring up a 'golden age' when things were stable and safe.[140]

While sage advice, the trends outlined here are genuinely and deeply worrying. Not just for the thousands of vulnerable teenagers we are focusing on, particularly, as this report shows if you are young and Black. The really worrying trend is that we have not acted decisively and radically before now. As the OCC's 2019 report concludes, while practice change has not been fast or effective enough, at least the *argument* in relation to child sexual exploitation has been won. The argument must now be won in relation to child criminal exploitation.[141]

Radical change is well overdue and urgent. These issues are far from new, and these arguments have been hard fought and that change has been too slow.

It is now nearly 30 years since the Children's Society and Barnardo's launched their campaigns on the criminalisation of children being sexually exploited in the UK arguing for a change in police guidelines. Go back nearly 140 years and we find the editor WH Stead campaigning alongside the Salvation Army on the horrors of the child slave trade and sexual exploitation of children in Victorian Britain.

We have developed a draft set of proposals that we believe would immediately begin to offer vulnerable teenagers at risk a much better deal, including for some, not seeing problems spiralling out of control, not entering the care system, not being exploited, harmed and criminalised. For some that means not going to prison, with all the additional damage this brings for others it could mean staying alive.

The discussions we had in preparation for writing this report were constructive, helpful, and insightful. But overall, they painted a bleak picture, though one that it is possible to change with will. The authors have a duty of optimism some of which arises from recent events.

First, because we face a moment. The tragic cases such as that of the murders of young children in recent headlines reaffirm the importance of protecting children and young people and also of our collective failure to protect some to date.

Secondly, because of the capacity we have seen in teenagers for empathy, thoughtfulness, compassion and huge potential that we as a wider society must learn to nurture.

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[140] Hooligan: A history of respectable fears. Geoffrey Pearson, 983
[141] Op cit, OCC July 2019.

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