

Witness Name: Stephanie Roberts-Bibby

Statement No.: 1

Exhibits: SRB/01 - SRB/63

Dated: 3<sup>rd</sup> September 2025

## THE SOUTHPORT INQUIRY

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### FIRST WITNESS STATEMENT OF STEPHANIE ROBERTS-BIBBY ON BEHALF OF THE YOUTH JUSTICE BOARD

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I, Stephanie Roberts-Bibby, will say as follows: -

#### INTRODUCTION

1. I am the Chief Executive Officer of the Youth Justice Board (YJB).
2. I make this statement in response to a Rule 9 request received from the Inquiry dated 7 August 2025. I am providing this as a corporate witness statement on behalf of the YJB, and as such, this statement includes the recollections of others as well as internal records.
3. The YJB wishes to start its statement by offering its profound condolences and respects to the families of those who were tragically killed and injured on 29 July 2024, to their loved ones and to all those present.
4. The YJB endorses and supports the observations made by the mother of C1 that the Inquiry should be a "promise that changes will be made, and this will not be allowed to happen again."
5. The YJB agrees with the Chair that the Inquiry must "make **comprehensive, sensible and achievable recommendations** to ensure we have the best chance of intervening with and preventing others who may be drawn to treating their fellow human beings in such a cruel and inhuman way".

**URGENT CHANGE**

6. The terrible, tragic actions of AR reinforce the need for there to be an interconnected system within which Ministers work strategically to set direction, develop policy and legislation whilst monitoring the effectiveness of systems to prevent a reoccurrence. This must be developed whilst ensuring that local agencies operate with understanding and trust, with the ability to take action to support children's needs to prevent them manifesting in to risk and harm.
7. Evidence shows that children with more complex needs, often involved in more serious offending, require concentrated interventions at the earliest stage to prevent an escalation of harm from their offending (to themselves and others). Building on these learnings and what we know works effectively, we must now strengthen and extend prevention measures to respond to the emerging risks in youth justice and ensure continued progress. This includes but is not limited to:
  - 7.1. Development of an effective risk assessment tool, based on the most contemporary evidence, designed to assess the risk and needs of children who have evidence of adopting extreme ideologies or a fixation on violence and serious criminal offending;
  - 7.2. Regulation of social media;
  - 7.3. Targeted research to better understand what works to prevent children causing serious harm;
  - 7.4. Improved access to, quality of and use of data;
  - 7.5. Improved IT infrastructure;
  - 7.6. Strengthening oversight of children who are not in school;
  - 7.7. Clarity on what constitutes the youth justice system, redefining the standards of that system and strengthening strategic governance;
  - 7.8. Clarification of ways of working between the YJB, officials and ministers, as well as local, regional and national levels across the system;
  - 7.9. Effective sharing of information; and
  - 7.10. Better multi agency systems across statutory partners to ensure a shared understanding of what contributes to the prevention of offending.
8. In my time at the Youth Justice Board, it has been a constant battle to get agreement on the component parts of the youth justice system. There needs to be cross

government agreement so that all the agencies engaged across the Youth Criminal Justice System work in sync to keep the public safe.

9. As the statutory body responsible for monitoring the operation of the youth justice system and providing advice to Ministers on how to prevent offending and reoffending, we consider that reform should include clarity of our role in monitoring the effectiveness of the system. This further strengthening of responsibility should be accompanied by a greater emphasis on the operation of the youth justice system, namely, to prevent offending, and increased levers to ensure connectivity in a locally delivered multi-agency landscape where a number of agencies have statutory responsibility to work together to prevent offending. These statutory bodies include, health, local authorities (to include education and children's social care), police and probation. The YJB, with ministerial backing, has the skills, knowledge and experience to fill this gap and bring together agencies which can make a difference to a child's life, by preventing offending and ultimately reducing the risk to the public as a whole.
10. An increased oversight role of the YJB would allow the organisation to be responsible for assessing the risks posed by children, and in consultation with the relevant bodies, consider what steps are necessary to provide protection to the community.
11. There is also an urgent need to review the range of powers available to prevent offenders (whether children or adults) from committing offences through restrictions on their civil liberties where required.
12. The YJB is currently going through an Arm's Length Body (ALB) review as commissioned by the Cabinet Office for all ALBs; it has also recently been subject to a Public Bodies review for which the outcomes are awaited. On behalf of the YJB I have sought to make it clear that the public body review and the broader ALB review are an opportunity to rewire the system to address existing gaps instead of maintaining the status quo. As part of this review, we are concerned that the oversight statutory responsibilities of the YJB, in line with the Crime and Disorder Act 1998, will be eroded rather than expanded, this will ultimately increase the risk of re-offending and harm being caused. If this does occur, we will inform the Chair of this development given its direct impact on the scope of the Inquiry.
13. This rewiring should mean setting clarity on where the system starts, at present it starts when children receive statutory outcomes but due to the progress made in understanding the evidence of what works with preventing some cohorts of children offending, the boundaries have blurred. We are at a juncture where we need to agree that the system starts with mainstream services who are critical in meeting children's needs and provide protective factors to guard against offending. Whilst this makes the system more complex, the reality is that to continue to make progress and improvements, we need to

work in the messiness to understand how we further prevent serious violent offending by children. The evidence is clear that early intervention is key in reducing the risk of offending, even if that risk comes before a child has entered into the youth justice system.

14. There should be a more coordinated approach to departmental responsibilities for children in justice. The alternative risks a focus on adult justice and a disregard for the operation of the youth justice system and the benefits it can offer in preventing children becoming persistent adult offenders. Recent publications like the excellent report on prison capacity by Dame Anne Owers, demonstrate the success of the system as set out in her conclusions [SRB/01 - YJB000078 ]:

*There are lessons that can be learnt from the way that the youth justice service (YJS) operates, in a locally-based model across different agencies to prevent offending and reoffending.*

15. This builds on the evidence from His Majesty's Inspectorate of Probation thematic report on young adults which stated that the youth justice system is having a positive impact by reducing the number of young adults entering the adult justice system. Young adults (18-24) accounted for approximately 30% of the total caseload of Community Orders and Suspended Sentence Orders in 2013, this had reduced to less than 20% of the total caseload by 2023 [SRB/02 - YJB000079 ].
16. The challenge posed by children in justice is that there is no firm placement or central touchpoint, with a variety of different departments holding parts of the responsibility. At local level, when working well, this can be a strength; however, there needs to be a more coordinated approach to preventing children offending at a strategic and policy level with stronger governance arrangements than currently exist.
17. It is vitally important that the Secretaries of State who hold responsibility for policy and service provision are informed by the evidence and front-line knowledge to ensure people are kept safe. They should be provided with an overview of the system and what can be done to improve its effectiveness, and in turn should then commission their departments to respond accordingly.
18. Equally, we must have improvements in multi-agency safety planning across children's social care and justice provisions. There needs to be a determination of the stage at which limitations on liberty or deprivation of liberty is considered. At present, there is a substantial separation between layers of information whereby it is difficult to determine when the risk of harm requires action to be taken.
19. To support front-line services to hold and manage risk there is a need for a lever for practitioners who have increasing concerns about a child's behaviour, to be able to intervene in order to provide a robust, safe child orientated response. This could apply where there is a referral order or a Youth Rehabilitation Order (YRO), which contains an

option for 8-12 weeks of accommodation with trauma informed holistic support. The current challenge is that this provision and option in law does not exist. We know there is a gap in affordable community-based accommodation provision to support children with complex needs that deliver good quality outcomes for a reasonable cost. Instead, local authorities are having to accommodate children miles away from home in placements that cost of thousands of pounds a week but do nothing to meet their needs and in turn the risks they pose if their needs are not met.

20. As the Inquiry progresses and the evidence becomes clearer about AR's history and the opportunities for intervention, we would ask that the Inquiry consider what the system should have done in order to address AR's needs, monitor his behaviour and prevent further offending.
21. We believe that issues arise from different agencies defining vulnerability according to different thresholds. For example, some services deeming AR too high risk for them to provide input, while others that he did not meet the threshold to be supported by them. This resulted in those services trying to triage him for further help having to 'hold' him and any associated risks without the right specialist skills, while other services did not accept the referral.
22. Where a child is deemed too high risk or too low risk at point of triage, there must be stronger responsibility on the service rejecting the application to support in finding an alternative provision. Specifically, not just signposting to another service, but staying with the child until they have successfully handed them over and been met by the alternative service. This could help prevent partner services rejecting cases due to caseload pressures and instead arrange alternative support based on true risk and clinical need.
23. The YJB believes that there is an urgent need for a duty on police forces to share information and work alongside those delivering youth justice services. This will allow for a more balanced determination in respect of charge and diversion, in addition to ensuring youth justice services are aware of those matters which do not necessarily result in a charge so they can make an informed decision on risk and needs. One of the strengths of the youth justice system is the range of skills and expertise from the services that constitute the statutory partnership.
24. There needs to be better information gathering as well as information sharing across all agencies, as this would provide an informed evidence base on which decisions can be made locally and nationally to improve services response and reduce risk from children who may commit serious offences.
25. We are working with colleagues in MoJ's data team on the Better Outcomes through Linked Data (BOLD) project. This will join up understanding and increase insight through linking data across the systems. Provided this work is funded, we will establish linked

data systems that can help frontline services to better manage children with a systemic view and bring deeper insights to trends into crime trajectories for children. We recommend that funding be made available to link data and explore preventative, proactive action and policies through the project. We are concerned that with limited funding for this work that it will be invested solely in the adult justice system, opposed to investing in children and early intervention and prevention.

26. Data can only be collected and used properly if it is recorded and stored on a fit for purpose platform. The IT system for the youth justice system is a legacy system which involves frontline practitioners inputting data and information into a number of different platforms and online systems, and this system does not talk to the systems for the other statutory services which means information relating to a child can be spread across a number of out dated systems staff working with the child cannot access.
27. We know that there are real challenges in the lack of social workers and that education providers cannot always meet the volume of need from children presenting with Special Educational Needs. We consider that there has been a lack of consideration for the impact of the COVID 19 pandemic on children, and the delays this has had to their access to services alongside increased scarcity of resources which means thresholds have been set increasingly higher. This results in fewer children accessing universal services at a point of need, which we see manifesting in children then entering the youth justice system presenting with high levels of unmet need.
28. There needs to be more resource and consideration given to tracking those children who are not being afforded the protective factor of being in education on a full-time basis. We know what the evidence tells us can happen when children are excluded.
29. There is a gap in understanding how best to engage with families, and the need for greater confidence around cultural competence when supporting children, parents and carers from diverse backgrounds. Sensitive consideration needs to be given to interactions as well as correspondence, and support services must be assured that key messages are understood, and cultural needs are met.
30. We must focus on stopping offending by children, rather than seeking to limit expenditure. There is a vital need to properly resource the system so that it can do its job to reduce offences and support victims. This investment is not only likely to reduce victims and harm but is likely to create a saving to the public purse in the long-term. Our recent cost benefit analysis showed that £113M would be saved per year if 10% of children were diverted from the justice system. In addition, that there had been a saving of £77.5M per year from reduced first-time entrants since 2012 and £4M-£9M saved annually by reducing custodial sentences [SRB/03 - YJB000080].

**PERSONAL ROLE AND EXPERIENCE**

31. I have held the position of Chief Executive Officer of the YJB since June 2023 which was on an interim basis until November 2023 when I became the permanent Chief Executive Officer and was therefore in post for the period from before the tragic incident occurred until the current time [SRB/04 - YJB000081]. I previously held this role on a two-month interim basis in 2021 and had been the Chief Operating Officer since September 2018. I have extensive experience in the prison estate, which I set out below:
- 31.1. August 2016 to September 2018, Governor, HMP and YOI Winchester
  - 31.2. February 2012 to June 2014 Governor, HMP Hewell
  - 31.3. February 2010 to February 2012, Governor, HMP and YOI Brinsford
  - 31.4. July 2007 to February 2010, Deputy Governor, HMP Woodhill
32. I have also held the following relevant roles:
- 32.1. May 2016 to August 2016, Design Lead for New Prison Operating Model
  - 32.2. June 2014 to May 2016, Through the Gate Implementation and Transformation Lead
33. As Chief Executive Officer, I hold operational responsibility for carrying out the YJB's statutory responsibilities and delivering the Board's strategy in line with any ministerial steer, while managing the non-departmental public body and accounting for its funds.
34. I exhibit as [SRB/05 - YJB000082] the structure chart for the YJB which sets out how the YJB staff are distributed.

**THE YOUTH JUSTICE BOARD**

35. The YJB is a non-departmental public body, sponsored by the Ministry of Justice and is the only statutory body with oversight of the entire youth justice system in England and Wales. It was created by the Crime and Disorder Act 1998 with the aim of preventing offending by children. The vision of the YJB is set out below [SRB/06 - YJB000083]
- Our vision is for a youth justice system that sees children as children, treats them fairly and helps them to build on their strengths so they can make a constructive contribution to society. This will prevent offending and create safer communities with fewer victims.*
36. The YJB's core functions are to monitor the operation of the youth justice system and provision of youth justice services and provide advice to ministers on how the principal aim of that system might be most effectively pursued. As a result, we provide expert,

independent advice to ministers on how the youth justice system is delivering its aim to prevent offending by children, and to support outstanding practice in the youth justice sector. As stipulated by section 41 of the Crime and Disorder Act 1998, the statutory functions held by the YJB are: [SRB/06 - YJB000083]

- 36.1. to monitor the operation of the youth justice system and the provision of youth justice services;
- 36.2. to advise the Secretary of State on the following matters, namely—
  - (i) the operation of that system and the provision of such services;
  - (ii) how the principal aim of that system might most effectively be pursued;
  - (iii) the content of any national standards he may see fit to set with respect to the provision of such services, or the accommodation in which children and young persons are kept in custody; and
  - (iv) the steps that might be taken to prevent offending by children and young persons;
- 36.3 to monitor the extent to which that aim is being achieved and any such standards met;
- 36.4 for the purposes of paragraphs 36.1, 36.2 and 36.3 above, to obtain information from relevant authorities;
- 36.5 to publish information so obtained; to identify, to make known and to promote good practice in the following matters, namely—
  - (i) the operation of the youth justice system and the provision of youth justice services;
  - (ii) the prevention of offending by children and young persons; and
  - (iii) working with children and young persons who are or are at risk of becoming offenders;
- 36.6 to commission research in connection with such practice.
- 36.7 with the approval of the Secretary of State, to make grants to local authorities and other persons for the purposes of the operation of the youth justice system and the provision of youth justice services, subject to such conditions as the Board considers appropriate, including conditions as to repayment;
- 36.8 to provide assistance to local authorities and other persons in connection with information technology systems and equipment used or to be used for the purposes of the operation of the youth justice system and the provision of youth justice services;

37. Members of the Youth Justice Board are appointed by the Secretary of State for Justice. At the time of writing, the Board consists of the following active members [SRB/07 -

**YJB000084**

37.1. Keith Fraser (Chair)

- i. Non-Executive Director/Trustee at The Work Force Development Trust Limited, Advisor for the National Police Chiefs Council Digital Engagement Project for Young People, and Chair of Employability UK.
- ii. Prior to joining the Board Keith was a Superintendent and Chief Inspector in the West Midlands Police, having joined as a Constable, during which time he produced the 2016-19 Preventing Gang Involvement and Youth Violence strategy.

37.2. Jacob Sakil

- i. Held the role of Young Mayor of Lewisham, the founder of American Bites start-up, Youth Justice Service representative and sits on the Business in the Community's (BITC) Place Taskforce supporting the collaborative potential of business to strengthen communities around the UK.

37.3. Karin Phillips MBE

- i. A school governor who has held multiple positions within the Welsh Government, including the role of Deputy Director for Community Safety. In recognition of her contributions to Community Safety in Wales and to the community in Cardiff, she received an MBE in 2014.

37.4. Louise Shorter

- i. A journalist specialising in criminal justice. She founded the registered charity Inside Justice. She is a media presenter and expert contributor. She sits on the Board of Inside Time, a not-for-profit newspaper for prisoners and runs the Justice Project at the School of Law, University of East Anglia.

37.5. Martin Pratt CBE

- i. Experience of 13 years as a Director of Children's Services. He was formerly Executive Director Supporting People & Deputy Chief Executive for the London Borough of Camden. He is a qualified social worker and has extensive experience in education and youth justice as well as health and social care. In 2025, Martin was awarded a CBE for services to children, to young people and to families in London.

37.6. Phillip Bowen

- i. Phil is Director of the Centre for Justice Innovation, leading the organisation and overseeing the implementation of its overarching strategy since 2012.
- ii. Previously worked as part of the Home Office, Ministry of Justice, and as an adviser on criminal justice reform in the Prime Minister’s Delivery Unit.

37.7. Robert Sullivan

- i. CEO of the UK’s leading sports charity the Football Foundation; a Trustee of the prisoner rehabilitation charity, the Twinning Project; and a former Chair of a homelessness intervention charity.

37.8. Susannah Hancock

- i. Chief Operating Officer for the National Fire Chiefs Council and previously the Chief Executive of the Association of Police and Crime Commissioners (PCCs). Held the role of Assistant Chief Executive of the national charity Victim Support, and Chief Executive for the Office of the Police, Fire and Crime Commissioner in Essex. Between 2004-2008, she served as Head of London for the YJB.

38. The YJB brings together a wide range of experience, knowledge and expertise. The YJB meets, as a non-executive Board, on a quarterly basis and the minutes are exhibited to this statement [SRB/08 - YJB000085]; SRB/09 - YJB000086 SRB/10 - YJB000087 SRB/11 - YJB000088 SRB/12 - YJB000089 SRB/13 - YJB000090 SRB/14 - YJB000091 SRB/15 - YJB000092 SRB/16 - YJB000093 SRB/17 - YJB000094 SRB/18 - YJB000095 SRB/19 - YJB000096].
39. The YJB Senior Leadership Group (SLG) oversees delivery of the strategic and business plans, provides executive leadership to the staff group, reviews and monitors budgets, and identifies and manages risk.

**THE YOUTH JUSTICE SYSTEM**

40. The youth justice system is a complex landscape, involving numerous services, organisations and agencies. All these need to work in partnership to achieve the system

aims of preventing offending and to truly realise the best outcomes for children, communities and victims.

41. The Crime and Disorder Act 1998, requires the cooperation of named multi agency partners to deliver youth justice services locally, referred to in the Act as youth offending teams, but more often now known as Youth Justice Services (YJS), (and how I will refer to them throughout this statement). Those statutory partners are the local authority (this should include children's social care and education), Police, Health and Probation. Additional partners may also provide specific services and support to children.
42. The YJB oversees the system nationally, advises the Secretary of State for Justice on standards set for the provision of youth justices services, and monitors system performance. The YJB works with Youth Justice partners in line with this oversight responsibility, with much of the contact at regional and local service level being through the work of our 'Operations' staff in line with the delivery of our Oversight Framework [SRB/20 - YJB000097]. The framework provides clarity on how the YJB's monitoring function is fulfilled at a local level, outlining how oversight of local YJSs is undertaken and delivery across the wider system is understood. Nationally, the YJB engages with Youth Justice partners, through the intelligence it gathers from its oversight functions including the collection of data and evidence, to support working across these partners to promote best practice in preventing children offending and offering advice to Ministers in this regard.
43. The age of criminal responsibility in England and Wales is 10; in Scotland, the age of criminal responsibility is higher, at 12 years old.
44. The Youth Court sits as part of the Magistrates Court and deals with children aged between 10 and 17 at the date that a child first appears before the Court and enters a plea. The relevant date for whether an individual then receives a 'youth' sentence or an 'adult' sentence is the date of their conviction. I have provided a full outline of the youth sentencing framework and considerations against this as part of my statement below.

*Youth Justice System – statistics, expectations and guidance*

45. The number of proven offences committed by children has fallen by approximately 65%, from 98,937 in 2012/13 to around 34,300 in 2022/23. There have been substantial reductions in the number of children entering the justice system, with a reduction of around 77% between the years ending March 2012 and March 2023. There were approximately 11,900 occasions where children were sentenced at court in the year

ending March 2023, which is 73% lower than in the year ending March 2012. The number of children being sentenced to custody has also significantly reduced: in the year ending March 2023, the average monthly population of the secure estate for children was the lowest it has ever been at around 440 children [SRB/21 - YJB000098] SRB/22 - YJB000099.

46. The Standards for Children [SRB/23 - YJB000100] in the Youth Justice System are set by the Secretary of State for Justice on the advice of the YJB. These standards, last updated in 2019, define the minimum expectation for all agencies that provide statutory services to ensure good outcomes for children in the justice system.
47. The standards are intended to guide strategic and operational services' understanding of what is expected but do not prescribe how services should be designed and delivered. The five standards are:
- 47.1. Out of court
  - 47.2. At court
  - 47.3. In the community
  - 47.4. In secure settings
  - 47.5. On transition and resettlement
48. The intention of these standards is to:
- 48.1. underpin youth justice practice and ensure the quality that we expect
  - 48.2. encourage system changes to improve outcomes for children in the justice system
  - 48.3. ensure every child lives a safe and crime-free life, and makes a positive contribution to society
  - 48.4. align with the child first evidence base to ensure that:
    - i. all youth justice services prioritise children's best interests
    - ii. children are encouraged to actively engage with youth justice services
    - iii. children's contact with the justice system is kept to a minimum
  - 48.5. assist us to assess whether youth justice services are meeting the statutory requirements.
49. Government must review the standards for justice, they must evolve to take account of the system in operation now, and as a minimum consider the expectations on

safeguarding others and supporting victims alongside pre-statutory activities around diversion and expectations from local services. In our view this work should have started already, and therefore it must start now.

50. The YJB Case Management Guidance [SRB/24 - YJB000101] supplements the Standards for Justice and is a manual for youth justice service practitioners and managers. This guidance is intended to provide youth justice services with information, implications of legislation, standards for case management and practical advice on how to work with children in the youth justice system. It covers how to complete risk assessments with children and how these should be reviewed. This guidance was updated and published online in October 2022. It is a live document that is updated as changes to guidance, policy and legislation occur. We will revisit the guidance in the light of this inquiry.
  
51. The National Police Chief Council's (NPCC) Child Gravity Matrix [SRB/25 - YJB000102] (CGM), was originally developed in March 2013 to support police forces in making charging decisions. This was updated in September 2023 and includes the specific addition of offensive weapons as part of the matrix. The current guidance states diversion from prosecution should be pursued unless the suspect is aged 16 or over for first-time offences, and to charge suspects under 16 years of age where aggravating factors are present. Police Forces should refer to the Offensive Weapons, Knife Crime Practical Guidance [SRB/26 - YJB000103] and the NPCC/CPS agreed Guidelines on the Cautioning & Charging of Knife Crime Offences v.5.0 [SRB/27 - YJB000104].
  
52. The Standards for children in the youth justice system, the Case Management Guidance and Child Gravity Matrix were all accessible and relevant to the management and sentencing of children in February 2020, when AR would have received his Referral Order.
  
53. Given the number of children managed under Counter Terrorism Policing (CTP) is small and therefore CTP does not frequently deal with children, and YJSs do not regularly work with children who have committed terrorist offences; combined with the high impact, sensitive and complex nature of this activity, additional guidance is provided. The Management of Children at Risk of Engaging with or Involvement in Terrorist-related Activity (2022) [SRB/28 - YJB000105] is community practice

advice for youth justice services, available to practitioners. This advice was developed by the YJB in collaboration with relevant partners including Counter Terrorism policing leads, Her Majesty's Prison and Probation Service, Her Majesty's Courts and Tribunals Service alongside youth justice services to support them in the identification and management of children (under 18-year-olds) at risk of, or involved in, terrorist-related activity. This includes dealing with children posing a terrorist risk and those arrested and convicted under the Terrorism Act 2000 (TACT).

54. Given the small numbers, the Probation National Security Division (NSD) and the Joint Extremism Unit (JEXU) also wrote to all services in October 2022 and held regional workshops to share the support available regarding the management of a child who has been convicted under TACT. The NSD provide an enhanced level of management and interventions for the highest risk, most complex and high-profile individuals. JEXU is jointly run by HMPPS and the Home Office, acting as the strategic centre for counter-terrorism (CT) delivery within HMPPS.
55. Regional links for the local Probation Counter Terrorism Team were shared with Youth Justice services. They could offer advice and support on the management of the case and ensured that youth justice practitioners were linked in with the local NSD unit and regional Police Counter Terrorism Nominal Management Unit (CTNM).
56. The critical roles undertaken by the Probation Service reflect why it is so important to have Probation honouring their responsibilities to local youth justice services and supporting them to identify and manage risk, alongside the other partners who each bring specialist skills and experience to the table to help prevent offending by children.

### **THE SENTENCING AND MANAGEMENT OF CHILDREN**

57. There are several different sentencing options available to children that have committed offences. These are split into out-of-court disposals and court disposals.
58. The term out-of-court disposal refers to the different ways of resolving a situation without going to court. They can be either informal (non-statutory) or formal (statutory). Formal

out-of-court disposal options are a youth caution or youth conditional caution, and result in entry into the youth justice system and in relevant cases, the child becoming a first-time entrant (FTE).

59. Formal out-of-court disposals should not be routinely used with children committing first time and less serious offences. Their use should be reserved for children who would otherwise receive a court sentence. This is to ensure that all responses to children that offend are aimed towards achieving the lowest possible level of criminal justice intervention, appropriate in the circumstances.
60. Informal out-of-court disposal options include community resolution, no further action, Deferred Prosecution/Deferred Caution. Informal options do not result in formal entry into the youth justice system, and the child will not get a criminal record. However, information about the offence will still be kept on local police databases and therefore could be disclosed on enhanced Disclosure and Barring Service checks.
61. The following sentences are available for the courts in England and Wales to use with children:
  - 61.1. absolute discharge
  - 61.2. conditional discharge
  - 61.3. fine
  - 61.4. community court orders
  - 61.5. custodial sentences
62. The following community court orders and custodial sentences will always require a court report, which is produced by the youth justice service after meeting with the child, parent/ carers and support agencies:
  - 62.1. Referral Order
  - 62.2. Youth Rehabilitation Order
  - 62.3. Detention and Training Order
  - 62.4. Sentencing for Serious Offences (section 250 sentence)
  - 62.5. Special Sentence of Detention for Terrorist Offenders of Particular Concern
  - 62.6. Extended Sentence of Detention (EDS)
  - 62.7. Detention for Life Sentences (discretionary life)
  - 62.8. Mandatory Life Sentence
63. When sentencing, courts are obliged to consider the welfare of the child and their best interests.
64. Once a child has been convicted of an offence, the following can be imposed by the Youth Court:
  - 64.1. Absolute discharge;
  - 64.2. Conditional discharge;

- 64.3. Fine;
- 64.4. Referral Order;
- 64.5. Youth Rehabilitation Order;
- 64.6. Youth Rehabilitation Order with an Intensive Surveillance and Surveillance (ISS);
- 64.7. Detention and Training Order (of up to 24 months).

*Referral Orders*

- 65. A referral order requires a child to attend each of the meetings of a “Referral Order panel” established by a youth justice service, and a period of compliance with a programme of behaviour to be agreed between the child and the panel. The programme is known and agreed with a ‘contract’.
- 66. A referral order is available to a court dealing with a child for an offence where the following requirements are met:
  - 66.1. the court is a youth court or other magistrates’ court,
  - 66.2. the child is aged under 18 when convicted,
  - 66.3. neither the offence nor any connected offence is an offence the sentence for which is fixed by law,
  - 66.4. the court is not proposing to—
    - i. impose a custodial sentence, or
    - ii. make a hospital order (within the meaning of the Mental Health Act 1983),
  - 66.5. the court is not proposing to make—
    - i. an order for absolute discharge, or
    - ii. an order for conditional discharge,
  - 66.6. the offender child pleaded guilty to the offence or to any connected offence.
- 67. A referral order is mandatory, unless the court is considering an absolute discharge, conditional discharge, Mental Health Act order or a custodial sentence, where:
  - 67.1. the offence is an imprisonable offence,
  - 67.2. the child pleaded guilty to the offence and to any connected offence, and
  - 67.3. the child has never been—
    - i. convicted by or before a court in the United Kingdom of any offence other than the offence and any connected offence, or
    - ii. convicted by or before a court in another member State of any offence.

68. A referral order can be imposed for a period between 3 months and 12 months. The Court has the discretion to require parents or guardians to attend panel meetings with the child, and this is mandatory where the child is aged under 16.
69. Under the terms of the Referral Order, the child's progress and compliance with the contract is monitored by the panel which holds regular review meetings attended by the child (and parent/carer where appropriate). At the end of the Referral Order period, the conviction will be spent. In the event of non-compliance or where the child refuses to agree a contract, the Panel can refer the child back to the court which has the power to then revoke the Referral Order and re-sentence for the original offence.
70. Referral orders are a unique sentence, community based both in nature and through the delivery of the 'Referral Order Panel' which must include community volunteers. The order is based on the principles of restoration, reparation and reintegration with professionals delivering interventions with children to support this. Children receiving Referral Orders are less likely to have a history of offending behaviours, (and in comparison, a much smaller offending history than those given Youth Rehabilitation Orders (YROs) and/or custodial sentences). Referral Orders have the second lowest reoffending rates after Youth Cautions, which has been the trend for the last ten years.
71. For the year ending March 2023 cohort, the reoffending rate for those with a Referral Order was 28.0% against the overall reoffending rate for children of 32.5%. The frequency rate for reoffending was also the lowest in the year ending March 2023 cohort. Referral orders had the lowest frequency rate of reoffending at 3.71 reoffences per reoffender, compared with an overall frequency rate of 4.34 reoffences per reoffender.
72. The challenge is being able to link offences with the disposal. Therefore, there is a piece of analysis and research that we should be allowed to undertake, to understand which children have committed which offences, the circumstances and details about the victims plus what was the original disposal. This data is not currently available but is information that would allow the YJB to assess effectiveness of the different disposals and potential future trajectories of different cohorts of children.
73. Referral orders are designed to be restorative with built-in reparative activity and victim inclusion. More effective referral orders rely on dedicated restorative justice staff, and how panels balance reparation with rehabilitative work. Referral orders are most effective when children are actively involved in shaping the process and panel members are prepared to challenge constructively and work collaboratively with children and families. The engagement is stronger and restorative intent is clearer.
74. For the most part, referral orders are appropriate for that first contact with the justice system, where something is not a high index offence, because it allows the space to have

rehabilitative, restorative work with the children. They provide an opportunity to ensure diversion balanced alongside supervision. There does need to be work to consider whether referral orders are right for knife offences where harm is caused or threatened.

### *Youth Rehabilitation Orders*

75. A Youth Rehabilitation Order (YRO) is an order imposing one or more youth rehabilitation requirements. These are set out in Section 174 of the Sentencing Act 2020:
- 75.1. activity requirement
  - 75.2. extended activity requirement
  - 75.3. supervision requirement
  - 75.4. unpaid work requirement
  - 75.5. programme requirement
  - 75.6. attendance centre requirement
  - 75.7. prohibited activity requirement
  - 75.8. curfew requirement
  - 75.9. exclusion requirement
  - 75.10. residence requirement
  - 75.11. local authority residence requirement
  - 75.12. fostering requirement
  - 75.13. mental health treatment requirement
  - 75.14. drug treatment requirement
  - 75.15. drug testing requirement
  - 75.16. intoxicating substance treatment requirement
  - 75.17. education requirement
  - 75.18. electronic monitoring requirement
76. A YRO with Intensive Supervision and Surveillance (ISS) means a YRO youth rehabilitation order which imposes:
- 76.1. an extended activity requirement
  - 76.2. a supervision requirement, and
  - 76.3. a curfew requirement (which can be electronically monitored)
77. A YRO is available to a court when a child is convicted of an offence and is aged under 18 at the time of the conviction. The court must not make a YRO unless it is of the opinion that the offence, or the combination of the offence and one or more offences associated with it, was serious enough to warrant the making of such an order.

78. YROs, when accompanied with ISS, are the most restrictive community sentences available for children. They are tailored to address behaviours in the types of requirements attached to the order at the point of sentence. There are a range of requirements that can be attached to the YRO. They are intended to be a menu of options YJS practitioners can use and tailor to the needs of the child. There are no limits to the conditions which can be attached to a YRO, however, the requirements recommended should be necessary to support desistance and community safety. The composition of the YRO should be a proportionate response to the seriousness of the offence.

*Detention and Training Orders*

79. A Detention and Training Order (DTO) in respect of a child is an order that the child is subject, for the term specified in the order, to a period of detention and training followed by a period of supervision in the community.
80. Section 234 of the Sentencing Act 2020 states that a DTO is available where a court is dealing with a child for an offence if:
- 80.1. the child is aged under 18, but at least 12, when convicted,
  - 80.2. the offence is an imprisonable offence, and
  - 80.3. the court is not required to pass a long-term period of detention via, —
    - i. a sentence of detention under section 250 (see section 249(2)), or
    - ii. a sentence of detention during Her Majesty's pleasure under section 259.
81. The term of a DTO made in respect of an offence (whether by a magistrates' court or otherwise) must be 4, 6, 8, 10, 12, 18 or 24 months.
82. A child must serve the period of detention and training under a DTO in such youth detention accommodation as may be determined by the Secretary of State. Subject to certain provisions the child will be released at the half-way point of their sentence.
83. Following release, the child will then be subject to a period of supervision in the community by their relevant Youth Justice Service, or at times a probation officer, and may be required to comply with particular requirements. The DTO ends at the expiry of the order.
84. If a child reaches the age of 18 before the expiry of the order, the sentence is to be treated as if sentenced to detention in a young offender institution for the same term.

*The Crown Court*

85. The Crown Court sentencing powers are the same as the Youth Court save that there is no power to impose a Referral Order and the Crown Court may impose a discretionary custodial sentence pursuant to Section 250 of the Sentencing Act 2020.
86. The Court may impose a discretionary custodial sentence if it is of the opinion that neither a YRO nor a DTO is suitable. The overarching principles of Section 230 apply to discretionary sentences, namely that a court must not pass a custodial sentence unless it is of the opinion that the offence, or the combination of the offence and one or more offences associated with it, are so serious that neither a fine alone nor a community sentence can be justified for the offence.
87. A child shall be managed within the youth court unless the matter falls within one of the categories below, in which case they will be referred to the Crown Court for trial:
- 87.1. When charged with homicide.
  - 87.2. When charged with a relevant firearms offence, which if convicted would be subject to a minimum statutory sentence.
  - 87.3. When notice is given to the court that there is evidence of a fraud of such seriousness or complexity that the management of the case should, without delay, be taken over by the Crown Court.
  - 87.4. When notice is given by the DPP that a child will be called as a witness and for the purpose of avoiding any prejudice to the welfare of the child, the case should be taken over and proceeded with, without delay, by the Crown Court.
  - 87.5. When charged with a specified offence and it appears to the court that an extended sentence (minimum four years' detention), under the dangerous offender provisions, is likely to be needed.
88. The court can only commit the offence to the Crown Court for trial or sentence if it is satisfied the offence is a grave crime, namely, if convicted, the child should be sentenced to long-term detention. The Crown Court can impose a period of detention on any child aged 10 to 17 years old. The following are the relevant categories of grave crime:
- 88.1. any offence that in the case of an adult carries 14 years or more imprisonment;
  - 88.2. an offence of sexual assault;
  - 88.3. child sex offences committed by a child or young person;
  - 88.4. sexual activity with a child family member;
  - 88.5. inciting a child family member to engage in sexual activity.
89. There are two separate tests to be applied to the allocation procedure for grave crimes:

- 89.1. The test to be applied for 10- to 11-year-olds and 12- to 14-year-olds without a history of offending behaviours:
- i. Is the offence of such gravity that, despite the normal prohibition on a custodial sentence for a person of this age, a sentence substantially exceeding two years is a realistic possibility?
- 89.2. The test to be applied for 12- to 14-year-olds with a history of offending behaviours and 15- to 17-year-olds:
- i. Is the offence of such gravity that a sentence substantially exceeding the two-year maximum for a DTO is a realistic possibility?
90. The maximum sentence that can be imposed in the youth court is a sentence of two years' detention. The YJB considers this appropriate, because where required, the ability to sentence children to a long-term sentence remains available outside of the youth court.
91. Sentencing Council guidelines [SRB/29 - YJB000106] specifically speak to children conceptualising time differently;

*“1.8 The impact of punishment is likely to be felt more heavily by a child or young person in comparison to an adult as any sentence will seem longer due to their young age. In addition penal interventions may interfere with a child or young person's education and this should be considered by a court at sentencing.”*

92. A longer duration of time in custody does not automatically result in improved rehabilitation, and in some cases, it can result in worse outcomes and a cementing of a 'pro-criminal' identity. Successful rehabilitation will depend on the level of support made available to the child during their custodial sentence, including the employment of the principles of Constructive Resettlement and multi-agency wrap around support during custody and following release. The principles of Constructive Resettlement are set out in guidance published by the YJB on 12 October 2022 and updated on 31 January 2024 [SRB/30 - YJB000108].
93. We do know that the highest rates of reoffending are for children who have been taken into a secure estate. What we do not know is whether this is because their complexities, vulnerabilities and needs have not been sufficiently met. Again, more work is needed in this area so that we can understand what makes children re-offend. Is it because they have been in an environment which has dissociated them from their community, taking them away from any friends or positive influences and instead they have been locked up, developing a pro criminal identify within the secure estate which has for far too long been underfunded and resourced.

*Knife Offences – Mandatory Minimum Sentences*

94. There are specific provisions for those individuals who are convicted of offences involving bladed articles and offensive weapons.
95. Where an individual is convicted of an offence of threatening with weapon or bladed article, the following appropriate custodial sentences apply:
- 95.1. in the case of a person who is aged 16 or over but under 18 when convicted, a detention and training order of at least 4 months;
  - 95.2. in the case of a person who is aged 18 or over but under 21 when convicted, a sentence of detention in a young offender institution for a term of at least 6 months;
  - 95.3. in the case of a person who is aged 21 or over when convicted, a sentence of imprisonment for a term of at least 6 months.
96. Section 315 of the Sentencing Act 2020 sets out the provisions for those who are considered repeat offenders. These provisions apply to the following qualifying offences:
- 96.1. Section 1(1) of the Prevention of Crime Act 1953 (carrying offensive weapon without lawful authority or reasonable excuse),
  - 96.2. Section 139(1) of the Criminal Justice Act 1988 (having article with blade or point in public place), or
  - 96.3. Section 139A(1) or (2) of that Act (having article with blade or point or offensive weapon on education premises),
97. There is a mandatory minimum appropriate sentence where an individual over the age of 16 is convicted of a qualifying offence and they have a relevant previous conviction. A relevant conviction is defined as follows:
- 97.1. a conviction of a relevant offence,
    - i. Section 1 or 1A of the Prevention of Crime Act 1953 (offences involving offensive weapons), or
    - ii. Section 139, 139A or 139AA of the Criminal Justice Act 1988 (offences involving article with blade or point or offensive weapon).
  - 97.2. a conviction in another part of the United Kingdom or another member State of a civilian offence which would have constituted a relevant offence if committed in England and Wales at the time of the conviction (whenever the offence was in fact committed),
  - 97.3. a conviction of an offence under section 42 of the Armed Forces Act 2006 in respect of which the corresponding offence under the law of England and Wales (within the meaning of that section) is a relevant offence,

- 97.4. a conviction of an offence under section 70 of the Army Act 1955, section 70 of the Air Force Act 1955 or section 42 of the Naval Discipline Act 1957 in respect of which the corresponding civil offence (within the meaning of the Act in question) is a relevant offence, or
- 97.5. a conviction of a member State service offence which would have constituted a relevant offence if committed in England and Wales at the time of conviction (whenever the offence was in fact committed).
98. In such circumstances, the appropriate mandatory sentence is:
- 98.1. in the case of a person aged under 18 when convicted of the index offence, a detention and training order of at least 4 months.
- 98.2. in the case of a person aged 18 or over but under 21 when convicted of the index offence, a sentence of detention in a young offender institution for a term of at least 6 months.
- 98.3. in the case of a person aged 21 or over when convicted of the index offence, a sentence of imprisonment for a term of at least 6 months.
99. The Court must impose the appropriate custodial sentences set out above unless there are exceptional circumstances which relate to the offence or to the individual being sentenced and would make it unjust to do so in all the circumstances.
100. There is limited guidance on the meaning of exceptional circumstances. The Child Gravity Matrix, as referred to above, offers some examples, but it is important to consider that exceptional circumstances are individual to each child. As stated above at point 51, the National Police Chief Council's (NPCC) Child Gravity Matrix (CGM) [SRB/25 - YJB000102], supports police forces in making charging decisions. The CGM offers some examples of mitigating factors that should be taken into consideration prior to police and CPS making charging decisions. This is not a definitive list but provides an opportunity for arresting officers to explore any exceptional circumstances that may require consideration. We consider that the suite of guidance available is appropriate but would benefit from more consistency in application.
101. The Court is permitted to reduce the sentence to a maximum of 20% below the mandatory minimum to reflect any appropriate credit for a guilty plea.
102. Where a child has previously received or completed a referral order relating to possession of a knife, the Child Gravity Matrix states:

*“Where the suspect has any history of offences of violence, has previously been dealt with for a knife/weapon offence or the offence under investigation is an offence other than simple possession, then they should be charged.”*

103. The CPS has legal guidance [SRB/31 - YJB000107] regarding the prosecution of the possession of knives and other offensive weapons.
104. The Youth Justice Board would expect that if a child were charged, the YJS would complete a comprehensive report to assist the court to decide the outcome of the case when a child appears for sentencing. The report should include assessment of the child, analysis of the offence, any previous engagement with services (if this is not their first offence, time between offences), factors which will support positive outcomes for the child and promote public safety, assessment of the need for parenting support including suitability for a Parenting Order and conclusion and proposal for sentencing.
105. The YJB believes that Youth Rehabilitation Orders (YRO) currently achieve comparable outcomes for children as a suspended sentence does for adults. Both YRO and suspended sentences in the adult system, aim to rehabilitate and reduce reoffending. If a child breaches a YRO, a consequence of this can ultimately be referral back to court to consider resentencing. Where the court is satisfied that the referral back was justified, the YRO may be revoked and the child resentenced, with the full range of sentencing options available that would have been available to the court which originally sentenced them.
106. YROs, unlike adult outcomes, also have the option of an Intensive Supervision and Surveillance (ISS) Requirement. This is designed as a direct alternative to custody and is the most intensive option available to any individual in the community.
107. Where a child has breached a standard YRO through the commission of a further offence, the court has the option of adding an ISS Requirement as a consequence of the breach, even if the index offence was not an imprisonable one. In case of a breach of a suspended sentence for an adult, a probation officer will alert the court, and the court will then activate a custodial sentence unless it would be unjust to do so. Whether it would be unjust is determined by the level of compliance to date, any mitigating circumstances, and the seriousness of the breach or new offence. This is in contrast to a breach of a YRO because of lack of engagement, which would result in a more nuanced process [SRB/32 - YJB000109]:
108. The first aim of any youth justice service worker is to engage the child, so barriers to achieving this need to be viewed as the responsibility of the adults rather than the child.
109. If a child is not engaging, the worker should follow this up to establish the reason and take action to address barriers to engagement. Engagement panels, chaired by a manager, take place at each stage to establish whether warnings will be given, supporting positive factors to build engagement. The process can be repeated if necessary to support engagement by the child.

110. Breach action is at the discretion of the youth justice services' professional judgement. It may be taken if non-engagement is persistent or considered the most appropriate action against non-compliance and this may result in a custodial sentence. The Sentencing Council acknowledges that offending by children is often a temporary **[SRB/29 - YJB000106]** phase and that, due to their developmental stage, they are more likely to benefit from structured support aimed at behavioural change.
111. YROs are successfully completed from the point of sentence in over 35% of cases. Most children then go on to complete the order successfully after breach action without a custodial outcome, with responses such as a verbal warning from a judge, a Fine, or additional requirements including ISS added to the YRO proving successful.

### **REPORTING RESTRICTIONS**

112. The Youth Court sits in private with only the child, their parents or guardians and professionals present. As such, there can be no reporting and there is an automatic restriction.
113. The Crown Court (Recording) Order 2016 (SI 2016/612) was made under Section 32 of the Crime and Courts Act 2013 and came into effect on 27 May 2016. The Order makes, subject to conditions, provision for the recording of sentencing remarks in Crown Court cases. The Crown Court (Recording and Broadcasting) Order 2020 (SI 2020/637) came into force on 20 June 2020.
114. When deciding, the Court must consider the welfare of the child for any determination applying Section 44 Children and Young Persons Act 1933.
115. The consequence of Section 45 Youth Justice and Criminal Evidence Act 1999 is that no child can be named. There are exceptions pursuant to the Act:
- (4) *The court or an appellate court may by direction ("an excepting direction") dispense, to any extent specified in the excepting direction, with the restrictions imposed by a direction under subsection (3) if it is satisfied that it is necessary in the interests of justice to do so.*
  - (5) *The court or an appellate court may also by direction ("an excepting direction") dispense, to any extent specified in the excepting direction, with the restrictions imposed by a direction under subsection (3) if it is satisfied—*
    - (a) *that their effect is to impose a substantial and unreasonable restriction on the reporting of the proceedings, and*

(b) *that it is in the public interest to remove or relax that restriction;*

*but no excepting direction shall be given under this subsection by reason only of the fact that the proceedings have been determined in any way or have been abandoned.*

116. *R v KL [2021] EWCA Crim 200* ought to be adopted, namely due to the fact that the person before the court is a child will normally be a good reason for restricting reports of the proceedings in the way permitted by the legislation. It will only be in rare cases that a direction under section 45(3) of the 1999 Act will not be given or, having been given, will be discharged. In *McKerry v Teesdale and Wear Valley Justice (2000) 164 JP 355*, it was held that any deviation from the statute must be exercised with "very great care, caution and circumspection".

#### **OVERVIEW OF THE YOUTH JUSTICE BOARD'S INVOLVEMENT IN AR'S CASE**

117. The Youth Justice Board does not deliver direct services with children and as such, had no direct involvement with AR's case during any contact he had with Youth Justice Services including the completion of his Referral Order in 2020-2021.
118. The incident took place at approximately 11:47am on 29 July 2024. The YJB was not involved prior to this date. At the time the incident occurred, AR was not under the supervision of Lancashire Youth Justice Services.
119. The YJB were first notified at 19:59 on 29 July 2024, when an e-mail was sent from Kate Langley (Director of Operations South) to Jon Bradnum (YJB) & Serious Incident Team (YJB), Sophie Davies (YJB) noting the incident took place and requesting to be advised when the notification came through from the service which is a requirement of the Serious Incident Notification process [SRB/33 - YJB000002].
120. At 22:22 on 29 July 2024, I contacted Rosanna Stanley (Sefton Local Authority), Jon Bradnum, Kate Langley and Stephanie Dilloway (YJB) regarding the incident and whether AR had any previous involvement with the Youth Justice System [SRB/34 - YJB000003]. At this stage, it was our understanding that the matter was being dealt with by Sefton.

121. The current approach to reporting serious incidents has been mandatory since April 2022. YJS's are required to notify the YJB of a serious incident within 24 hours if a child aged between 10-17 years is charged with committing one of the following notifiable offences outlined below:
- 121.1. attempted murder
  - 121.2. Murder/manslaughter
  - 121.3. Rape
  - 121.4. grievous bodily harm or wounding with or without intent – section 18/20
  - 121.5. a terrorism related offence
  - 121.6. if a child dies while on the YJS caseload, or up to 20 calendar days following the end of YJS supervision.
122. We anticipated that a notification would be required, and it was apparent as per **[SRB/35 - YJB000004]** that this would arise at the point of charge.
123. There were challenges encountered because of the geographical responsibility being spread across multiple agencies and Local Authorities as per **[SRB/36 - YJB000005]** The information which was received by the YJB was extremely limited and no formal briefing was provided by Lancashire County Council, any other local authority or agency.
124. As can be seen from **[SRB/37 - YJB000006]** informing the YJB or providing the information required through the serious incident process was a secondary activity. The incident was fast-moving, and updates were received on an ongoing basis, and these were circulated within the YJB as appropriate **[SRB/38 - YJB000007]**.
125. On 1 August 2024, the Serious Incident Notification (SIN) was chased, as by this stage, AR had already appeared before the Crown Court and an exception granted to the reporting restrictions **[SRB/39 - YJB000017]**.
126. The SIN was received at 16.33 on 1 August 2024. It was brief in its contents **[SRB/40 - YJB000021]**. There were immediate concerns regarding the lack of information, and several matters were raised with the YJS **[SRB/41 - YJB000024]**.
127. The YJB were informed by Lancashire Child and Youth Justice Service at 10:32 on 2 August 2024 that Director approval would be required before information could be shared **[SRB/42 - YJB000028]**. This is not in keeping with the role of the YJB, indeed the Crime and Disorder Act is clear that information should be shared with us to enable us to fulfil our functions, and it is our view that such approval should not have been required. The YJB has an oversight role and in support of this needed to be provided with the information, as set out in the SI process that is known across all YJSs.

128. We experienced complications in obtaining additional briefings which had been shared with Home Office Ministers [SRB/43 - YJB000029] and which appeared to have been because of multiple agencies being involved.
129. At 15:43 on 5 August 2025, the YJB were informed that no further information would be shared. This was not in line with our expectations. A summary of the position can be seen on 6 August 2025 in [SRB/44 - YJB000031].
130. A Ministerial briefing, based on the information provided in the SIN was submitted to the offices of Sir Nic Dakin and Lord James Timpson at 15:39 on 9 August 2025 [SRB/45 - YJB000033].
131. A further challenge arose because of AR turning 18 between the date of charge and the date of conviction. His case had already been sent to the Crown Court, but it meant that responsibility transferred from Lancashire Youth Justice Services to the Probation Service [SRB/46 - YJB000037]. At this stage, Lancashire Youth Justice Services had been unable to visit AR due to the security measures that were in place and were not clear on their responsibilities since his turning 18. I sought to remedy the lack of information transfer and support, through contacting the relevant individuals. Our Case Management Guidance offers clarity on the expectations during a child's transition to adult services [SRB/47 - YJB000110].
132. We encountered further difficulties on 29 January 2025 when there was a reticence to disclose material once again relating to AR's previous conviction [SRB/48 - YJB000047]. We looked to resolve this through a meeting [SRB/49 - YJB000048] which occurred on 6 February 2025 with Lancashire YJS who agreed that going forward they would share relevant information to enable the YJB to fulfil our statutory function.
133. Further challenges were later experienced in accessing the Rapid Learning Review, led, as we understand it, by Lancashire County Council. To date we have not had sight of this review.
134. The YJB were made aware upon the Serious Incident Notification being raised that AR had previously been subject to a 10-month Referral Order for a knife possession offence. The YJB has no details of the Referral Order interventions that were delivered and if these were appropriate and effective. However, the YJB would consider that a referral order was the appropriate disposal at that time given the mandatory referral order regime, AR's age (13 at the time), the facts available at that point and known vulnerabilities. Notwithstanding this position, the YJB takes the view that further information is required as to the multi-agency engagement that took place between the expiry of the referral order and the date of the incident.

135. At present, making any assessment in the case of AR as to the adequacy or not of support and intervention is very difficult when we do not have sufficient information about what the package of support contained and therefore what more may have been done.

**OVERVIEW OF THE YOUTH JUSTICE BOARD'S INVOLVEMENT IN LEARNING AND REFLECTION FROM THIS CASE**

136. The YJB has not led or contributed to any learning reviews following the events of 29 July 2024. This includes the Lancashire Children's Safeguarding Assurance Partnership (LCSAP) Rapid Review Meeting (27 August 2024); The LCSAP Local Child Safeguarding Practice Review (paused in spring 2025); The Prevent Learning Review (published 5 February 2025); or the Lord Anderson's 'Lessons for Prevent' review (published 17 July 2025).
137. Prevent is part of the UK's CONTEST counter-terrorism strategy. It operates in England, Scotland and Wales but not in Northern Ireland. Its aim is to stop people from becoming terrorists or supporting terrorism, and to support the rehabilitation and disengagement of those already involved in terrorism. Government responsibility for CONTEST, including Prevent, sits with the Homeland Security Group (HSG) within the Home Office.
- 1.2. The objectives of Prevent, as defined in the current CONTEST strategy, are in descending order of generality:*
- (a) tackling the ideological causes of terrorism;*
  - (b) intervening early to support people susceptible to radicalisation; and*
  - (c) enabling people who have already engaged in terrorism to disengage and rehabilitate*
138. The YJB agrees with the findings of the Prevent Learning Review [SRB/50 - YJB000111] that AR should have been referred into the Channel at his first referral to PREVENT in December 2019. AR was aged 13, had a number of identified vulnerabilities, and reported grievances; these risk factors made him more susceptible to extreme behaviour and terrorism and therefore met the threshold for a referral to Channel. The YJB agrees that the threshold for onward referral was also met in February and April 2021. The interventions that would have flowed from a multi-agency approach to support the identified risks AR presented would have had the best chance of preventing the escalation of his offending behaviour, thereby protecting the public.

139. There is, as has been identified previously, a lack of clear evidence, available to the YJB as to AR's supervision between 2019 and 2024. The YJB would raise the following specific gaps which are important to understanding AR's developing risk and to accurately identify whether opportunities for intervention were missed:
- 139.1. AR was identified as having had a diagnosis of ASD in 2019. A Education, Health and Care Plan was therefore required. It is not clear whether such a Plan was put in place, and if so, what it comprised of and its effectiveness;
  - 139.2. There is no clarity as to whether there was sufficient access to a Special Educational Needs assessment. This is a known gap and includes Speech, Language and Communication needs (which children in the justice system disproportionately present with) the YJB would recommend that in support of prevention all children are assessed for SEN before they transition into secondary education;
  - 139.3. The Prevent process clearly identified that 'outside' needs were present for AR, however, it is unclear how these were assessed and what, if any, measures were put in place;
140. Whilst there are clear benefits to the government's Prevent strategy in providing support and intervention for those at risk of radicalisation, this has limitations as it is focused on where there is a clear ideology (such as far right or far left-wing extremism). This focus is currently too narrow, and it is not set up to deal with cohorts and behaviours of children with either mixed or unclear ideologies, or those obsessed with violence, as we have seen in the case of AR.
141. This can result in children being excluded from support, or an over reliance on existing support from agencies where they may not have the required skills, capacity and resources to work with this cohort of children (as Youth Justice Services are likely to have).
142. As the YJB does not have a responsibility for the delivery of direct services, we are not routinely involved in learning review processes. We do however recognise the value intelligence and learning related to serious incidents in the community brings to the YJB's oversight of the whole system. As part of the YJB's Serious Incident Notification process the YJB asks, in addition to requiring local YJSs to submit a notification, that all published reviews of any relevant notified serious incidents are submitted to the YJB at the point of completion/publication. This process does not require the submission of any internally produced learning reviews; which was a decision taken due to the resourcing capacity of the YJB (previous notification process the Community Safeguarding and Public Protection Incident (CSPPI) reporting process operated from 2013 - May 2018 had

required YJS to undertake local learning reviews for all incidents and submit them to the YJB).

143. In a nationally significant incident such as that which tragically took place in Southport, we consider there would have been value in our involvement in local learning; both in providing governance and critical support to services and, importantly, sharing best practice nationally and regionally as well as providing advice to ministers and what more could be done to prevent children offending and causing significant harm to others. We offer an overview below of the learning we have gathered and shared from our Serious Incidents Notification process.

### **KNIFE CRIME AND VIOLENCE**

144. The YJB has produced a Knife Crime Evidence and Insights Pack 2025 **[SRB/51 - YJB000112]**. This pack is a comprehensive report which informs the basis of cross-sector discussions hosted by the YJB, and led to our clear support for:
- a. attempts to reduce knife supply
  - b. individualised decisions on outcomes
  - c. local strategies to address the conditions that sustain violence
  - d. local partnerships working together to ensure that adults meet the needs of children.
145. The MoJ recorded 18,560 knife crime offences resulting in caution or conviction in the year ending March 2024. 17% (3,206) of these offences were related to children, with the remaining 83% being concerned with those over the age of 18. The MoJ also identified that in 99% of cases where children are convicted of knife offences, these were for possession alone rather than threatening purposes or knife enabled serious violence **[SRB/52 - YJB000113]**. The number of knife crime offences committed by children has been decreasing since the year ending March 2019, with children making up 20% of all knife crime offences in that year to 17% in the latest year.
146. Black children made up 14% of knife offences in the year ending 2024. Given that they make up 6% of the general population in the 2021 census data, this shows clear over-representation. Also mixed ethnicity children made up 10% of knife offences while making up 8% of the general population. Disparity in offences is influenced by a range of factors including much higher use of stop and search for Black children, and greater

likelihood of social marginalisation including economic deprivation [SRB/52 - YJB000113].

147. The NHS reported a total of 68,768 external cause admissions in the year 2022-23. 458 hospital admissions in this period were because of assault by sharp object. This is a 2% decrease from the previous year and a 46% increase from the year ending March 2013. Of the 458 admissions for assault by sharp object, this included 63 admissions aged 10-14, 103 admissions aged 15, 128 aged 16, and 164 admissions aged 17 [SRB/53 - YJB000114].

148. The Insights Pack also considered what interventions are most successful in tackling knife crime, with the following conclusions being reached:

- a. Focused Deterrence: Strong evidence this has a high impact on violent crime - estimated to reduce violent crime by 33% (Youth Endowment Fund (YEF) Toolkit).
- b. Social Skills Training: Strong evidence this has a high impact on violent crime - estimated to reduce violent crime by 32%.
- c. Mentoring: Moderate evidence this has a moderate impact on violent crime - estimated to reduce violent crime by 21%.
- d. Sports Programmes: Limited evidence this has a high impact on violent crime. These programmes have been found to reduce aggression, promote mental health and respond to other behavioural difficulties (YEF Toolkit).
- e. Violence Reduction Units (VRUs): Evaluations suggest a reduction in police recorded violence without injury offences. Whilst not statistically significant, there were encouraging indications of reductions in homicides and hospital admissions resulting from any violent injury (for example, not just from sharp objects) (Home Office 2023).
- f. Pre-Court Diversion: Strong evidence this has a moderate impact on violent crime. It is estimated to reduce re-offending by 13% and in the instance of another offence, this is likely to be less serious (YEF Toolkit).
- g. Hot Spot Policing: Moderate evidence this has a moderate impact on violent crime. It is estimated to reduce violent crime by 14% and overall offending by 17%. The nature of delivery is important. It was found to be most effective when taking a problem-oriented policing approach compared to traditional policing (YEF Toolkit). A 2024 Home Office Analysis of Hot Spot Policing (covering children and adults) found reduced crime on patrol days compared with non-patrol days, although at the force level, few forces demonstrated a significant reduction in overall violent crimes.

- h. Knife Crime Education Programmes: Very weak evidence which is insufficient to establish their impact on violent crime. It has been argued however that this intervention can contribute to misconceptions about knife carrying and subsequently increase children's likelihood of carrying a knife out of fear for their safety (YEF Toolkit).
  - i. Knife Surrender Schemes: Very weak evidence which is insufficient to establish their impact on violent crime. However, two UK-based studies suggest that whilst these schemes may contribute to a small reduction in knife crime, these reductions are not sustained for long (YEF Toolkit).
  - j. Media Campaigns: Very weak evidence which is insufficient to establish their impact on violent crime. Some low-quality studies however suggest media campaigns can contribute to perceptions of fear and threat and increase the likelihood of knife carrying (YEF Toolkit).
  - k. Stop and Search: Weak evidence suggests that stop and search do not prevent nor deter knife crime (Browne et al. 2021). Statistics indicate ethnic disparity in Stop and Searches, with Black children making up 20% of people searched, although they make up 6% of the population (YJB Stop and Search Dashboard 2024).
  - l. Mandatory Minimum Sentencing: Longitudinal research identifies that system contact is harmful, stigmatising and criminogenic and suggests formal criminal justice processing increases the likelihood of children reoffending (McAra & McVie 2007; Petrosino et al., 2010).
  - m. Diversion has shown to be more effective than entering the formal justice system (e.g. Pre-Court Diversion has a moderate impact on violent crime, is estimated to reduce reoffending by 13%, and is suggested to minimise the seriousness of offences in the instance of reoffending).
  - n. Tailored Support Opportunities (Housing, Education, Employment): Strong evidence this has a high impact on reducing weapon carrying (Browne et al. 2021).
149. Evidence also suggests that knife crime is driven by a combination of poverty, marginalisation, Adverse Childhood Experiences, trauma, fear, and victimisation, including exploitation [SRB/54 - YJB000115]. The evidence base on which individual interventions can prevent offending by children is generally mixed, with studies based on small sample sizes. However, key principles of what works to prevent offending include:
- 149.1. Early identification of vulnerabilities (risks inside the family home, undiagnosed SEND, substance misuse, mental health needs)
  - 149.2. Multi-agency working and service provision

- 149.3. Recognising and addressing safety concerns in schools, peer groups, communities, and online spaces
  - 149.4. Keeping children in mainstream or alternative education
  - 149.5. Diversion from the formal youth justice system and minimal intervention
  - 149.6. Focussing on strengths to build a positive social identity and sense of belonging
  - 149.7. Tailoring services for individual children's needs
  - 149.8. Therapeutic approaches such as cognitive behaviour therapy and developing social and emotional skills rather than punitive interventions
  - 149.9. Whole-family therapeutic interventions that draw on community and consider the wider needs of a child
150. In addition to the broader principles above, there is some evidence that the following are effective in reducing serious violence:
- 150.1. Hospital and A&E navigators who provide support at a "reachable moment" after a child has been injured, linking them quickly to safety planning and wider services.
  - 150.2. Problem-oriented policing encourages police and partners to analyse local knife harm hotspots in detail and work together to address the underlying causes.
151. There is currently an inconsistent approach in policing and the CPS charging decisions across England and Wales in responding to knife crime, with some children being overly criminalised and others being inappropriately diverted without the necessary support and safeguarding. This means that needs are not met, risks are not managed or even mitigated.
152. The YJB believes that diversion can be effective when dealing with knife offences, however, it is essential to ensure needs are met at an early stage and further offending is prevented. The YJB would recommend that the police and prosecuting authorities consult specialist Youth Justice services in the decision making of appropriate disposals and in the identification and delivery of appropriate robust evidence-based interventions. Diversion often provides quicker support for children, and a faster response for victims and communities. It is also cost effective, as the earlier the intervention takes place, the greater the likelihood of rehabilitation and prevention of commission of further offences.
153. The YJB believes that the Government need to incentivise and better fund localities, so thresholds are not set so high. A sustained cross government commitment and investment is required to prevent children from entering the justice system.

**RADICALISATION AND EXTREMISM**

154. From the evidence available we know the Prevent Programme has seen a rise in the number of children being referred in recent years. In the year ending 31st March 2024

[SRB/55 - YJB000116 ]:

154.1. individuals aged 11 to 15 accounted for the largest proportion of the referrals to Prevent (40%), where age was known. This is reflective of the wider trend since 2020 – 2021, where this age group has accounted for an increased proportion of referrals each year.

154.2. Those aged 16 to 17 account for the second largest proportion (13%) of all referrals.

154.3. The most common category of referral for children across all age groups was 'Vulnerability present but no ideology or CT risk', which accounted for approximately 40% of all referrals for those under 18 in the most recent year. The number of children who were referred under this category has increased year on year since ending 31 March 2020, when it first became available as a type of concern category on the Prevent Case Management Tracker (PCMT).

154.4. The second most common category of referral for children when accounting for all age groups was 'extreme right wing' ideology, which accounted for approximately 18% of referrals, closely followed by 'conflicted' ideology, which also accounted for approximately 18% of referrals.

154.5. 89% of children referred to Prevent were males (where sex was specified). This is reflective of a wider trend, where the proportion of males at each stage of the Prevent Programme has been increasing since the year ending 31st March 2016.

154.6. Individuals aged between 11 and 15 accounted for half (50%) of cases adopted by Channel. Channel refers to the local authority led support and the duty under Section 36 of the Counter Terrorism and Security Act 2015 to ensure that there is a local panel in place to assess, and to provide support for, people vulnerable to being drawn into terrorism.

155. We have also seen an increase in children arrested for Terrorism Act (TACT) offences over the long term. For example, in 2019, 12 children were arrested for TACT offences

[SRB/56 - YJB000117 ] whereas in 2024, 39 children were arrested [SRB/57 - YJB000118 ]. While the percentage increase appears statistically significant due to

the small cohort size, this amounts to a rise of 27 children over a five-year period, representing a modest change in real terms. The largest proportion of the arrests (49% in 2024) for terrorism related activity continues to be comprised of those aged 30 and over [SRB/58 - YJB000119].

156. It is unclear what is driving the increased number of children being referred into Prevent and Channel programmes or the rises in the number of children being arrested for TACT offences. There could be several factors contributing to this, for example, the rise in children being referred into Prevent could be the result of a genuine increase in the number of children displaying concerning behaviour or ideologies, or it could be due to other factors, such as:

- 156.1. The introduction of new referral criteria in the year ending March 2021 (which is now the largest category of referrals for children) – essentially widening the net of children who are referred
- 156.2. There may be disparities or changes over time in the level of awareness among practitioners which is influencing referral levels for children.

157. We know certain aspects of normal adolescent processes or developmental stages may make children particularly vulnerable to extremist narratives, groups, causes or charismatic individuals. Additionally, children in the youth justice system, or on the edge of it, are likely to be socially excluded, disadvantaged and can be vulnerable to many influences including radicalisation [SRB/59 - YJB000120]. Some factors which may make a child more vulnerable to radicalisation include [SRB/60 - YJB000121]:

- 157.1. being easily influenced or impressionable
- 157.2. having low self-esteem or being isolated.
- 157.3. feeling that rejection, discrimination or injustice is taking place in society.
- 157.4. experiencing community tension amongst different groups.
- 157.5. being disrespectful or angry towards family and peers.
- 157.6. having a strong need for acceptance or belonging.
- 157.7. experiencing grief such as loss of a loved one.

158. Evidence tells us that the way to prevent offending and have safer communities with fewer victims is by promoting pro-social identity and positive child outcomes. Developing pro-social identity means helping children to see themselves in ways that encourage positive behaviour and a constructive future.

159. Positive relationships between children and others are crucial to reaffirming their individual strengths and teaching them that they belong. This includes their relationships with key workers as well as voluntary engagement with parents and carers to raise

awareness of risks and signs, supporting discussion at home and providing safe channels for help and support, through faith and community leaders or credible role models.

160. Children drawn into extremism are vulnerable and should be supported through existing safeguarding routes. As cited above, it is the responsibility of all agencies to prevent offending. It is also likely to be more effective to identify and respond to children's needs early to prevent children becoming involved in the formal justice system at all, rather than intervening at a later stage.

161. As mentioned above, the YJB has released guidance on the management of children at risk of engaging with or involvement in terrorist-related activity (2022) **[SRB/28 - YJB000105]**. This guidance includes an overview of factors that make children vulnerable to radicalisation:

161.1. An extremist group or cause can provide a sense of identity, belonging or purpose where some individuals feel validated and valued. They may feel that they are part of something big and significant. The cause or group can make sense of a confusing world full of unfairness and unpredictability.

161.2. A 'grievance narrative' refers to a cause for complaint or sense of resentment over something that is deemed unfair or threatening. Grievance narratives can take many forms, although they frequently involve feelings of injustice, humiliation, powerlessness and victimisation, and often acute moral outrage.

161.3. Extremist causes and groups can seem exciting to some children who lack sources of stimulation in their lives. Becoming involved with such activities could lead to a sense of excitement, achievement and fulfilment.

161.4. The internet and social media are significant factors in children's lives and can be uncensored. Children's virtual life can be more exciting at a time when they may face tedium in their actual lives.

161.5. Adolescence is often a time of new freedoms and less parental supervision, with peer groups often having more influence.

162. People who work within youth justice will recognise that adolescence is a complex time and one of the most rapid periods of human development. It is therefore crucial, despite this high-profile area of risk, to remain mindful of 'normal' expressions during adolescence.

163. The management of children at risk of engaging with or involvement in terrorist-related activity guidance also outlines the following regarding managing the risk and needs of children who have committed terrorist offences:
- 163.1. Currently there are no specific risk assessment tools designed to assess the risk and needs of children who have committed terrorist offences.
  - 163.2. The Extremism Risk Guidance 22+ (ERG 22+) is a structured professional judgement tool to identify risk and needs for people who have committed extremist offences. Although it was designed for use with adults, limited but increasing consideration is being given to the use of the ERG 22+ with children.
  - 163.3. Adolescence is a period of significant change across numerous dimensions, all of which influence attitudes, thinking and behaviour. As such, developmental influences must be considered when identifying the risk and needs associated with the offending behaviour and when considering the various ERG 22+ factors. See Appendix 1 for further information.
  - 163.4. Due to the few cases of children convicted of terrorist offences in the UK, the ERG 22+ has not been widely applied to this cohort.
  - 163.5. Should the ERG 22+ be utilised with children, supplementary guidance is available from local Probation Counter Terrorism (PCT) team / National Security Division.
164. The completion of any such assessment should be discussed with the child and their parent or carer to gain their support.
165. There are often links between the risk of radicalisation and modern slavery. The YJB considers that the National Referral Mechanism is no longer effective in that its operation is too linear. The decision making in relation to child criminal exploitation ought to be devolved to local authorities so that decisions do not rely on the Single Competent Authority (National Crime Agency) and can be taken through local multi agency partnerships. The average time taken for conclusive grounds decisions made by the SCA this year was 588 days, and the IECA took an average of 489 days (data tables 32 and 33, respectively). The evaluation undertaken into the devolved decision-making pilots showed that decisions were made more quickly by pilot sites, with average time taken from referral to a conclusive grounds decision being 52 days. This approach would allow for earlier intervention, rather than individuals disengaging from the process due to the length of time taken to finalise a conclusive grounds decision. A single body with

oversight and management of all areas relating to children's offending would bring together these services and operations.

### **ONLINE HARMS**

166. Social media and the wider internet are significant factors in children's lives and can be uncensored and uncontrolled. The Children's Commissioner for England found that 91 percent of children in England use a social media platform [SRB/61 - YJB000122] and that children were increasingly exposed to hate content and violent content, which included racist commentary, sexism, and disguised videos to circumvent content moderation.
167. The internet and social media provide a platform to express and consume violent [SRB/62 - YJB000123], extremist and/or radical content and this content can travel faster and to a wider audience than ever before. However, research linking exposure to violent or extremist content online to 'real life' violence is limited and more evidence is needed to determine the impact this has on children and their likelihood to engage in real-life violence. Alongside this we recognise that there will continue to be a difference between being exposed to extreme content online as opposed to seeking it out.
168. Research published by the Youth Endowment Fund (2024) [SRB/62 - YJB000123] found that 80% of teenage children who encounter weapons-related content on social media say it makes them feel less safe in their local communities. This perceived threat has tangible consequences: two-thirds (68%) of teenagers who have seen weapons on social media say it makes them less likely to venture outside, and 39% admit that it makes them more likely to carry a weapon themselves.

### **PURCHASING OF WEAPONS ONLINE**

169. The YJB fully supports the restriction of online sale of offensive weapons and welcomes any changes to legislation that would prevent their sale to children, for example, Ronan's Law, where retailers need to report suspicious and bulk purchases of knives on their platforms to police, with tougher sentences for selling knives to children. However, given sharp instruments used in homicides (by both adults and children) in the year ending

- March 2024 were kitchen knives, which could be taken from home, it would be unwise to think that focusing on the restriction of online sales alone will reduce serious violence.
170. The latest Knife and Offensive Weapons Sentencing Statistics published on 21st August 2025 shows that there was an increase of 2% in the number of cautions and court sentences for knife and offensive weapons offences compared with the previous year, rising from 3,630 to just under 3,700 cautions and sentences.
171. The latest year's figures show that proven knife and offensive weapons offences were 23% higher than 10 years ago (March 2015) when there were around 3,020 proven knife and offensive weapons offences but 17% lower than five years ago (March 2020) when there were around 4,460 proven knife and offensive weapons offences.
172. We would recommend research is conducted into where children are sourcing offensive weapons from as the evidence around this is limited.
173. There is a massive responsibility on social media and the way that algorithms work. Once the child shows an intention for looking at particular material they are then bombarded with similar material. This must stop.

#### **SERIOUS INCIDENT NOTIFICATIONS**

174. From 1 April 2022, the YJB introduced a mandatory system to report and record some categories of serious incidents. This means that all services are expected to notify the YJB when one of the following incidents has occurred. The prescribed incidents must be notified to the YJB within one working day of a YJS becoming aware of an incident involving a child. If clarity is sought about the categorisation of incidents and the application of the procedures, then the YJB can be contacted via the serious incidents mailbox for guidance.
175. YJSs should notify the YJB of a serious incident if a child:
- 175.1. Is charged with committing one of the following notifiable incidents outlined below, (a full list of reportable incidents is included at Annex A)
- i. attempted murder
  - ii. Murder/manslaughter
  - iii. Rape
  - iv. grievous bodily harm or wounding with or without intent – section 18/20
  - v. a terrorism related offence

Or

175.2. dies while on the YJS caseload, or up to 20 calendar days following the end of YJS supervision

The notification should be submitted to the YJB within 24 hours of the charge being made or, in the case of the death of a child, the date the service became aware of that death.

176. The YJB produced, for the first time in April 2025, a review of the Serious Incident Notifications received during the year between 1 April 2023 and 31 March 2024 [SRB/63

- **YJB000124**

177. During 2023/24, there were 438 serious incidents notified to the Youth Justice Board (YJB) involving 546 children. From April 2024, Youth Justice Services were required to submit all serious incident notifications via the Serious Incidents module on the Youth Justice Application Framework (YJAF).

178. The following data trends arose out of the review, and this includes our emphasis for the scope of the Inquiry:

a. Criminal Exploitation:

- i. 41% of all children notified were said to be gang affiliated, criminally exploited, or involved with the National Referral Mechanism (NRM) process; 42% of all boys and 29% of all girls.
- ii. 20% of all children notified had exploitation concerns identified relating to the charge, of these; 58% an NRM referral was due to be made and 42% had a previous NRM referral but were awaiting a decision.

b. Offence type:

- i. 55% of all notifications were for Grievous Bodily Harm (GBH), 16% for Rape, 13% for Murder/Manslaughter, 9% Attempted Murder and 3% Terrorism offences.
- ii. **56% of incidents notified were knife/blade enabled.**
- iii. **92% of Attempted Murder notifications indicated there was knife or blade involvement, 84% of Murder/Manslaughter, and 62% of Grievous Bodily Harm incidents.**

c. Contact with Youth Justice Services:

- i. 36% of all children charged were under the supervision of a youth justice service at the time of the incident.
- ii. 24% were not known to YJSs, nor were they engaged in support from any other local authority service at the time of the incident.

- iii. **42% of children notified had no previous cautions and convictions, increasing to 92% for children charged with terrorism offences.**
- iv. **71% of children notified for murder were not supervised by a youth justice service at the time of the incident, but were known to other agencies, social care, education, health.**
- v. 63% had some kind of previous contact with a local authority or Children and Adolescent Mental Health Service (CAMHS). Of these, 24% were engaged with both the youth justice service and one or more other services at the time of the incident.

d. Safeguarding and Vulnerabilities:

- i. Of the 63% who had some kind of previous contact with a local authority or CAMHS service;
  - i. 23% of children reported had identified Special Educational Needs, (in Wales, this is referred to as Additional Learning Needs/Neurodiversity).
  - ii. 48% were diagnosed with Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD) or Autistic Spectrum Disorder (ASD)

e. Demographics:

- i. 96% of the children notified were boys
- ii. 68% of the children notified were 16-17 years old; 99% of these were boys.
- iii. 48% of all children notified were from ethnic minority backgrounds and significantly overrepresented compared to the general 10-17 population (27%)
- iv. 17% of children reported were from Black backgrounds and significantly overrepresented compared to the general 10-17 population (6%)
- v. 17% of children reported were from mixed backgrounds and significantly overrepresented compared to the general 10-17 population (6%)

179. 246 of 438 serious incidents reported involved a knife or blade. This represents 56% of all incidents reported in 2023/24. Proportionally, this remains broadly the same as 2022/23 with 187 (58%) of the 325 incidents reported involving a knife or blade.

180. There were three incident categories where over half of the incidents indicated knife or bladed article involvement. 92% of Attempted Murder notifications indicated there was

knife or blade involvement and this was the highest proportion of all incident categories; 84% of Murder/Manslaughter, and 62% of GBH incidents indicated there was knife or blade involvement.

181. From my observation of the SInS to date, I think there are very few cases that we have seen come through where there isn't something that raises concern in the case before the child goes on to commit serious harm, these are rarely children not known to any body or organisation.
182. There have been a number of high-profile murders committed by children, both on children and adults. Since the board has started carrying out analysis (2024) of our serious incident reporting, we have also begun to consider if serious offending is increasing in frequency. By the YJB's definition, we can see from initial analysis of our data that serious offending (from 2021/22 to 2024/25) is going up, as are the total number of offences of gravity scores 5-8. We have explored to see what the reasons for this increase could be, but there is no clear driver that we can currently identify; this requires more attention and analysis for us to better understand what is happening and why.

### **ADDITIONAL RECOMMENDATIONS**

#### *Youth Diversion Orders*

183. The Government seeks to introduce new Youth Diversion Orders (YDOs), proposed as a measure to prevent children from becoming radicalised. It is the view of the YJB that while it is common for ancillary orders, such as YDOs, to be issued by the court for various offence types, the evidence on their effectiveness in reducing offending is limited.
184. In fact, evidence suggests that civil orders often fast-track children into the criminal justice system as the related restrictions are too onerous or may be ineffective in addressing the root cause of behaviour. This often leads to breach proceedings and criminalisation which increases the likelihood of further offending. This goes against the legal requirements to protect the welfare and best interests of the child.
185. For YDOs to achieve their aim of preventing radicalisation, it is imperative that any decision to apply for a YDO must be underpinned by a full, multi-agency assessment of the child's needs and the factors contributing to their behaviour (which includes as mandatory the involvement of children's services/the youth justice service). This will allow practitioners to determine the suitability of a YDO in each case and what

appropriate conditions should be attached to the order to best support the child and prevent further radicalisation and future offending.

186. We are working with Counter Terrorism Policing to support the development of operational guidance for any implementation of YDOs. We consider the clarity around the 'duty to consult' to ensure meaningful consultation takes place around the application of orders is vital to ensure their effectiveness.
187. Additionally, for YDOs to be effective, more clarity is needed on the circumstances in which a YDO is appropriate, to avoid duplication. The YJB believe that YDOs should not replace the current framework of out of court disposals (described below) for terror related offending, nor should they run alongside existing statutory orders. Systems are already in place for children who have committed terror offences, and the National Police Chiefs Council's Counter Terror Child Gravity Matrix provides a framework for decision makers working with children who commit TACT offences. This covers the breadth of options available including informal out of court disposals, formal out of court disposals and statutory outcomes.
188. Finally, in relation to YDOs, clarity is needed on who will be responsible for the order and/or who will oversee the conditions of the order. Again, it is important that police do not make decisions to apply for YDOs in isolation so that the appropriate safeguards and wrap around support can be provided to the child and their parents/carers.

*Assessments specific to children*

189. For any preventative measure to be successful the identified intervention must address the specific needs that apply to the child or young person. Currently there are no specific risk assessment tools designed to assess the risk and needs of children who have committed terrorist offences. We consider this could be an area of future focus and improvement.
190. Initiatives like the Young Futures Prevention Partnerships and Hubs which aim to identify and support at risk children, with a focus not only on reducing crime but also improving life opportunities and mental health, could present an opportunity to address the needs of this cohort. However, successful implementation requires clear alignment with existing structures and will need skilled practitioners to work with children in appropriate physical spaces with consistent sustainable funding. We would recommend that government prioritise developing Young Futures Prevention Partnerships in areas of greatest need and learn from existing good practice in youth justice services across England and Wales.

*Multi Agency Engagement*

191. AR clearly had engagement with several agencies and authorities, including police and children's social care. It is the YJB's recommendation that there is a need for better multi agency coordination for a locality, assurances to ensure the sharing of information and ensure identifying how needs should be addressed is done in a coordinated multi-agency way.
192. Legislative change should require all statutory partners, including police, health, education and social care, to share information and take responsibility for early intervention in response to risks and predictors of offending by children. Cross-government accountability mechanisms are needed to ensure independent advice and evidence is connected and acted upon in a timely and effective way.
193. Moving to a single case management system administered by one supplier for children's services, including material from youth justice services and the secure estate for children, would significantly improve data quality and consistency of recording. Having a single system where access to records could be maintained would make the transfer of information more efficient and reduce the risk of information not being understood, more effective use of data across agencies and ensure data is transferred correctly between responsible authorities. In addition, this would allow for frontline practitioners to benefit from AI tools which can be developed to identify and flag unmanaged and unmitigated risks.
194. All professionals working with children should have regard to the safety and wellbeing of all children and be alert to identifying risks that are presented to them. This includes risks that may come from inside or outside the home, from both adults and other children. To do this well, our systems must reinforce that safeguarding is not a single agency responsibility and that every organisation, business or service has a responsibility to consider their processes and procedures in keeping children safe.

*The Role of the YJB*

195. At the time of the Southport attack in July 2024, the YJB was operating under ministerial steer that required engagement with other areas of government to be channelled solely through the Ministry of Justice, relying on the department to disseminate our advice and evidence across government. This process was not consistent, particularly if our advice and recommendations conflicted with a particular policy position, this underlines the need

- for and importance of independent cross-departmental advice. The limitations on the YJB's ability to work directly with other departments reduced opportunities to ensure that evidence of what works to prevent offending and reoffending by children was embedded consistently across health, education, social care, police, and justice.
196. The YJB plays a vital role in identifying challenges within the youth justice system and providing evidence-based advice to ministers and government departments. We continue to seek opportunities for engagement to ensure that the needs of children, victims and communities are addressed along the wider pressures of the adult justice system. While youth justice has often received less focus compared with the adult system, it remains essential that the distinct challenges facing youth justice are given sufficient attention.
197. The YJB's staff and Board have considerable experience of working in the Youth Justice System, their knowledge and expertise must be given the attention that I consider it deserves, and this represents a missed opportunity for the government.
198. The board has carried out a detailed piece of cost benefit analysis on how much it costs to divert one child from the system, showing clear benefits to true preventive practice. However, in 2022 into 2023 we were asked to dial down the focus we place on our research function by the then Secretary of State and Ministers. As a result, the research team at the YJB now consists of three social researchers. Understandably creating limits to our research capacity, exacerbated by a limited budget to commission external research, which was £150k for 2024/2025.
199. It should be noted that the YJB have a strong collaborative relationship with the Welsh Government. We provide advice to the Deputy First Minister in Wales and regularly meet with the Deputy First Minister and the Cabinet Secretary of Wales, leading to the co-production of documents with them, in contrast to how we work with some departments and ministers in England. Equally we have recently had some very productive meetings with ministers in education and the Home Office, as well as the Prime Minister's and Home Secretaries special advisers on youth justice. We aspire to work in this way with officials in the policy unit in the Ministry of Justice, our sponsor body and want to support ministers who represent all of the statutory partners to make the changes needed to prevent a reoccurrence of such a terrible tragic event as the one that occurred on 29 July 2024.
200. In closing, I wish to reiterate the Youth Justice Board's deep sorrow and sympathy for all those affected by the tragic events of 29 July 2024. The pain and loss experienced by the families, loved ones, and communities cannot be overstated, and it is with humility and resolve that we have approached our contribution to this Inquiry.

201. As Chief Executive Officer of the YJB, I have reflected not only on the organisational response but also on the broader systemic challenges that this tragic case has exposed. The limitations on data sharing, the complexity of oversight structures, and the gaps in early intervention and multi-agency coordination are not new issues - but they are urgent ones. We must all do better.
202. This statement has sought to be transparent about what we know, what we do not, and where our remit begins and ends. It has also aimed to offer constructive recommendations, grounded in evidence and experience, that we believe can make a meaningful difference. These include strengthening the visibility of children at risk, improving the regulation of online harms and weapon availability, and ensuring that evidence-based practice across all statutory partners and strategic leaders, mental health provision and workforce capacity are not afterthoughts but foundational elements of youth justice.
203. We recognise that our role is not to adjudicate individual cases but to help shape a system that is fair, preventative, and responsive. We are committed to learning from this Inquiry and to working with partners across government and civil society to ensure that the lessons are not only heard but acted upon, and at pace.
204. I want to acknowledge the dedication of colleagues across the YJB who have contributed to this statement under intense pressure and with great care. Their professionalism and compassion reflect the values we strive to uphold. We will continue to uphold these values, and we will update the Inquiry as to the outcome of the ongoing reviews. Above all, I want to express my personal commitment to the families and victims impacted by these events. I will do all I can to ensure that the areas identified by this Inquiry are addressed with urgency and care, and that every effort is made to prevent such a tragedy from ever happening again.
205. This Inquiry must be a turning point. The YJB stands ready to support its outcomes and to play our part in building a youth justice system that protects, rehabilitates, and never loses sight of the humanity of the public it serves.

### **Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: **Signature**

Dated: 3 September 2025