Wednesday, 28th October 2026

(10.00 am)

SIR ADRIAN FULFORD: Could you remain standing just for a moment to take the oath. Thank you very much.

MS STEPHANIE ROBERTS-BIBBY (affirmed)

SIR ADRIAN FULFORD: Thank you very much, please have a seat. Yes, Mr Moss.

Questions by MR MOSS

MR MOSS: Thank you, sir. Sir, just so that everybody knows, the plan for today is we may take more than our usual number of breaks.

SIR ADRIAN FULFORD: Certainly.

Q. Just start by giving us your full name, if you would please?

A. Yes, my name is Stephanie Alice Roberts-Bibby.

Q. Thank you. Ms Roberts-Bibby, if we could on screen please YJB000194. We see your second statement to the Inquiry and if we turn, please, together to page 80 YJB000194_0080. We have redacted your signature but I think you can confirm that you signed this statement on 31 July of this year, is that correct?

A. It is, yes.

Q. Thank you, and could you just confirm that this, your second statement, is true to the best of your knowledge and belief?

A. It is, yes.

Q. Thank you very much. Could we have on screen YJB000076 please. You also provided this statement to Phase 1 of this Inquiry, I think that is right. It was on 3 September 2025, I think, this statement?

A. Yes, that is correct.

Q. Thank you, and for the learned Chair's note, your oral evidence that you gave in Phase 1 was on 4 November 2025?

A. Yes, that is correct.

Q. Thank you. If we go back to your second statement, which obviously will be basing my questions for today from, YJB000194 and we just remind ourselves at paragraph 1 that you are the Chief Executive Officer of the Youth Justice Board, is that correct?

A. It is, yes.

Q. And before I proceed with your evidence, I think there is something that you wish to say?

A. There is, yes, thank you.

I wanted just to reaffirm our commitment, from my evidence at Phase 1, and offer again -- re-offer our sincere condolences to Alice's, Elsie's, Bebe's family and of course all the others harmed and injured on that atrocious day and just to reaffirm our commitment to do all we can to prevent a recurrence, and mine and the

board's commitment to that.

Q. Thank you. If we turn to page 6 YJB000194_0006, paragraph 21. Obviously my learned friend Mr Goss went through some of these matters with you last year but for those who are fresh to your role, you are explain about your professional background. So I think you have held the position of CEO since June 2023, is that right?

A. It is, yes.

Q. We see initially it was on an interim basis, but I think before that, you had been Chief Operating Officer at the Youth Justice Board since September 2018?

A. Yes, that's correct.

Q. So, you have now something in the region, I think, of eight years' experience, there or thereabouts, at the YJB and we can see from 21 that you previously had extensive experience in the prison estate, holding senior roles, up to and including Governor 1, of a range of different prisons?

A. That's right, yes.

Q. Thank you, and if we just scroll down to paragraph 23 towards the bottom of the page, just explain in your own words what the role of Chief Executive Officer of the YJB involves and perhaps how it relates to the board?

A. Sure. So, my role as Chief Executive Officer is also the accounting officer for the organisation, which means

that I'm also responsible for judicial spend of public money which, up until this year, included the youth justice grant. I hold operational responsibility for bringing to life the strategic intent of the board and aligning the visions of the board and ministers to deliver what is required, in terms of our strategic -- our statutory functions.

Q. Thank you. That leads us then onto the role and remit of the Youth Justice Board itself. Obviously, we touched on some of this in the evidence yesterday. But let's look at it from the Youth Justice Board's point of view. So if we could have page 7 YJB000194_0007, the next page please. You explain the basics helpfully in paragraph 25. So:

"The [Youth Justice Board] is a non-departmental public body ..."

It has, as its sponsoring department, the MoJ, yes?

A. Yes.

Q. That's why, I think, you are the accounting officer, is that it has that level of independence, yes?

A. That's correct.

Q. Thank you, and you say:

"[It] is the only statutory body with oversight of the entire Youth Justice System in England and Wales."

Is that right?

A. It is, yes.
Q. Thank you. The core functions we see in paragraph 26:
"... 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."
So it is not just the delivery of the youth justice services themselves, but that monitoring of the provision and advice about how the system is running and how it could be improved?
A. Yes, that's correct. We don't have an operational role. But we very much see ourselves as the glue that makes the system work. So we would provide advice on what is working, what's not working and what Government might want to consider going forward.
Q. Thank you. Then you set out that in some further detail, which I won't read out but we note that it is helpfully set out at the foot of page 7. If we just go over the page YJB000194_0008. Again, you set out all of those separate aspects and whenever these are relevant to aspects of your evidence, you can, of course, come back to them but I won't go through them all.
If we look at page 14 YJB000194_0014, paragraph 31 and again, we touched on this with Ms Churchill yesterday, but you note the changes that are afoot in

relation to the role of the Youth Justice Board. Again, can I just invite you in your own words to explain what the envisaged change is?
A. Yes, of course. So the organisation is being reformed in line with the Government White Paper and there is an intention that, as a result of that, some of our statutory functions, which contribute to oversight of the system, move into the Ministry of Justice. And those functions that are moving in are oversight itself, which includes standard setting. When we talk about standard setting, at the moment, we give advice to the Secretary of State on Standards for Justice. They were last published in 2018 which we have encouraged Government to commission us to review. So that will move into the Department, along with guidance. So, at the moment, we write the guidance. So if you think of the Standards for Justice, as the "what" and then we write the case management guidance which is the "how", which is what helps the sector to make sense of those standards.
Those functions will move into the Department. The transacting of the grant, technically we have not had the money but have transacted the grant. So that will move as of next April. Along with the data we capture on system in the children and the IT infrastructure.

All of these functions are like a cake, as I call it. You put it together and you get a lovely cake. We are separating out the ingredients because data is moving to the MoJ. We get the data from the IT system, so the prevention diversion assessment tool which I think you might want to talk about later and from AssetPlus, those are also moving in. So not only the system, the platform that it sits on, but the assessment tools will also move into the Department, as well as some of our advisory function. We will have a restricted advisory function going forward.
Q. Just pause there, and maybe just a fraction slower. The stenographer has to take a note and I'm just keeping an eye as to whether it's just perhaps just a fraction fast.
Can you help us with the particular aspects that are still being retained --
A. Yes, sure.
Q. -- by the Youth Justice Board? That may be helpful.
A. Apologies, I will also try and speak quickly -- sorry, slower, not quickly. I talk very quickly.
So the thing we are being asked to be more focused as a continuous improvement body by Government and that means that in terms of the Crime and Disorder Act and the functions in the Act, we are keeping two primary

functions. The first is to identify and promote best practice, so to support at frontline only, so at Youth Justice Services, so the 157 youth justice services and commission and publish research into preventing children offending. Those will be our two primary functions and then our board will have an advisory function as a group of experts going forward, which is slightly different than the model that we have now.
Q. Thank you. So those -- the key aspects, continuous improvement, so how things can be done better --
A. Yes.
Q. -- and support to frontline staff?
A. Yes.
Q. Yes, and lest this be misunderstood as something unique to the Youth Justice Board and the MoJ, should we understand that this change reflects similar changes going on across Government in which a number of next-steps bodies, or arm's-length bodies, or non-departmental bodies, whichever of the wretched labels you apply to them, are having re-centralised some of the direct oversight aspects of quality and one thinks, for example, of the abolition of NHS England, so this is not unique to the Youth Justice Board?
A. No, that's correct. It is part of this Government's agenda and direction of wanting to be able to control

the things that they think the democratic voting public think they should be accountable for.

Q. Is it March of next year by which time this is to be achieved?

A. Yes. By -- well, yes, by 1 April next year these changes will have been completed.

Q. Thank you. So that's the current role of the Youth Justice Board and how it is envisaged to be changing. If we think then about the youth justice system itself. If we look for that at page 15 YJB000194_0015, paragraph 35. I think there is no particularly easy way into this because, Ms Roberts-Bibby, as you explain, the youth justice service itself is a complex delivery landscape --

A. Yes.

Q. -- involving, in your words, "numerous services, organisations, and agencies."

Is that right?

A. It is, it is very complex and complicated.

Q. Thank you. So, we start by, as we see in your paragraph 36, the fact that the 1998 Act:

"... requires the co-operation of named multi-agency partners to deliver youth justice services locally, referred to in the Act as youth offending teams ..."

Hence the "YOT" that we still hear, I think,

commonly used, but in more modern parlance "youth justice service", is that right?

A. Yes, that's how services would describe themselves.

Q. Yes, and the statutory partners for that, I think, firstly, the local authority. You say this should include children's social care and education. Does it always include both?

A. Yes, it does. It is just the Act is very clear that it should include; that's the wording from the Act.

Q. Thank you, and "Police, Health and Probation".

A. Yes.

Q. Then:

"Additional partners may also provide specific services and support to children and [to] victims."

A. That's correct.

Q. Thank you. We see, if we can turn to page 16 YJB000194_0016, paragraph 39, you say that the board:

"... currently oversees the youth justice service across England and Wales ..."

And as you set out earlier in your statement, provides advice for the Secretary of State on standards set. What does that interaction actually look like, in practice? How is the oversight achieved?

A. So we have a really detailed oversight framework, it is published and we can share that with you, if you think

that would be useful. So that's published for services. We published that for the first time, I want to say in 2023/2022, which was the first time we published that to provide clarity for services on how we were assessing their performance. I really want to stress this point, we assess their performance but we don't have any levers over their delivery; I think that's really important that the Inquiry understand that.

So we oversee the system and the performance of the youth justice services but we don't have any mechanism for holding them to account if there is poor performance. So what we have is a quarterly arrangement where we assess in line with our framework. We pool that together, we make an assessment. So we really, really have been trying to drive consistency. One of the things that I think you will have heard and certainly I'm happy to give in my evidence is the inconsistency you have in practice when you have 157 different services, all of which are accountable locally, not accountable to us.

So we have a quarterly arrangement where we oversee the performance. Each local authority has a named contact in our team, they work with them and we make assessments based on their leadership, their governance, the data and what they are delivering to children,

victims and communities locally.

Q. All right. So if that is going well for an individual local authority, youth justice service working with others, all well and good. If it is going less well, first of all, is the less good performance made public? You say you have no levers?

A. Yes. So we sort of don't sort of name and shame. We don't think that is particularly helpful in driving improved performance. However, we have a mechanism that we would work with the service. So we have four different quadrants; quadrant 1, 2, 3 and 4. Obviously most of our effort goes into those that are quadrant 3 or 4, and of course, where we can see fantastic practice from quadrant 1, trying to share that and replicate that.

We bundle all of that up into a quarterly letter of advice to the Secretary of State, to keep -- him, at the moment, the Lord Chancellor, appraised of performance across the system. So we offer that as a very detailed assessment of who is in quadrant 1, 2, 3 and 4 and do a summary of those services. Where we have services in quadrant 4 we have historically tried to lever support for those services across Government. So we would notify the minister to say: we are moving this service into quadrant 4. We are concerned about delivery here

because -- whatever that reason would be. We start -- there is a pattern that we see normally related to leadership, reorganisation and changes, which then means people move, you lose consistency. We also see a theme where youth justice services tend to have a poor inspection outcome, and I just want to talk about inspection --

Q. I want to come onto that. But just -- we will come onto HMIP inspections, if we may, in a moment.

A. Sure.

Q. But just sticking to this at the moment. So the responsible minister is advised that a particular youth justice service in a local area is being moved to quadrant 4.

A. Yes.

Q. What is done with that?

A. So we share that with the Department because quite often we are seeing that where you have a quadrant 4 service, there are issues across the partnership.

Q. But presumably, you have some visibility of what then happens. So that goes -- you are effectively a next-steps agency or a non-departmental board. But you are passing it up to the sponsoring department --

A. Yes.

Q. -- to ministers for the sponsors department saying:

there is a problem here.

A. Yes.

Q. What then issues from ministers or from officials in the Ministry of Justice? Do they act on that, in any way, in your general experience?

A. I mean, up until recently, we had hadn't had any quadrant 4s, we now have four; they have just moved into quadrant 4. Up until recently, I think it would be fair to say that we have seen limited response in terms of when we have previously escalated.

Q. Right. So, other than HMIP inspections, which we might come onto, ministers are notified -- I don't wish to be unfair -- but is it that the board is left to influence, shape, advise, encourage improvement but without actually having any formal levers to enforce?

A. It has become slightly more challenging as well because previously we had a direction that we could engage across other Government departments. Different ministers and different governments change that way of working. So there has been more reliance on the policy unit in MoJ to where we are seeing challenges to then take on those discussions across Government department.

Q. When you say the "policy", is that the MoJ/youth justice policy?

A. That is correct, yes.

Q. Thank you. Sir, that's paragraphs 13 to 15 of Ms Churchill's statement addresses that.

SIR ADRIAN FULFORD: Thank you very much.

MR MOSS: So, those changes mean what, in practice? Because of course, when I am alerting to a quadrant 4 type case for youth justice service, so a poor performing one, and referring to this being in a local area, is must stand to reason that there are those complex array of local bodies who are contributing. So that the issue could be, for example, with the level of engagement of health services or the police as those statutory partners. But what is the position in terms of what then happens? So if you need to, for example -- and I'm taking a theoretical example, but if there is perceived to be a lack of good practice by the police in terms of their input and commitment, to take one example, how does that work across departments?

So how is the Home Office involved and engaged in that, or the NPCC or the chief constable, how does that happen?

A. We would always seek to engage with the chief constable, you know, and the example you are giving is exactly one we have been working with. So we would always seek -- so for instance -- I won't name it because it would be wholly inappropriate, but where we were seeing that

policing wasn't following the gravity matrix, as an example, guidance that has been issued to police, the evidence of what we know works particularly with out-of-court resolutions, which -- again, as an example, which was seeing an increase in first time entrants in a particular geographical area, we would speak to the chief constable and we would offer advice about what could be done.

Our challenge is we have no -- the chief constable is not accountable to me in any way, shape or form and then you start to get into the different arrangements of governance. At national level, historically -- and it has not sat for about a year and a half now -- there used to be a quarterly performance board chaired by ministers in the Ministry of Justice, which was a useful mechanism for being able to galvanise and get traction across different Government departments where we were seeing particularly thematic areas, and an example of policing is a really good one, or indeed health where you may see long waiting lists. It was a great opportunity to be able to shine a spotlight on an issue across the system and to seek to get a response across Government departments, because I think one of the things that we experience quite consistently is often good local arrangements, but then, as you move up into

more centralised arrangements, around Government departments, there's not always the join-up that we would want or expect to see.

Q. All right. The quarterly performance board that was chaired by ministers in the Ministry of Justice, has that stopped altogether or has it just stopped being chaired at ministerial level?

A. I don't think there has been one. So I wouldn't want to comment. You may want to ask the MoJ on that.

Q. Do you know why it has stopped?

A. I'm making an assumption, it is probably because of all the change activity, rather than it not being wanted but that is an absolute assumption, so I could not fully answer, Mr Moss, sorry.

Q. Thank you, and in a slightly directing style, I stopped you from going on to speak about the HMIP inspection regime. Could we come back to that now and could you just explain how that interrelates?

A. Yes, that informs our oversight of the system. We -- again, I want to be clear, because we are not an operational body, we don't -- when we do our oversight, we don't look at cases, we don't look at case-level work. We rely on HMIP to provide that richness to our oversight system. So we rely on inspection as part of ours. Because we don't want to

duplicate. This is already a complicated, complex landscape. So we seek -- and there is not enough resource -- so we seek not to duplicate. So we will use inspection findings to help further inform the soft intelligence we get from attending management boards, the data we look at, the leadership we see, whether governance is effective, whether people are working to the evidence base and following case management guidance and delivering Standards for Justice.

So we heavily rely on our relationship with the chief inspector of probation.

Q. Thank you. So the key elements that are brought to bear are: data that you have sight of?

A. Mm.

Q. The intelligence that you gain from the involvement of the Youth Justice Board at a local level, so you have members who are involved with that, and then you don't inspect operational-level performance but you rely on the HMIP to do that and you draw that information in?

A. Yes.

Q. Are those the key aspects, when you talk about the four quadrants?

A. Yes, and we will attend things like scrutiny panels, as an example, to make sure that people are following processes, that there is a parity of service delivered

to different children and different cohorts of children in the system.

Q. Thank you. Turning to a different aspect but still to understand how the system works, looking at local youth justice services. If we could have page 3 YJB000194_0003 paragraph 10, please.

You explain that there are two cohorts and the first cohort is the prevention and diversion group. I think the prevention group, effectively, is early, normally, in the system, those who are referred in without a caution or conviction, but where there is a concern that a child may be close to or on the cusp of offending or information has been received that perhaps they have been offending but they have not been caught, and in which there is voluntary intervention in the preventative area?

A. Yes. A large amount of work that youth justice services do is in prevention and diversion and more so than the statutory cases, which I think you are probably going to take me onto.

Q. So just sticking with the prevention areas. We explored in Phase 1 that for AR, there had been opportunities for that to happen but they hadn't been taken. Who can refer in a child for youth justice service preventative action?

A. I mean, anyone can refer in. It is whether the child then gets picked up onto the caseload, which is sometimes a capacity issue, or whether the family agree to voluntarily allow the child to --

Q. So that's the consent, the voluntary aspect.

A. Yes.

Q. On the question of whether the child gets picked up onto the caseload, is that, first of all, one of the areas where there would be a good deal of regional variation?

A. Yes. Quite huge variation.

Q. Partly, perhaps, through how services are set up, but presumably also through variations particularly in local funding?

A. Yes, so different -- like literally every service structures itself differently and that's become more so as services have had to reorganise and restructure due to year-on-year reductions, which I think talks to the second point about funding and of course, it is not just funding from the local authority, it's funding across all of the services that would support preventing offending by children. So, whether that be education and alternative provision, or mental health and CAMHS at a local level.

Q. Are problems caused by the extent of the variation in how those practices are arranged? Does it cause

cross-boundary confusion?
A. I don't think you necessarily get cross-boundary confusion. I think what you get is different outcomes for different groups of children, potentially.
Q. So the clichéd phrase is "postcode lottery", there is an element of that?
A. Yes, there is nothing lucky about it if you are not in the best area though.
Q. Right, and should we understand that this is not, in your view, appropriate variation? What I mean by that it is not that the areas that have the greatest need have the greatest funding and the greatest services and those that have less funding are in areas with lesser need. It is a question of shortage of funding in some areas, even though there might be significant need?
A. It is slightly more complicated than just shortage of funding, which is how the funding is given. So the current youth justice grant is on a formula basis, which is significantly out of date and is not based on the most up-to-date evidence of indices of need. So we have consistently been recommending to have a look at that funding formula. So the areas that have the greatest need would get the most funding.
Q. That is -- just so that we understand that, is that funding that's provided to the Youth Justice Board in

the spending review round, which you then provide to local areas based upon a formula?
A. That's right but, of course, we no longer get that money. So as of April of this year, that money has stayed with MoJ. We have transacted the money and given out to the sector but it is no longer coming into my budget as the accounting officer, but it is that -- that is and even though the money has moved to the MoJ, we are still using that formula to issue the money.
Q. Right. Is the progress on that in terms of re-assessing the formula, do you know? Or is that a --
A. I think there has been a commitment to review the formula over the spending review period. So I think -- I don't know if this came up in Ms Churchill's evidence yesterday but there has been a three-year settlement in the spending review period for youth justice services which is a flat cash settlement, so actually in effect, that is a reduction, if you take into account inflation at the end of the three-year period.

I think my understanding is that as part of this current spending review, is that there would be a commitment to review that, to be more fair and equitable from the next spending review. But I don't -- we haven't been involved in any of that further work so I couldn't give you an update.

Q. Thank you. Then paragraph 10.2 you have the diversion cases, and those can come about through formal and informal out-of-court resolutions. Now, here again, there is an element of complexity because the formal out-of-court resolutions issued by the police comprising youth cautions and youth conditional cautions are part of your statutory caseload, or youth justice's statutory caseload, as you set out there, is that correct?
A. If it is a formal out-of-court resolution.
Q. Yes.
A. Yes.
Q. So that's what I'm trying --
A. Because not all out-of-court resolutions will be referred to the youth justice service.
Q. No, I understand that but I'm trying it take in stages, if we may. So formal out-of-court resolutions, as I understand it -- you will correct me if I'm wrong -- they have to be one of two things, both of which are issued by the police: youth cautions or youth conditional cautions. All of those are part of the statutory caseload?
A. Yes.
Q. But informal -- and it's very helpfully set out in paragraph 10.2 -- out-of-court resolutions, which can comprise community resolutions, deferred prosecutions,

deferred cautions, first of all, they don't form part of the statutory caseload and then, as you have set out, some, but as we have understood it, not all of them, will be referred to the youth justice service.

So some of those will be overseen and managed only by the police and youth justice services won't be involved?
A. Yes, that is correct.
Q. All right, and in practical terms, what difference does it make if a child's case is part of the statutory caseload, as opposed to not being part of the statutory caseload? Does it matter?
A. Well, yes, because the youth justice service wouldn't necessarily have visibility of them. Their needs may not be assessed and identified in the same way as those that will be dealt with through an informal route.
Q. Let's -- we understand that there be some cases with the out-of-court informal resolutions, that the youth justice service is not involved. But let's look at those where the youth justice service is involved --
A. Yes, okay.
Q. -- on a non-statutory basis. Does the fact that it is being involved on a non-statutory basis make any difference?
A. No, just the level of engagement can be different and

that would normally be voluntarily, so that would be -- there would be no difference in service or provision, other than capacity. If there was an issue then, with capacity, then that means that perhaps a child on a non-statutory outcome may not get the same provision as a child on a statutory outcome.

Q. Thank you, and is there a problem, at least in some cases, with those out-of-court informal resolutions that are managed solely by the police, in the sense that problems arise from the lack of youth justice service's involvement?

A. Yes, there is two things. One is inconsistency of access to services, which means that sometimes children's needs are not fully identified and met, and that's then a missed opportunity to prevent offending, and indeed, of course, potential longer term harm to others.

Q. Thank you. If we can just go over the page, please, and just scroll to the bottom of the page YJB000194_0004. Paragraph 14. You explain that:

"The second cohort are those who are supervised or on an order by the Youth Justice Service who are under the direction of the courts."

Yes?

A. Yes, that is correct.

Q. So that can be on a Referral Order, as we saw for a period of just short of a year, I think it was for AR, or on a Youth Rehabilitation Order and also certain civil orders?

A. Yes.

Q. Or on a custodial sentence such as a Detention and Training Order. We will come back to this but the distinction between Referral Order and Youth Rehabilitation Order is what, in broad terms?

A. So a Referral Order is overseen by a local panel of volunteers who will agree a plan and a contract with the child and the family. A Youth Rehabilitation Order has certain requirements that the child has to take part in and there is a set range, sort of 12 -- I may be giving you the wrong figure, but attend an education course, for instance.

Q. So those sort of attendance expectations could well be part of a Referral Order but that would be on the basis of a contractual type agreement that's drawn up, or a compact --

A. Yes, it is more reparative in nature. You can also have a Youth Rehabilitation Order with ISS, which --

Q. We may come onto that, but the Referral Order would be -- and I think there are particular provisions about this, the more usual course on first conviction, as

things stand at the moment?

A. Yes.

Q. We may come back to that. Thank you. Then, if we look at page 4 YJB000194_0004, paragraph 11, so just a bit higher up. Just looking at the tools that are used:

"The Prevention and Diversion Assessment Tool (PDAT) ..."

Is that how it is said?

A. Yes.

Q. "... is a tool used across prevention and diversion pathways ..."

So for all within the first cohort, is that right?

A. Yes.

Q. Then, I think in paragraph 13, we see, is this right, that for the second cohort -- that may be a misreference, but the children in the second cohort will be dealt with by AssetPlus assessment. That would be the tool used for --

A. Yes, for those with the statutory orders, yes.

Q. So it is paragraph 14 in fact, rather than 13, we see there "will have an AssetPlus assessment" and we will look at both of those. Final aspect on this topic, if we just look at page 15 YJB000194_0015, paragraph 37.

You note the Bar Council calling for the age of criminal responsibility to be raised to 14 years old.

Does the Youth Justice Board have a view on that, in terms of what the impacts would be?

A. In terms of the impact for the child, or --

Q. Yes, in terms of -- I'm thinking in particular of those who would then fall below the age of criminal responsibility and the potential for youth justice service involvement with children below the age of criminal responsibility?

A. It would not prevent children being involved with the youth justice service. They could still be involved with the service. This is more about criminalising children and trying to prevent that from happening because we know that that is a stronger likelihood of not offending if children haven't been criminalised. There would, of course, therefore though potentially, subject to whether there be changes in sentencing arrangements, which I suspect there would be because the law had changed, would mean that those children would be working on a voluntary basis rather than a statutory basis.

Q. So they would be in the preventative group?

A. They would be in the preventative cohort, yes.

Q. Thank you. So you would find a larger number of children in the preventative group as a proportion because, by definition, they couldn't be sentenced?

A. Yes, although the proportion is already very high. Some services in Wales, for instance, you are looking at 80 per cent --

SIR ADRIAN FULFORD: Voluntary?

A. Yes, voluntary engagement. So, I mean, that varies but that is sort of highest in England and Wales. So yes, it would change in terms of accountabilities and levers that you may have if there were concerns about a child's increasing risk going forward.

MR MOSS: Thank you. I want to turn to our next topic then, please, if we may, which is the current approach to identifying and assessing risk of VFIs.

I think if we could look at page 16 YJB000194_0016, paragraph 42. That's a useful starting point. So you say:

"Where a local [Youth Justice Service] identifies that a child has an interest in violence, the child would be managed through the service's existing risk management processes. [Youth Justice Service] statutory involvement and therefore supervision activity with a child is aligned with the length of the order a child receives, following a conviction."

If I pause there, that seems to be referring to the second cohort, because --

A. Yes.

Q. -- you are talking about following conviction. I want to come back, in some of the later topics, to that issue of youth justice service involvement being aligned with how long the order is, following conviction. But what about the first cohort cases? So if the identification of an interest in violence is in the first cohort, so the prevention group or the diversion group, does the same apply?

A. No. This would be different because they wouldn't be using any of the existing tools. So, they could use a prevention diversion assessment tool, if they wished to. That's at their discretion and some services do actually, with the voluntary cohort. So some services do choose to do that. But we would expect that -- where there was not a conviction, but that there were concerns, we would expect that to be being picked up through the multi-agency safeguarding arrangements.

Q. All right, but if that was one of the cases that was, for example, a preventative referral to youth justice service and taken up by youth justice services, or it was a diversion case, so there's been, for example, a caution, is there a time-limited duration to the support that is offered by youth justice services in those type of cases?

A. No.

Q. What would determine, therefore, for how long the support was provided?

A. I mean, that would be determined by the needs and risks that the child presented and of course resourcing. I mean, there are decisions that you would have to make about how many of those children you would be able to accept onto your caseload, particularly if they were very complex and in the cohort that we refer to as "high risk, high harm", so those children that we think could cause the most harm.

Q. Can I press you just a little bit on how that works in practice. If on, for example, a preventative or diversionary case, there was felt to be no real progress being made, might that lead to support closure, especially if it was -- effectively, had to be a voluntary case? But not necessarily the removal of consent but no progress is being made, we have hit a brick wall?

A. It could do but then I would expect, if there were significant risks, that other mechanisms would be being deployed in the management of that child.

Q. Such as?

A. So if there was a child that posed such significant risk to themselves or others, whether -- if there's risk in the home, of course you would expect the safeguarding

and children's social care arrangements. If there was such a significant risk to others, whether a Deprivation of Liberty Order would be necessary. So there are other mechanisms and I don't think the Inquiry has spent much time exploring deprivation of liberty. It was when I have been preparing, thinking about: where are the gaps? What more can we do? That I thought we haven't brought that into the Inquiry and that might be something just to think about as a vehicle because Deprivation of Liberty Orders can be issued in the most exceptional circumstances where children pose a significant risk.

Now, it is the most exceptional circumstances but it is something that perhaps the Inquiry might want to think about.

Q. Yes, would those not more usually be in cases of risk of harm to self?

A. They would and they are and the recent data shows an increase in that area. But that is not solely what they are intended for.

Q. Thank you.

A. In terms of the criteria.

Q. All right, and then over the page, please YJB000194_0017, you say:

"There is an expectation that [Youth Justice

Service] workers will proactively seek out information relevant to the risks ..."

You reference there:

"Police, Social Care, Education and Health are partners ... usually having seconded staff with access to the home agency databases and seconded to the [Youth Justice Service] to contribute agency information and professional expertise ..."

That is the theory. How well does that work in practice?

A. It is mixed, as you would expect, across all 157 areas. There are areas where there are themed trends. So, for instance, with probation, and there is a shortage of probation officers, although the probation service are prioritising allocation to youth justice services. Health are well represented but then there are sometimes challenges in terms of accessing services, particularly increased and exacerbated post-pandemic and particularly in relation to neurodivergence.

Then others will have seconded staffing. I think there are less challenges in some of those other areas. Areas where there are real challenges around workforce are specialist skills, so specialist skills of working in a psycho-dynamic way, psychologists and working in a way with families in a --

Q. Speech and language?

A. And speech and language and communication can be a challenge because some of the -- just having people with those skills, we have a gap in the system.

Q. If there are difficulties in that area in terms of getting the information in, who escalates and what is done about it and does the Youth Justice Board have a role in that?

A. So, yes, we would pick that up through our oversight arrangements and share that routinely. So as part of that quarterly arrangement, we would summarise where there are concerns around commitment and I don't mean that in a derogatory way but providing the resource to the services as part of our quarterly update into the Ministry of Justice and into ministers.

Q. So that's the paragraph 44 measures that we see on the screen?

A. Yes, and we would, if we were observing that at local level, raise that with the management board. So you would expect there to be senior local leadership attending that management board and we would be asking: what are they doing? When are they filling the vacancy? How long is that going to take? What are the interim arrangements? So for instance, probation put a useful interim arrangement around giving the money, so that at

least the local service could buy some provision, to have, you know, risk at the forefront of their minds.

Q. Thank you. Let's turn to MAPPA then, on the same page, next paragraph, please, 45. You say that MAPPA:

"... may be applied in cases where the [Youth Justice Service] identifies that a child would benefit from coordinated, multi-agency risk [assessment]."

We follow that. If we look, also while we have it, at paragraph 46. You explain that at:

"Level 1 MAPPA cases [would] typically [be] managed within the YJS."

I suppose, one pauses there to say that will be if the youth justice service is engaged, it would usually be the lead agency?

A. Yes, it would.

Q. There may be lots of cases at level 1 of MAPPA where the youth justice service may not be involved at all?

A. I think that would be very exceptionally rare. I don't know of any.

Q. So there would always be youth justice service involvement if a MAPPA case involved a child?

A. Yes.

Q. All right. Then if we look at paragraph 92 on page 31 YJB000194_0031?

A. Sorry, I should also say and children's social care.

Q. Yes. Thank you. Paragraph 92:

"Where a child presents concerns relating to serious violence or risk of serious harm to others, youth justice practitioners may [note the word] contribute information to multi-agency public ..."

Over the page, please YJB000194_0033:

"... protection arrangements (MAPPA) where appropriate. Should the YJS as lead agency assess that a child would benefit from MAPPA, the service completes a referral form which has details of the offence, behaviour, risk assessment and measures in place and what multi-agency input is needed and why. That referral is then shared with the Level 2 (and on rare occasions Level 3) MAPPA meeting ..."

Now, we are obviously familiar with the categories and the levels for MAPPA but it is useful to look at how that applies in cases involving children. So could we just look at the case management guidance, which I think is YJB000139. So "Case management guidance, Youth Justice Board for England and Wales". This is a October 2022 publication but updated in January 2024.

"How to work with children" is the headline. Then if we go to page 60 YJB000139_0060, please, we see this expressed for children, so:

"Children who meet the following criteria must be

referred to ... (MAPPA) ..."
So it is obligatory. Category 1, less likely to be relevant. Category 2:
"Have committed violence offences or other sexual offences ... required and have served 12 months or more in youth detention accommodation."
Now, there will be some cases of that, but they are at the very high end of children's cases?
A. Yes.
Q. Then category 3:
"Other children who may present a risk of serious harm to the public and for whom a multi-agency approach and management at level 2 or 3 is required."
Now, we have seen this in a number of contexts but one thing of note, I think in relation to this, is you cannot have a category 3, level 1 case?
A. Yes.
Q. Thank you:
"As lead agency for children the youth justice service ... should identify and undertake a comprehensive risk assessment. It should then make referrals to MAPPA and identify the appropriate management level. MAPPA agencies have a duty to view the needs of the child and the YJS and children's services must attend when a child under the age of 18 is

discussed ..."
At a MAPPA meeting. Then the levels. We are familiar with them but:
"Risks can be managed [level 1] by the YJS without the need for multi-agency meetings."
Then level 2, over the page YJB000139_0061:
"A multi-agency meeting would add value to the YJS plans and one or more of the following apply: there is a high or very high risk of serious harm; the risk is lower but requires the active involvement and coordination of agencies to manage the presenting risks of serious harm; [or] the child has been previously managed at level 3, but no longer requires this level of management."
Then level 3 has to meet the level 2 requirements:
"... but the serious nature of the case, or its high-profile nature require[s] senior representation from the YJS."
So I have not read every aspect of that out but that is a reminder of the key aspects and how they apply in the case of children.
So that can come down from the screen, thank you.
In a number of places -- and we may come back to this under other topics -- you state and re-state the involvement and potential involvement of MAPPA and its

benefits and we know aspects about that, the duty to co-operate, the formalised structure; that's well understood. But how realistic is this reliance on MAPPA? Presumably, relatively few children, in fact, are taken on by MAPPA in category 3, would you agree?
A. Yes, yes. I think some of this is how -- it is interesting, the evolution of the youth justice service, because children -- we have so many fewer children now going to custody, than we had ten years ago.
A 42 per cent reduction if I'm not wrong and we have so fewer children coming into the system and they are dealt with in a very much different way. So they are less likely to get custodial sentences and those children that are getting custodial sentences are very likely to be in custody for a very long time.
So, it is almost as though MAPPA doesn't really meet the needs -- the distinct needs of the cohort of children.
Q. Yes, because you're going to have -- because of that reduction, fewer and fewer children --
A. That meets the criteria.
Q. -- in Category 2?
A. Yes.
Q. Category 3 -- I think it is wrong to think of category 3 as a discretionary category because, when you look at

the letter of the guidance, it says "must be referred if serious risk of harm" et cetera.
A. Yes.
Q. But in practice, is this right, it would be quite unusual for a child to be referred to MAPPA management for category 3?
A. Yes, yes, I think it is very unusual.
Q. So without, at the moment -- we may come back to the some of the points of detail -- but is your emphasis -- because you will forgive me, I don't think you quite put it in this way in your statement -- should the learned Chair take from your evidence that what you are flagging up is that much more use could be made of category 3 MAPPA than is currently the case?
A. Yes. That would need, though, to be adequately resourced because I think that category -- my experience and I had less experience in this role but in my previous role, I was the lead for our region, for attending MAPPA. And the MAPPA 3, those cases need significant resource and, therefore, MAPPA will prioritise those that are going to pose the greatest risk, which is quite often seen as being adults potentially because they would -- some, quite often, have more notoriety, may have had more media coverage, and would more likely meet the tests for 3.

Q. Other witnesses, including within our expert cadre, have pointed to an ancillary problem that perhaps flows from that, which is that MAPPA arrangements are perhaps less suited to dealing with children because the overwhelming majority of their caseload is adults. So, while one would hope that the youth justice service involvement in MAPPA would bring a child-focused view -- my simplification -- many of those around the table would be more specialist in risks in adults?

A. Yes, and dare I say it -- I say this to be helpful -- I think that is a risk with everything that we are doing. Is that we think about children as mini adults and we apply processes and policies to them in the way that they are adults and they are not. They have different rights, we have different responsibilities to them and they function and respond differently and that's why, going back to the evidence, I think I mentioned last time I gave evidence, we are an evidence-based organisation, we will only do what the evidence tells us is going to work and I appreciate that there is a necessity for pace to respond to this set of circumstances. But we must always think about not just necessarily shoe-horning children into something for adults but how are their needs distinctly different in terms of their maturation.

Q. Thank you. It was a mistake for me to ask for the case management details to be taken down because I want to pick up one aspect of it, so YJB000139. Page 57 YJB000139_0057, please.

So about halfway down, you see the heading "How to safeguard children in the justice system".

We see, at the bottom of the page:

"There must be effective arrangements in place to assess needs through quality assurance processes and a clear understanding of the referral process to children's services and multi-agency safeguarding hubs where there are high/very high safeguarding concerns. There should be good partnership arrangements with children's services, education, health and schools."

Then:

"YJS workers should ..."

Over the page, please YJB000139_0059:

"... have a good understanding of the needs of children for whom there may be specific safety and wellbeing concerns, to be able to identify these children and take appropriate action."

Then, the list of those is:

"Children who go missing.

"Child criminal exploitation and child sexual exploitation ...

"County lines ...

"Children at risk of being trafficked.

"Children at risk of being drawn into terrorist activity and who are vulnerable to radicalisation and extremism.

"Where appropriate work with Channel and Prevent."

Would you agree that what is notably absent from that list, admittedly in guidance that's now a few years old, is any reference to "non-ideological violence"?

A. Well, we have updated this guidance. I don't know if you are aware of that, as the Inquiry. We can share the updates with you. They will go live on 31 October. Which reflects some of the learning from Phase 1 and talks, in particular, around assessing children and identifying where there's harm.

Q. All right. So, as soon as that is completed and is live guidance, could that be provided?

A. We can provide you the draft now, if that's helpful.

Q. I think if it is going out as close as the end of October, it is probably better to have the as-published, as-live version, because, unless I have completely lost track of the date, we are not far away from it --

A. We are not.

Q. So let's take that because at the moment, I'm taking it from your exhibit as to the guidance. So it would be

helpful to see that. But has it tackled that area? Has this list been amended, do you know?

A. I'm not sure if this list specifically has been added to but we have definitely, in the assessment section and definitely in gathering information, may -- added language that relates to children who have neurodiverse conditions, so ASD, autism, as well as those who have a fixation on violence and that being non-ideological. We have made changes to the MAPPA section as well. We have made changes to the assessment section and we have also added in the work that we have done in response to recommendation 66, a whole section on families as well.

MR MOSS: Thank you. Sir, would that be a convenient moment to take a 10-minute break?

SIR ADRIAN FULFORD: It would. If that list hasn't been amended --

A. We will, of course, yes. I have made a note. Yes.

SIR ADRIAN FULFORD: Thank you very much. We will sit again between 11.05 am and 11.10 am.

MR MOSS: Thank you, sir.

(10.59 am)

(A short break)

(11.10 am)

SIR ADRIAN FULFORD: Thank you very much, Mr Moss.

MR MOSS: Thank you, sir. So Ms Roberts-Bibby, we are still

in the topic of the current approach to the identification and assessment of violence fixation type cases and I want to look at the current assessment tools. So we have seen there are two of them, PDAT and AssetPlus. If we start with PDAT. Could we look, please, at YJB000154.

Thank you. We can see that this is the Youth Justice Board's Prevention and Diversion Assessment Tool, and the summary gives us a good explanation. So it is introduced the Prevention and Diversion Assessment Tool "which must be used for all cases that are subject to diversion and out-of-court interventions."

Now, just pausing there. You have touched on it I think already and we heard in our seminars, from Ms Langley, the Director of Operations South -- I am sure you are well familiar with her and her role -- that PDAT may be used if it is a prevention case, but it is not mandated nationally for those, is that?

A. That's right, yes.

Q. Would you think that that is a shortcoming, that in prevention cases, this is not yet being used on a mandatory basis because, presumably in those cases, staff are relying, principally, just on professional judgement?

A. Yes, I think it would enhance the provision and the

service to do so.

Q. Is there any reason why it has not been extended? Is it because it is fairly recent and it has been rolled out first to the diversion group?

A. Two reasons. Firstly, we wanted to create consistency around the diversion group. The second, I think, would be around resourcing and whether we would get push-back from partners about whether they would have the capacity.

Q. Thank you. Is that not slightly troubling? I mean, this is designed to be a pragmatic operational tool --

A. It is, yes.

Q. -- from the reading that the Inquiry has been able to do around it. The idea that those at the frontline, as it were, well: we will push back against it because we don't have time, itself, does not inspire confidence, it might be thought?

A. I talk from some of the experience that we had initially developing the tool and seeking to get that mandated for the cases that have been agreed. So -- and that was again around challenges around resourcing and some of the Turnaround funding has helped offset some of those concerns because there is additional funding for some of that cohort.

Q. Yes, and we did touch on it yesterday, but it is the

first time I think you have mentioned Turnaround. Just give us the brief headlines of what that is?

A. So that's a targeted prevention activity for those children who haven't yet quite stepped into the system but may have got a "no further action", have some repeat anti-social behaviour and need additional support.

Q. Thank you. So, I don't in fact need to go through, unless there's anything in particular that you want to bring up in this note. But if we can go to the PDAT form itself, that's YJB000155.

A. I think the only thing I would want to say about PDAT and similarly AssetPlus is our desire to enhance that work and that's proved -- it is challenging, it is challenging because of the financial constraints that we have, in terms of --

Q. Let me come back to that. Let's look at how it is at the moment, if we may, and then we will come back to aspects. Again, I will seek not to weary the learned Chair and others by reading through this all but just to give an opportunity, on a full screen, to be flicked through the first couple of pages to get an idea of the sort of matters that are being captured.

So, a few moments on page 1 YJB000155_0001, Amanda, if we may. So we see some core information, contact details, fairly standard obviously and important and

then page 2 YJB000155_0002. Again: reasons for referral, information to be checked. I'm not denigrating the importance of these, I'm just seeking not to read them all out but to get the flavour, and "child's life circumstances" at the bottom of page 2.

If we go over to the top of page 3 YJB000155_0003, we see some box-ticking for important areas. Again, I always have to be careful not to denigrate -- I'm not suggesting these shouldn't be included. They are obviously important, but "criminal exploitation", "sexual exploitation", "labelled as associated with a gang", and "radicalisation".

Now, all of those important, but radicalisation, in a lot of work in this area, is associated with the concept of ideological terrorism.

A. Yes.

Q. So there is not an obvious box here for those who are at risk to others because of a fascination with violent extremist material, gore and the like, would you agree?

A. Yes.

Q. Thank you. Then if we go over to page 4 YJB000155_0004, we see, under the heading "Social Life & Identity", again some, no doubt, appropriate and helpful pointers:

"How does the child describe their social life, leisure interests, community and support network?

"How does the child describe themselves and their identity?

"Does the child have access to the internet at home and how do they use it?"

But one doesn't see there any particular questions that are probing more. You may say: well, you would expect, as you go through this, for areas to be explored. But that's quite high level: do they have access to the internet and how do they use it? Would you agree?

A. Yes.

Q. So, nothing particularly pointing in a directive way to explore whether the use of the internet might evidence a risk of harm to others?

A. I mean, that box can clearly be strengthened anyway, couldn't it, with not just "internet at home"?

Q. Yes, quite. Thank you. So, would you agree that while in terms of the cohort that this Inquiry is concerned with, while there are some aspects that are relevant, at the moment -- and understanding that you can't have 500 questions because it is not that sort of a tool -- but it does, at the moment, fall short?

A. Yes. There are clearly some enhancements we can make. We are making enhancements to AssetPlus, which I'm now thinking why have we not just applied those to PDAT? So

I can take that away and see whether we can do that. The challenge is sometimes the lead-in -- which I can talk about later if you want to talk about with AssetPlus -- the time it takes to get those changes, is phenomenally -- feels like a long time, but we definitely could do the same with PDAT.

Q. Thank you. Then there is a different document, if we could have that on screen, it is YJB000153. "Prevention and Diversion Assessment Tool", November 2024. So this guidance document, if we could look at page 6 YJB000153_0006.

Again, I don't want to be unfair and I do appreciate that this is a high-level summary, but in terms of the areas that are being picked up on, "child's life circumstances", "child's current circumstances".

But:

"Current behaviour.

"Child's behaviour.

"Safety and wellbeing for the child.

"Safety and wellbeing for others.

"Likelihood of future offending.

"Moving forward.

"Decision making process."

One doesn't see "online harms", which may be harms to the child themselves but also risk to others,

particularly being flagged, even as a headline, under "current behaviour"; would you agree?

A. Yes.

Q. A lot of witnesses, both seminar witnesses, our expert cadre, those from the NCA, those from Prevent, have spoken about how now, for this age group, the online world just needs to be a central part of everything?

A. Yes.

Q. So even in a five-liner like here, one would want to see "online harms" including risks to others being a headline point, would you agree?

A. Yes, absolutely.

Q. Even in the more detailed aspects of this guidance, if we may, bottom of page 19 YJB000153_0019 please. Under "Social Life and Identity", and do you remember, Ms Roberts-Bibby, that was the section of the form that I was looking at where the internet was raised in the PDAT itself. On the guidance, in this section, right at the bottom of the page:

"... consider aspects of the child's life that help form who they are and what strengths can be developed from them."

Then over the top of page 20 YJB000153_0020, one sees there how free time is spent and leisure interests, community, support network and matters of that kind.

There's not really there a particular emphasis on internet connections, would you agree?

A. I would hate to be seen to be being difficult and disagreeing. There is, in social life, the importance of social media gaming for children. It is not explicit enough --

Q. On risks?

A. Yes.

Q. So the aspect of that is not limited to socialising in real life but include internet connections, but it doesn't link into risks?

A. No. I think the challenge we have with getting this right with PDAT has been around not criminalising children. I'm not trying to be defensive. So I think we really need to think about how we then ask those questions in an evidence base way. I'm just thinking out loud.

Q. Thank you. If we go to page 21 YJB000153_0021.

We see a section, under the link about a thematic review:

"If the child does not have access to suitable internet consideration should be given to what help and support can be given to provide access to these facilities. Children without internet are more likely to fall behind at school or college."

Again, I don't wish to gainsay that at all and one understands why, from a learning and developmental point of view, that would now be the case. It does go on to say:

"This is an opportunity to start talking to the child about how they use the internet and what apps and social media the child uses. There should be a discussion with the child on how they use the internet. Do they have all the social media platforms, how do they use them, how do they present themselves on internet platforms and it is also insightful to discuss who they follow on social media."

Again, it might be thought nothing wrong with that insofar as it goes, but the overall feel of this, perhaps, has an overtone and an emphasis on the risk to the child from the internet and are they keeping themselves safe on the internet.

A. I think this shows the need for this to be reviewed and for us to have the mechanisms to fund to change it every year because, if you look at the context in which this was written was post-pandemic, and clearly, we need to therefore have a mechanism that every year, this is being reviewed in line with the latest risks and any changes.

Now, we do have some provision to do that. It is

minimal though because without going into detail, we have about £600,000 a year to make any changes I want to, to AssetPlus or PDAT. That doesn't go very far and we have been very keen to try to review and particularly -- I mean, AssetPlus probably more so because PDAT is newer, but PDAT, equally, needs a really good review in line with the most up-to-date evidence and that needs to be done, clearly, more regularly.

Q. If we go back to the first page of this document YJB000153_0001, please. Understanding the frank answer you have given, this is relatively recent. It is November 2024, so post the attack, not perhaps the learning of the attack.

Do you think that some of this guidance has actually been quite slow to pick up on the risks in these areas?

A. I think probably slower than we would want it to be, and there are, I think, a whole host of reasons for that. I think it is -- I cannot underestimate and I cannot stress the impact of changing and reforming an organisation when you are trying to do your business-as-usual activity at the same time. That worries me for the Inquiry generally, when it is not just the Youth Justice Board that's being reformed, it is all elements of social and welfare delivery. We are reforming simultaneously and people become preoccupied.

They become preoccupied: am I going to have a job? Am I going to pay my bills?

I'm not saying that that is more important than public protection, I'm not saying that at all, I'm just saying that in the context of what we collectively want to achieve, we need to be very mindful of layering change on change on change on change, when we want to actually have an impact and prevent something happening.

Q. So, we see that in -- for example in children and social care, with the 2026 Act, and the need for there to be the multi-agency child protection teams, I think on any view, is a major reform, perhaps picking up on earlier best practice?

A. Yes.

Q. But social care practitioners may be very focused on those changes at the moment?

A. Well -- and we hear it. I hear it when I visit services. I hear from directors of children's services who are saying: please help, someone help me make change of all the changes I have got to implement with no additional money, yesterday, to meet a particular imperative. That's very difficult when you are managing a real, live service and we don't want people to become preoccupied, particularly more so in frontline service delivery, than in central roles. We have to have them

having their eye on the prize the whole time.

Q. You have indicated that perhaps the drafting of this had an eye to the need not to criminalise children --

A. Yes.

Q. -- in terms of how the internet is addressed and online harms. In reviewing this and making changes, will the Youth Justice Board have a sort of Southport challenge, in the sense of, without undermining that important principle, challenging the thinking and the wording against a different metric?

A. Absolutely.

Q. Which is: are we sufficiently clearly identifying the need to probe and ask professionally curious questions about risk to others and even, sadly with children -- and one saw this with AR -- that the prospect that the child may lie about what they do online?

A. And their parents. Absolutely, and I think I need to make it very clear that needs to be done in conjunction with the Ministry of Justice because this work is moving at pace. We are handing things to the Ministry of Justice now, including work around data, IT, the oversight --

Q. Yes, this is all part of the fact --

A. So I give that commitment from the YJB, absolutely.

Q. Thank you. Then on AssetPlus, it may be that you tell

us that it is the same, but in the suit of spades. But let's look at it, please.

So, first of all, in terms of understanding AssetPlus, if we look at MOJ000020.

If we just have page 1 just to orientate ourselves. So this is a Youth Justice Board-badged document, "AssetPlus Model Document".

One notes here that this is an old document, revised October 2014. If one looks at page 9 MOJ000020_0009. One sees, if we can have the top of the page, just so we have got the whole of the diagram:

"What is AssetPlus?

"The diagram below illustrates the high level structure of AssetPlus."

Now, Ms Churchill yesterday was asked to explain it. She said: mmm, better ask the Youth Justice Board. I'm going to put this to you before asking you to explain it, but cynics might say if a diagram explaining a process is as complicated as this, there is a problem?

A. I think it does also explain the complexity of what we are trying to achieve. I don't think we can get away from what we are trying to do is messy and complicated; people are messy and complicated, as are their lives. I'm not disagreeing it is a complicated diagram. In my view, the whole of AssetPlus needs a total review. We

have consistently bid for money. We only ask for £15 million over the spending review period, to review the whole of the IT infrastructure, and the assessment tools. That's £5 million a year. In the grand scheme of Government funding, I think that is a quite a small amount because -- and I think this not only talks to now, but the future. So when we are going to make recommendations for changes to IT infrastructure, we should also build in any funding review for that because AssetPlus has been around since 2014. We have had no major investment in AssetPlus since that time. We are 12 years on.

Lots has changed in that 12-year period that would mean that it probably should have been reviewed at least three or four times.

Q. So, thank you. Let me take it slightly out of course, then. If we can just take this down for the moment and we will come back to it. If we go back to your own witness statement at paragraph 66, page 23 YJB000194_0023. You have jumped ahead but let's deal with it, since you raised it. You say:

"Subject to future reforms, future evaluations and developments, both AssetPlus and PDAT should focus on their effectiveness of detecting online harms affecting children. [And] the YJB accepts AssetPlus needs

updating and further guidance ..."

We will come to what's over the page in a moment. Can I just ask, the way that this has been drafted, it says:

"Subject to future reforms, future evaluations and developments, AssetPlus and PDAT should focus on their effectiveness on detecting online harms ..."

Why does it need to be subject to future reforms, future evaluations and future developments? If we go back to the online harms, violence fixation, extreme violence and gore, risks around that, those are no longer very newly emerging. They are known to be problems that have emerged in recent years and are assessed to be growing. So isn't it that they need urgent change?

A. They absolutely do. Those changes need to be funded.

Q. Right. Yes, so that's a slightly different matter. I'm not leaving that aside because it is over the page. But you said that:

"Subject to future reforms, future evaluations and developments ... AssetPlus and PDAT should focus on ..."

Et cetera, et cetera. We shouldn't read that as saying: there should be a delay before they are changed?

A. No.

Q. That may be the longer term?

A. I think there is three different things there. There is something about the reform, funding and where that work is going to sit. That is now moving, we know that. At the time of this, we probably didn't know that. I think, whenever it was drafted, we didn't know whether we were going to have IT or not. We are not. So there is something a bit about ownership and who is going to own that. There is something then about funding.

There is also something really critically, I think for us, about making sure that that is the right tool and it is evidence-based and we also take learning from all of the range -- I mean, there's discussions about SAVRY and where that should sit -- that this is a generic risk assessment tool to prevent general offending and then thinking about then what comes off of it, and I think that needs a very detailed piece of work.

Q. All right. I keep holding you back and even chastising our excellent evidence display operator. Can we now go over the page YJB000194_0025:

"It is not possible to carry out these updates without significant investment ..."

A. Yes.

Q. "... (which the YJB sought to secure in the last spending review). Notwithstanding this acceptance, both

tools still offer substantial value ..."

Now, that phrase to "which the YJB sought to secure in the last spending review" is pregnant with ambiguity. Does it mean you sought to secure it and it was turned down?

A. Yes. I can't say it in any other way. Not only was it turned down but I also appealed and escalated that again. I feel very strongly about this. This is a small amount of public money, and we can and should do better.

Q. Ms Churchill, when asked about this yesterday, I think indicated -- it maybe that it didn't sit within her immediate knowledge -- but I think the general thrust of her answer was that she wasn't aware of a specific bid for specific, ring-fenced funding. My interpretation of her evidence rather than her exact words.

She thought there would have been a general amount provided to the Youth Justice Board to be split and prioritised by yourselves. But you are saying there was a particular bid of 15 million, spread over three years?

A. I can share that with you and I can share the times I have asked for additional money and on a regular basis, quarterly, to the Secretary of State or the Lord Chancellor.

SIR ADRIAN FULFORD: Could you do so please?

A. Yes.

MR MOSS: Thank you. All right, let's go back, in light of your answers, I can take the actual aspects in relation to it relatively briefly.

But if we look at YJB000156, and one bears in mind the date of the documents, so that we see published 15 October, 2014. Then page 4 YJB000156_0004. Again, I won't read through the list. But in the core section 2, "Information gathering", without reading through the list to prove the negative, there is no reference there to "online life", as a headline?

A. No. Although, I think I mentioned it earlier, we have made some changes, which again, also come live on 31 October.

Q. All right. Don't worry, I'm going to come to that. So if we go back to your statement and we look at page 52 YJB000194_0052, I think it is paragraph 155, Ms Roberts-Bibby. Bottom of the page:

"... made updates to AssetPlus which have been shared with the Case Management Providers who will then update the systems ..."

In relation to that. Now, we struggled, in the exhibit that related to this, to actually find the changes and we ask about that yesterday and what we were told -- can you just confirm that this is right -- is

that additional questions will be (1) how does the child usually spend time online?

A. Yes.

Q. (2) how does the child usually connect with people online? (3) has the child ever come across things online that make them feel uncomfortable, worried or threatened? (4) do you believe the child to be at risk of radicalisation or other harm, through their online activity?

A. Yes.

Q. Those are going to come live within a matter of days?

A. Yes. Those are the questions that we ask -- this is my point about the lead-in time, so 12 months ago -- but even from now, there's been additional learning, even sitting here today. So it goes back to my point about being constantly able to upgrade those assessments.

Q. All right. Why is there a 12-month lead-in time? So I'm afraid, to the outside observer, to add some questions. Of course one doesn't want piecemeal development of important tools because that may be difficult for practitioners. But if the questions are appropriate, they are not overburdening the tools and they are relating to an important developing area of risk, it seems somewhat surprising that it takes a year from agreeing that they should be put in, to actually

the implementation?

A. So some of this is around making sure you are clear about what you want to change. There is a time frame to make sure you are changing the right things. The other is around the contract arrangements and the limitations of contracts with providers. Then the third is about the funding to do that. So you only do that all in one go so that you then are reducing your cost.

Q. Thank you. You have candidly, I think, a moment ago, indicated that even now there's further learning. One reflects on those questions. If one is thinking about some -- a child who is positively engaging in extreme violent material and gore online, the focus of the third question: has the child ever come across things online that make them feel uncomfortable, worried, or threatened?

That is really well-suited to the 12-year-old child who is on Roblox playing a game and somebody joins the game and makes them feel uncomfortable. But it is not very well-suited to the 12-year-old who takes a thrill and pleasure out of extreme violence and gore material online, and is deliberately seeking it out. They are not going to say: well, it makes me feel uncomfortable?

A. No, I totally accept the point. I think at 12 years old -- I would hope we haven't got 12-year-olds who are

in that position. It may be that we have.
Q. Well --
A. But my point is, is that there is something this goes back to -- and I haven't had a chance to say this to it the Inquiry yet -- how we layer up the things that need to be done. Because if we have got really effective prevention, so you have got really good prevention, really good early intervention and diversion and really, really robust services, addressing the needs of those children, reflecting the circumstances in which they are living their lives, helping them think about their cognitive arrangements, making sure they are in education, making sure their mental health needs are being resolved. I would hope with 12-year-olds, we're picking those children up.

I'm not saying we shouldn't, absolutely, amend the questions. I'm not saying that at all. I'm just saying that there is something about how we think about where the current system needs to be strengthened, where are the gaps and what is it that we are trying to achieve at the end?
Q. Yes, but this is the higher end, this is AssetPlus.
A. Yes.
Q. So it is the higher end risk category.
A. Yes.

Q. And whether the child is 12 -- and it may be that --
A. Or 17, yes.
Q. It is not for me to give evidence, but whether they are 14 or 16, I don't think it is theoretical to assume that there are children of that age engaged in this sort of material. Again, one is thinking back to the AR type of case. Asked whether he has come across material that made him feel uncomfortable, worried or threatened, one imagines that AR may have said, "No, I'm interested in historical research". But in fact, he was looking at torture pictures and Nazi mass graves online and that's only from the material that we know about.

The other question, question 4: do you believe the child to be at risk of radicalisation or other harm?

Again, "radicalisation" too narrow?
A. Yes, absolutely accept that.
Q. And "other harm", quite rightly, might bring to mind for practitioners, child sexual exploitation online and matters of that kind. But it doesn't resonate with risk to others.
A. Yes.
Q. So, forgive me, as you will understand, Ms Roberts-Bibby, it is not a personal criticism of you at all, but in terms of what the system is delivering here, even these questions agreed a year ago fall far

short of what's required?
A. Yes.
Q. Does there not need to be, in AssetPlus, in this area -- notwithstanding the desire not to criminalise children, doesn't there need to be explicit guidance to be cautious about disguised compliance in this area? Precisely because you can't necessarily ask a teacher, "well, what do you know?" Or a social care worker, "What do you know?" Because this may be in the privacy of their bedroom, that they are looking at this material?
A. Absolutely. Absolutely. Absolutely.
Q. Does that mean that it will be another year from now before there can be further changes to that? Is there any way that that can be expedited?
A. We will seek to expedite that. We will have to request some additional funding to do that. I'm not trying to be difficult. But I think Ms Churchill's interpretation of -- we get an amount of money which is our money for our contract, which is the ongoing, this is just providing the service and then we get, as I say, 600 grand of capital, which is where you do the changes. That doesn't go very far, and this is why there is a need to overhaul the whole system, to think about interoperability and assessment all being accessible by

the partnership in the right way.
SIR ADRIAN FULFORD: And you can't go cap in hand, asking for additional amounts for particular reasons?
A. We can do, and we will do now, you know, as a result of this discussion. Whether we get it is then another story.
SIR ADRIAN FULFORD: But it is quite useful for me to know whether that is not only something that you can do but, depending on the request, might receive a favourable response.
A. Absolutely, and I do have a concern that, talking to your point earlier around MAPPA and children being a small percentage of the population, similarly, that will be the case when digital and data move into the Department. Because it will be consumed into an adult department and that is a concern, that then the bigger population of adults will be prioritised over a smaller number of children.

I think that when we are talking about investment in IT infrastructure, a frustration for me is Government departments are doing that independently. So Department for Education, as part of their children and social education reforms, will be looking at their IT infrastructure. Why are we just not joining that together? You know, it feels to me that money is

limited, money is tight. Let's get the biggest bang for our buck from our money and think about doing that in a strategic way and really making sure that those contracts are giving us value for money and are fit for purpose.

MR MOSS: Thank you.

SIR ADRIAN FULFORD: Thank you very much.

MR MOSS: That is very helpful.

The third aspect of this that I ought to just look at, moving on from AssetPlus, is at the case management guidance. So if we just look back in your statement, please, at page 30 YJB000194_0030, bottom of the page.

I think you accept that guidance on online harms is a gap in the case management guidance as well, is that right?

A. Yes. We have addressed part of this with some of the updates.

Q. With the updates that we will look at, thank you.

A. But of course, if there is any further learning from today, if we can add that in before then, we will do.

Q. Mr Stein I know is doing what he can over the lunch adjournment. So Ms Dargue, the Chair of the Association of YOT managers, said in her statement -- if we can just look at that, please, and we will hear from her tomorrow, but it is AYM000001, please. Page 4

AYM000001_0004, paragraph 18. It may be in light of your previous answers that you will agree with her assessment. But she says, last three lines of the page:

"Existing tools do not routinely ask the questions necessary to distinguish violence fixation from other forms of risk. As a result, there are limitation in the ability of current assessments to consistently identify VFIs."

If we just go over the page to page 5 AYM000001_0005, paragraph 20:

"While YJSs remain committed to robust risk assessment practice, members would not consider current resources sufficient to effectively identify and assess VFIs without national guidance, specialist training, assessment tools and access to mental health expertise."

Do you agree with her in those regards?

A. Yes, if I may, there are a few points just to elaborate on. I think there is something about being really clear about what do we mean, so definitions. Because VFIs -- the terminology alarms me a bit, that we are getting almost obsessed with an acronym. Which acronym are we using? Is it "VFIs" or is it "NIEV"? What does it mean? Who for? At what point? So I think that there is something that needs to be addressed pretty urgently that -- you know, we are now two years on and we are

still talking about a definition. If a definition is needed, when is it needed? Because people are almost, it feels as though, waiting to update and respond things, depending on: what's the cohort, what's the definition? Then I think we are getting --

Q. That sort of holding pattern --

A. We are getting into some chicken and egg, I think. We may have fallen foul of some of that and if that's the case, that's not good enough and we will do better going away from here. However, all of these things, when we change them, need resource. So PDAT, as an example. We rolled out national training when we introduced PDAT. We trained all of the 157 services. We then -- once we have trained them, they then are responsible for maintaining their own training. Now, in a system which is very much subject to quite a lot of change, of course, people then move on and then, all of a sudden, they have no one that is trained and then they are coming back to us, saying: can we do training, and I'm saying: well --

Q. Okay. So, I'm going to come onto both to training and definition.

A. Sorry.

Q. Not at all, it is helpful to go ahead. But I think, in essence -- and I don't mean this pejoratively -- you are

agreeing with her?

A. Yes, absolutely.

Q. Because she says herself, members would not consider current resources sufficient, effectively -- and I think in that regard you agree?

A. Yes, and I think it's not just the resource of the practitioner, the youth justice practitioner, but I think she is referring to, at paragraph 20, the mental health expertise. When I was talking a bit earlier about having a shortage of the right skills in the system. I wouldn't want to assume that, but my commentary would be that that would be essential as well.

Q. Thank you. So training was what I wanted to come to next. If we could go back to your statement, page 28 YJB000194_0028, please, and if we could pick it up at paragraph 81. So, looking at the implementation of PDAT and the training that was involved in that, you say that the board delivered "regional two-day train-the-trainer events". I think you mentioned -- that's what you were referring to a moment ago, with the aims we see set out at the bottom of the page.

Can we just check over the page, top of 29 YJB000194_0029, just to get the rest of that. Paragraph 82:

"Each YJS was invited to send two representatives. The face-to-face events were followed by three remote support sessions aimed at supporting implementation ..."

Those have since ceased because people have fed back that they were no longer required.

Then -- I will come onto AssetPlus in a moment, but do you know whether anything relating to extreme violence or violence fixation, as an emerging issue, was covered in that training or is that too granular? Is this more about the system as a whole that was being introduced?

A. No, I can double-check because there is a section on safety and wellbeing for both the child and others. We can double-double-check that, and if there was something about -- there will definitely be something about risk to others. It is whether it is specifically about non-ideological violence.

Q. I think that would be useful, just for the Inquiry to have an understanding of what the extent to which it is on the radar.

Then, paragraph 83, you say the board "is delivering briefing events to support forthcoming changes to AssetPlus" and here, you give a bit more detail in relation to this. So:

"New AssetPlus questions, including:

"(i) non-resident parent;

"(ii) use of the internet;

"(iii) experience of discrimination; and ...

"(iv) display of discriminatory behaviour."

So, you say "is delivering briefing events to support forthcoming changes", is that talking about 12 months ago, there is a decision to bring in these new questions on online; they are going to be live right at the end of this month, so you have already been training in relation to those --

A. I need to double-check that for you. I can do that in the break, if that's helpful.

Q. Thank you, and could you see whether that has included anything in -- and I take on board what you say about definitions -- but when I say "VFI cohort", I'm interested in the group involving extreme violence and fixation on violence, and that general cohort area, however it is defined?

A. Described. Absolutely, yes.

Q. Thank you. So if you could check that and by all means, in the break, you are free to talk to others to find that out --

A. Sure, thank you.

Q. -- but if not, if you could follow that up in writing, that would be helpful. Thank you. Do practitioners

have refresher training? Is this a form of refresher training, or not?

A. No, we are doing this off the back of the changes. This is, I think, again, about the operating model, is that there is no capacity to -- there is no resource. So if, I think -- I don't want to look like I'm saying I haven't got enough people -- we haven't got enough people but we have three people that manage -- or that do all of our IT assessment tool stuff, and that is about managing business as usual rather than change activity.

So when we do this kind of work, we are doing this -- I have two other staff who do this because they have an interest and they do it in their own time, which is absolutely admirable, but a system can't be sustained on that basis.

Q. I follow. Page 33 YJB000194_0033, paragraph 96. I just wanted to check whether this was referring to something different. You say:

"We are also delivering four national events throughout Autumn 2026 to present these changes and demonstrate the application to practice."

Is that the same training?

A. Yes, it is but I will double-check the dates, and if it hasn't included it -- if they have not been done and it

hasn't included it, we will make sure it absolutely does.

Q. Thank you. So those were questions that we, as counsel to the Inquiry, wished to raise in that area. Can I just indicate that amongst the questions posed by the victim and survivor teams, is: has the Youth Justice Board received or provided any formalised training in the risks posed by VFIs in the more than two years since the Southport attack? If not, is that a concern? Does this lack of formal training indicate a lack of progress?

So I think questions in the same area. So if you could check whether it has been covered --

A. Yes, we will double-double-check. Yes.

Q. Thank you. If we could go back to Ms Dargue's evidence, again, anticipating what we may hear tomorrow. So that's AYM00001. This time, at page 5 AYM000001_0005, paragraph 21.

So the Association of YOT managers -- she says that:

"Youth justice practitioners are highly experienced in assessing risk generally [and] have not received consistent training in identifying violence fixation, pre-attack behaviours or NIEV. Current barriers include a lack of national guidance, limited training opportunities and the absence of specialist assessment

resources."

So, at least from that association's point of view, she seems to be pointing to the fact that the training hasn't been adequate in this area. Would you agree?

A. I would agree and disagree. I think that these services are autonomous, they have a chief executive. You have a board, you have a chair of a management board, and you can't look to other people to constantly then meet your local training and development needs. So, in that respect, if I was chairing a management board, I would be asking: how have our staff got the skills and capabilities? What are we doing? The area where I agree, I think, is there is this lack of national guidance and the Government needs to, I think, come up with what is the definition, at what point are we going to use it and how.

Then, in terms of limited training opportunities, I think that talks to both of those points. So if you have developed new guidance, you probably want some national briefings for those services and staff. In terms of local training opportunities, you can do that yourself in a partnership arrangement. You can go and you can get an expert to come and talk to you. You could approach the YJB and say: we have got a gap here. No one has done that, by the way. I think that's

probably worth saying that out loud.

In terms of specialist assessment resources, I think that talks back to the point I have spoken about in terms of AssetPlus and PDAT, but I think it also talks to a lack of specialist capability as well. I don't want to repeat the point I have made about the psychologists in particular, where there is a gap and some of the other areas of specialism, like speech language communication.

Q. So the emphasis that our expert cadre gave to the value of psychological input and forensic psychologists in appropriate cases, albeit that they are a scarce resource, you would agree that the benefit of that should not be underestimated?

A. Absolutely, and they are very, very scarce. We did some work in Wales about the roll-out of an enhanced case management process. So we were using formulation to address need, and it proved very difficult to sustain that work, just purely of an inability to secure psychologists.

Q. Thank you. The formulation to address NIEV, in that context, was what exactly?

A. Sorry, the ..?

Q. Sorry, your answer was: they are "very scarce", you said, "we did some work in Wales about the roll-out" and

then I didn't quite capture your word.

A. Sorry, it is called an enhanced case management arrangement, where you use a formulation to identify the needs. So you will look at the --

SIR ADRIAN FULFORD: Needs not NIEV.

A. Needs not NIEV, sorry. We are obsessed with the term.

MR MOSS: Thank you very much. That makes sense. So, back in your statement, please, page 33 YJB000194_0033, paragraph 97, just to round this off. Again, it may be that your statement is referring in several places to the same thing but I need to check. So, you say that:

"The [Youth Justice Board] has scoped changes needed to case management guidance documents."

That is referring to the same thing, to the document that's coming out?

A. Yes, so there are two changes. We have got the changes to AssetPlus and the questions and --

Q. Yes, and the changes to the case management?

A. And we have got training to support that and then we have got changes to the case management guidance as well, which also relate to assessment, identifying those children who may be displaying non-ideological or a fascination with violence, as well as the updated and strengthening the guidance for MAPPA and the inclusion of a section 4, how to work with families.

Q. While we have it, the guidance for parents in relation to recommendation 66, since we have it on screen, could you cover that?

A. Yes, of course. So we have worked with the sector, with families and children to develop the guidance. We should be in a position to publish that in the next few weeks. We had originally anticipated doing that by the end of October but due to some feedback from stakeholders, that has taken a few weeks longer than we would --

Q. All right, and just give us a flavour of what that is going to look like, appreciating that it is not fully finalised?

A. So this is going to look like advice to families and carers on what to do in the event that they think their child has access to, or is using a weapon. It was very clear about expectations on services, and will be in a language which is hopefully non-judgemental, but also very, very clear on responsibilities of parents and the importance of reporting.

One of the bits of feedback we got was: what happens if we report and then nothing happens, or how do we get the right service? So we really wanted to pitch it -- make sure we get that bit right in the guidance.

Q. Because of the balance you have referred to, it is

a difficult document, one imagines, to strike the right balance but is it seeking to help parents to understand that the risks of not reporting --

A. Yes.

Q. -- ultimately, can be much higher than the risks of reporting?

A. Absolutely. Absolutely, and giving them reassurance that if they do report, that they will be responded to appropriately and I think that that's really important because I think there is a culture change that we collectively need to drive across the system, that allows the space for parents to trust services and services to then respond and listen to them in a way that means that they will be more likely to report.

Q. Thank you. Sir, I am conscious of the time and I will be led, to a certain extent, by the witness but I wonder if that might be an opportunity to take another 10-minute break?

A. I'm okay at the moment, but if you want to break then --

Q. Shall we press on but if, at any time, you need a break you must just say?

SIR ADRIAN FULFORD: You must say.

A. I will do, thanks.

MR MOSS: Can we come to definitions, which again, we have touched on, but you say, page 18 YJB000194_0018,

paragraph 51, the point that violence-fixated individual has no agreed definition:

"The work to establish the behaviours and characteristics associated with such a definition should be undertaken as part of Phase 2 of [this] Inquiry."

Then in paragraph 52, you say:

"More fundamentally, a system focused on identifying and managing individuals only once they are deemed violence-fixated is inherently reactive. It risks missing children who are not yet violence fixated, as described by the Inquiry, but who exhibit vulnerabilities, or ..."

Then over the page YJB000194_0019:

"... unmet needs and or an interest in violence and or causing harm that place them on that trajectory."

So, I don't want to create a false dichotomy or disagreement here. Would you, Ms Roberts-Bibby, in this sense, take it as read that in having a definition for this cohort, one does not, in any way, want to detract from the importance of early intervention and one needs to guard against a definition being exclusionary, in that it cuts out too many people who may be early in the trajectory of concern, because -- obviously ultimately a matter for the learned Chair -- but one anticipates that those are not particularly controversial cautions

that you make in your statement.

But can I understand where this leads ultimately for you and -- in the corporate representation of the Youth Justice Board? Are you going so far as to say that you don't think that a singular definition is appropriate or helpful?

A. I think we need to ask ourselves, in this instance, if we had had that definition previous to this terrible event, would we have been able to spot AR and the risk he was going to cause? Just that alone. Let's just -- just that alone and I don't think we would have, really tragically and sadly, have picked him up, if we would have had the -- I think this is another point. So in the statement, we talk about the VFI. Since then, we have moved to the term "NIEV", and we have had the guidance from the Home Office and I'm sort of referring to that definition.

SIR ADRIAN FULFORD: Yes.

MR MOSS: Try not to get too far ahead. Can we stick, at the moment -- because it is a very valuable, if I may say so, issue to explore, as to whether the whole concept of a definition is taking Government, and for that matter, the Inquiry, down the wrong route. One sees, from your statement, an emphasis on those who may be on a pathway towards serious violence as a whole --

A. Yes.

Q. -- without any particular reference to violence fixation, VFIs, and the encouragement, summarising a lot of different sentences in different parts of your statement, really saying: look at that group as a whole and don't get tied up in definitions. That's my simplistic paraphrase.

Is what you are saying: abandon the idea of a definition in the broad VFI area and just focus on early intervention for children showing signs of violence to others or serious violence to others?

A. Shall I come in at that point?

Q. Yes.

A. So, no. What we are saying is, we need to be really clear that there is absolutely a place for prevention, early intervention, diversion, whether that be through an extended big front door, as we have been talking about. Then being really clear about what is happening with this child, what are we doing in a really collaborative way and being very clear about what the plan is. Everyone goes through that -- everyone is at that multi-agency meeting -- whatever we want to call it -- brings their information and makes an assessment, this child needs these things. We are going to put this plan in place. We are going to review it in a week and

we expect there to be progress. If there is no progress in that week, what are we doing now? And we have a route of escalation.

We are not saying there is then end point, where you might want to have a definitions, whether it be "violence-fixated individual" or a "non-ideological extreme violence", whichever that is. I think it is both. Because I think this comes back to my point about putting a number of things in place that strengthen the existing system, rather than just relying on the definition.

It feels a little bit that we have become reliant on a definition, rather than what are the other things that we can be doing, like, in those exceptional circumstances, how are we using deprivation of liberty, as an example? How are we extending or strengthening MAPPA, if that's going to be a route we want to do? How are we developing the capability of the workforce to really understand and spot these areas?

I think we need to be careful we don't get obsessed with how we describe them. We currently -- we term those -- describe that group of children as "high need, high risk, high harm" because those things talk to each other.

I just really, really genuinely want there to be

difference and make a change from this really terrible set of circumstances and I just worry that we get preoccupied by having a definition and then we can only do something when we have got a definition. We have taken two years to get a definition. I might be upsetting some of my Government colleagues, but I think we need to be really clear about what is that going to change in practice? That's why I ask the question: if there were a definition, would we have prevented AR on that terrible day?

Q. We will come to alternative possibilities for a definition in a moment, but -- and obviously the Inquiry has been exploring, with a number of Governmental witnesses, whether there has been too much of a holding pattern pending a definition.

So, putting that to one side, important though it is, a number of witnesses -- and perhaps the emerging consensus from the majority of witnesses has been the importance of a definition, and the sort of matters that have been raised in relation to that are: the need for a referral criteria that can be applied by frontline staff; the need to be able to screen and triage cases against consistent guidelines; the importance of identifying this cohort for applying appropriate interventions.

Many have spoken to the current, significant gap in data on what interventions work and what is most effective and if you have no way in the system of identifying those in this cohort, because there is no definition, then you are going to be in a perpetual state of a lack of evidence.

Now, with your very strong warning about: don't get obsessed by the definition and: take action now and: strengthen early intervention and strengthen what would be necessary for children in the violent group before you get to: are they in this subset cohort; would you nevertheless agree that a definition, for those reasons, is appropriate?

A. Absolutely. I'm not -- and we are not hostile to a definition. I think we need to be clear about why. Even when you were talking, I'm thinking: why? Is that about protecting the public and then what are the immediate measures that stop the harm being done? Is that about changing behaviour and how much do we know about what is effective in changing behaviour and the appropriate interventions? When we talk about interventions, everyone expects a course, or a programme. That's not always the thing that makes the difference. The thing that sometimes often just makes a difference is a trusted relationship with someone who

will -- you get underneath the skin of what someone is thinking, and work out why they are thinking it and then help them to change how they are thinking, in return then change their behaviour.

So I think there is a place for a definition but I think we should be asking ourselves: why, what is that?

Q. But to gently put a challenge to you in relation to that, under the current system, it might be said, for example, that the offer, in a consensual arena of that sort of support, is available from Channel for those cases taken on by Prevent. But seeing Dame Rachel's report, a concerningly large number of cases, particularly from education referrals, get bounced back in her words, back to education for action.

So one would want the intensity of support to be available for this cohort, regardless of ideology versus non-ideological, and those sort of practical, trusted relationship, mentoring arrangements, positive things to do with their time, trying to turn them to a different path by giving them positive alternatives and good role models -- my superficial simplification, but important areas -- but therefore, having a non-Prevent cohort that is defined, for whom those are going to be good risk mitigation measures. Now, of course, you may say: well,

that's going to apply to all children in this cohort and why shouldn't we be doing it for all? But isn't that a good reason to have a definition?

A. But if you make other changes alongside -- I'm still not saying "no" to a definition. But if you have got big front door, with a house that's appropriately furnished, I strongly believe that actually, you have got a big front door, which room is the child going to end up in and is it going to have the things it needs in that room? So if you have got that working and it is effective, could they then mitigate some of the concerns around the lack of pick-up from Channel, and meet those needs? I think we need to be really clear about the difference between identification, assessment, and intervention.

So what are we looking for? How are we doing that? Then what are we doing about it? All of that doesn't -- I think there is something -- you spoke about lack of data. I think there is still something about lack of evidence and this is what we have heard from youth justice services, is: what's the best thing to do with high risk, high harm? I think there is an opportunity -- the Youth Endowment Fund have been doing some of that work. You know, could we expedite some of that, as a result of the Inquiry? Are there

things that we can better understand about what's effective with children? What we know so far is an individualised, strength-based approach, with appropriate boundaries from trusted adults makes a difference.

Q. So, again, we're getting ahead of topics I wanted to cover later but in some ways, what you are describing is reminiscent of what Professor Sizoo was talking about, the Dutch model -- I don't know if you followed that evidence, but the Dutch model was, broadly speaking, of a safety house model, whereby there are tables within that and you have a best-fit approach, but they are within a broader team and cases will come in. But those different tables may actually be delivering quite similar types of interventions but they are housed within an overall structure.

That sort of an approach would be more radical because it would necessarily involve, would it not, in the case of children, probably rationalising lots of different teams and processes and simplifying it, potentially because some of the answers are a lot of the interventions end up looking quite similar, not always, but also, you often have the same sort of professionals around the table, in lots of different processes, currently?

A. So that is a totally different approach, as you say, than we have now, and there are some -- I just think we need to be slightly cautious. I said this in our statement. We should do no further harm as a result of what comes from the Inquiry, and our system is working reasonably well and I know that doesn't make any difference to those who have been harmed and had their lives drastically changed from AR's actions.

So there's something for me about I think we should continue to strengthen what we have and look at where those gaps are.

Q. Well, I will come back to that, I promise, in terms of their framework?

A. Have I not answered your question?

Q. No, absolutely, but we are moving into areas that I will come back to so I'll come back to that, if I may. Let's look at definitions against all of that background because we know, from VFIs, the Government thinking has moved on and so you have mentioned NIEV, let's have it in front of us. It's HOM001011. Again, very familiar by now, page 2 HOM001011_0002, paragraph 6 at the bottom of the page.

So this is the interim guidance that was published about a fortnight ago, on 6 October. Working definition, not statutory legal or operational in

nature:

"The use or threat of extreme violence, not driven by a clear ideological purpose, which is communicative in nature and intended to shock, intimidate or outrage the public or a section of the public."

If we just go over the page HOM001011_0003. There is reference to no single profile or pathway and it being complex.

Now, if we go back to the bottom of the page HOM001011_0002, please. When the learned Chair to some extent challenged Mr Emmett about this, Mr Emmett was -- for the Home Office -- was keen to emphasise that this, as it were, is the final act and that what the guidance is intending to capture is that those who are on a pathway towards this final act. In his statement, there was further detail about how the "intention to shock, intimidate or outrage the public or a section of the public" could be implicit as well as overt.

So, with that lengthy introduction, do you have a view on this as the working definition of Government?

A. My view goes back to, if we had had that definition with AR, would that have prevented this terrible tragedy? From looking at what I know -- and I do not profess to be the font of all knowledge -- from what I know, I do not think that definition, on its own, would have,

sadly, made a difference.
Q. So professor Cassam postulated a different approach, of speaking of "non-ideological violent extremist", "NIVE". But we have been exploring with witnesses whether, in order to capture the concept of the early stages, being the cohort, the cohort, adopting Professor Cassam's approach, would be those who are vulnerable to being drawn into non-ideological violent extremism.
Is that better? Still --
A. Personally, I think -- if I was a practitioner, I think that would be more helpful. Because if I was a practitioner, I'm looking for things that are really going to, on this basis, shock, intimidate, outrage the public. I wouldn't be looking -- I wouldn't be thinking of the things that we know, in this instance, were really important. Like social isolation, not taking medication, not eating -- I'm not minimising it -- low-level violence in the home, the online, which was -- from professionals, very much, other than the Prevent referrals -- hidden, the nature of what was being viewed.
I would not -- and this is what we have got to ask ourselves all the time, I am the person that's working with this child on a Monday morning: is this going to help me spot them?

Q. But taking some of the aspects that were known about AR. So the taking the knife into school at the early stages and worrying internet use and worrying internet discussion picked up by the school and worrying talk of wanting to see pictures of severed heads and so on. If one was applying the test of "vulnerable to being drawn into" --
A. Definitely vulnerable -- I think -- sorry, I was referring to the --
Q. To the current interim guidance?
A. Yes. I think the "vulnerable" does make a huge difference. I think that that's much, much more helpful for a practitioner because they are thinking, in advance: if I don't respond to this child here and now, if we don't need these needs and we don't mitigate these risk and we don't put measures in place, where may this go to? Rather than: is this child going to do this here and now? No.
Q. If one coupled "vulnerable to be drawn into NIVE", rather than NIEV, so the non-ideological violent extremism, with guidance on how do you look for vulnerability, and you speak to the fact in guidance that the vulnerability may come from matters such as social isolation; that gets more towards meeting your concern about definitions being exclusionary?

A. And the layering of them. I was describing this to the team, it is like a mille-feuille -- if you can excuse the expression -- very thin layers of stuff that goes on top of each other. So the social isolation, along with perhaps low-level mental health concern, along with a diagnosis of neurodiversity, along with a perception of grievance -- whether that's proven or not -- along with living in a home where something was clearly not working, as a family, along with not going to education but wanting to, all of that --
Q. But presumably, one needs to be a little bit careful about the mille-feuille because you want to give the emphasis that that's not a tick-box where you do a gradated score --
A. No absolutely.
Q. -- but that these are sort of factors to think about?
A. These are things that can contribute and when layered up, become very, very significant, which again, talks to some of the other things we need to think about, which is thresholds, which is why that big front door, and people coming together is so, so important because a child might not meet this really high threshold for one of the things, but when you layer them all up, absolutely massively exceeds it. That's why I think we need to be very careful to make sure that the definition

is right, so that it doesn't become up there and we miss all those other things, particularly early on.
Q. Yes. So, Ms Roberts-Bibby, if you and the learned Chair will forgive the observation, this is clearly something that you have thought about a great deal. In that thinking, have you come up with a better solution of your own, in terms of definition?
A. No. I can take it away and think about it. I think the point I keep coming back to, is this isn't just one thing. I think there is a need for a definition at a point along -- so we talk about violence on a continuum and where it starts, being low-level violence and then it progresses and I think we can clearly see that, with AR, starting with carrying a knife to school. So many children do that, sadly. Again, I'm not minimising it, I'm not mitigating it. We know the reasons why they do that, and therefore, we should be responding to that. Rather than then as adults, and society not responding to it and then moving down the continuum and ending up at the point where you do need the definition right at the end of that continuum.
Q. Thank you. If we can go back to your statement -- that's very useful, thank you -- at page 21 YJB000194_0021. There is a theme in your statement

about statistical analysis. If we look at paragraph 57. It is the top of the page, you say that:

"The YJB does not specifically collate data or carry out statistical analysis on any data provided from within the YJS relating to the term Violence Fixated Individual. This is because the term has not been universally defined nor is the term, as yet, an evidence based one."

That speaks to one of the benefits we are exploring of having a definition, that if you do have a definition, and it goes into common parlance and starts being something that is marked on assessments as a quantitative piece of data that you can pick up, in terms of potentially in an area: concerns in this area, tick the box on the form; that sort of data is easier to pick out, is it not, than, for example, free-text boxes?

A. It is. We have quite a lot of experience around definitions and I'm happy to share it. So we were asked, a number of years ago, to develop a suite of KPIs relating to children.

Q. Key performance indicators?

A. Yes, a lot of which related to definitions. So: what's your definition of "mental health"? What's your definition of "accommodation"? To the point where it's taken a huge resource and has sometimes been

a distraction in trying to deliver those KPIs, solely because of definitions. Then you come into all sorts of challenges about interpretation and subjectivity and then the quality of the data.

So getting the definition right at the beginning, if it is going to be used to measure and analyse, I cannot stress, is so important. So I understand some of the challenges with coming up with a definition. But if we get it wrong, then we end up measuring all the wrong things.

Q. Well, I am sure everyone is trying hard not to get it wrong, but it is difficult.

A. It is very challenging.

Q. I think in that context, if -- again, if the learned Chair will forgive me, if, perhaps understandably, your focus has been on expressing through your evidence the concerns about the dangers of a definition, or too much focus on the definition, but also the importance of getting it right, if you do have further thoughts on what a definition may be, it is a collaborative and collegiate approach that we are seeking to adopt. So any further thoughts would be very welcome.

At paragraph 58, you say that:

"Behaviour relating to violence, where relevant, will be recorded ... [in] AssetPlus or PDAT

assessments ..."

You say that:

"... the YJB does not currently review this partly due to a lack of resource to extract and assess the quality of this data ..."

Here is one of a number of places in your statement where you refer to work being led by the Ministry of Justice on Better Outcomes through Linked Data, "BOLD":

"... to prepare some of the AssetPlus dataset for data linkage to Data First."

Now, too many acronyms and things about data. "MoJ BOLD" and "linking it to Data First", can you put some plain English and concrete understanding on that?

A. Sure. So in AssetPlus, as you would have seen when it came up, you have a "yes/no" and then you have a field text box. So A lot of the richness is often in the field text box. That is the first thing. The second is the work that we are trying to do with MoJ, Better Outcomes through Linked Data, is linking data between justice and education and children's social care so you can better understand the cohort. So that's the project and the intent. We can provide some more information offline, if that would be helpful.

Q. Just a single identifier under the 2026 Act, is that linked to that?

A. It will be and that will be helpful. But another point -- if I'm not making this point, is part of the solution not the solution. So I think part of a package of things that could be done that would make it more helpful to understand what information exists on a child.

Q. But as things stand at the moment, there is -- it looks in part because there is not the funding, but the exercise has not been done to seek to extract, from AssetPlus in particular, that work has not been done to extract information that might be relevant to the VFI cohort, however defined?

A. Not to date by us or, as I know it -- I have to be careful, I don't want to speak for the MoJ -- but not that I'm aware of by the MoJ.

Q. Thank you. If you don't know, you must say so, but is the thinking that, as things stand currently, that that wouldn't be a sufficiently useful exercise?

A. To do it? No, it would be useful to do it.

Q. What would it show? Given the lack of definition and the variability of language, so that even "violence-fixated individual" is a relatively recent term, what would the expectation be as to what that sort of data extraction would show about this cohort?

A. I think it would help you better understand the volume

of children with vulnerability and the services that they then need. So it would help to quantify some of what we know are the key vulnerabilities. So it would give us a sense of quantum.

Q. But would that be in a wider contort, of those involved --

A. Yes, that would --

Q. That would capture those with gang violence type tendencies, or those who are involved in assaults, however serious, but not of the mass casualty --

A. Yes, it would be by offence, that you could drill down by offence, by children's vulnerabilities and needs. So children on children in need plans, child protection plans, children perhaps who are having free school meals. It would give us a sense, much more, of what's the volume of those children and potentially, where they are located -- and it again, talks to some of the stuff I was talking about earlier, like funding. Where are the areas that most need the funding? There are then different ways you can then cut the cake.

Q. Thank you. If I was to go to a different aspect about this. I don't think we need to bring it up on the screen unless you particularly want me to, but Mr Hadley of Tech Against Terrorism has raised, in his witness statement, that sentencing remarks contain a wealth of

useful information on offenders' behaviour. That, if analysed scientifically and aggregated, could reveal useful information and signals about this cohort.

But he draws unfavourable comparisons between what happens in the UK and what happens in the US, saying that in the US, those sort of remarks are published much more widely at first instance, whereas here, it is more selectively done.

Does the Youth Justice Board have access to a wider group of sentencing remarks?

A. Not routinely, but for one particular piece of work that our chair has been doing, we can get access to -- it is quite challenging, but we can do. There is -- some of the work that we have been talking to MoJ colleagues about is also text mining, so how you can mine free text to help give you more information. So there is definitely -- that's definitely that could be explored again, to better understand needs, volume and then, the appropriate responses.

Q. Thank you. So other than in those cases -- high-profile cases, where sentencing remarks are published, and therefore publicly available, what systems can YJB look at to see what the judges say in individual cases, where the sentencing remarks are not published to the world?

A. We would have to work with the judiciary and the court

service to be able to access those on a relevant basis. So, as I say, it can be done. Where there is a will, there is a way.

SIR ADRIAN FULFORD: They are recorded but they are not necessarily turned into a transcript?

A. Yes. No, yes.

SIR ADRIAN FULFORD: So it would mean mining the electronic record?

A. Yes.

MR MOSS: Thank you. If we just look at page 21 YJB000194_0021, paragraph 59, that's next on the page. You also reference a panel called PAYJAP, is it?

A. Yes, that is right.

Q. "... to look at the potential use of preventative analysis particulars as a way of bringing multi-agency data sets together and using analytics to predict areas of risk."

What is the relevance of that, potentially, to the VFI cohort, however defined?

A. Because I think that talks -- that has that vehicle -- could become the vehicle to do some of the work that we have been talking about. So, there have been two meetings of the PAYJAP. I was at the first one. The last one was last week and I didn't attend, but a member of our team did and I have not yet had a read-out. But

this is a panel of experts who, the Parliamentary Under-Secretary of State, Jake Richards, has brought together, which I think could have real value moving forward.

Q. Thank you. A different aspect you touch on, page 26 YJB000194_0026, paragraph 69, is serious incident notifications. You explain there, that:

"[Youth justice services] are required to notify the [board] of a serious incident within 24 hours if a child aged between 10-17 ... is charged with ..."

A list of specific offences:

"Attempted murder.

"Murder/manslaughter.

"Rape.

"[GBH] or wounding ...

"A terrorism-related offence."

Or:

"If a child dies while on [the] caseload, or up to 20 calendar days following the end of [youth justice service] supervision."

Your statement goes on to explain that there are limitations about this and does -- if I have understood your statement correctly, is part of that because the notifications are actually done very quickly and so the notifications themselves don't necessarily give the

whole of the background that you would need to mine, if you were to draw lessons from them?

A. Yes, it does and it is particularly resource intensive. It is remiss of me -- so I haven't given the incorrect information to the Inquiry -- one of the things I should have mentioned earlier, this process of serious incident notification we will no longer do, moving forward, in our reformed way. So that may --

Q. Will the MoJ take it over and do it?

A. We don't know that for certain yet. So one of the limitations is there is a real time lag with the learning reviews in these cases and then getting the learning reviews and then when you get the learning reviews, you get them in quite a discombobulated way. So it is difficult to say: in this year, these things happen, because some of them, in themselves, take years and it is very resource-intensive.

But, saying that, there are real opportunities there to better understand how those terrible things have happened and learning from them, and if I had my magic wand, I think this is something that could be very, very helpful in understanding behaviours of children who may have a tendency towards extreme violence.

Q. So it is resource intensive, in current form limited use, but if expanded, it is a rich area for learning?

A. And critically, if joined with, both in Wales and in England, the mechanisms in children's social care, from learning from other case reviews could have real value, particularly because that will give a bigger context to the lives that those children have been living.

Q. Thank you. If we look, finally on this topic, in the terms of research. Page 24 YJB000194_0024, please, paragraph 67. You explain that:

"The YJB commissions research to explore various areas across youth justice."

I'm not going to read out the detail for each one but we see enhanced case management, 2024; integration into youth justice services in England and Wales, 2024; Youth Justice Board's knife crime evidence and insights pack, 2025; Youth Justice Board's evidence and insights pack on online harms affecting children. I will come back to that one in a moment. I will just about over the page, please YJB000194_0026.

Apart from the online harms aspects which we will look at, are there any of those particular aspects of research that you think are particularly pertinent to the VFI cohort?

A. I think the first one, if we look back a page, on the enhanced case management. I think that really talks to the resourcing challenge, as I spoke about earlier, so

that work that was started in Wales and we progressed into the southwest. I do genuinely think there is something we need to be doing to make sure we have the people with the skills, to be able to support this work.

The second, the integration of children's social care, early help and other services. We are spotting more and more, even though they are different configurations across 157 local authorities, those services are being joined up. I think that that supports the Inquiry's thinking about a big front door because some of that is happening organically already in most places, to a greater or lesser degree.

The knife crime evidence pack. That was published before 2025 but we updated it off the back of the terrible incident, just to update some of the points around the interest in knives and why children carry knives.

I think you are going to ask me about the insights pack and online harm.

Q. We will come back to that, thank you. If we can move to the next topic now of online harms more generally and we have covered quite a lot of the ground on guidance. I don't want to revisit that.

But can I start with a summary of questions, again, raised by the victims and survivors teams and they refer

back to the learned Chair's findings in Phase 1, that: the youth justice services, in AR's case, did not conduct any work with AR in terms of online behaviour or safety during the course of the Referral Order.

They point to the fact that you accepted the gap in relation to online harms in the case management guidance and that AssetPlus is gaining questions in that area. So, on the back of that, once those changes are implemented, when the answers do disclose consumption of extreme violence material, what will the guidance be actually telling the practitioners to do about those sort of online harms risks?

A. In terms of safety measures, or working with the child?

Q. Well, both.

A. So I think this remains a gap. If you look at our evidence insights pack, there is a massive gap about how to work with children who are being drawn into online harms. There is things that we can do with the child about safety measures and the family, in particular, about safety measures and with schools. We know that this is an area that Government are concerned about. We have the changes, haven't we around, social media that are coming in.

I think that we, collectively, need to be doing more and understanding more about how to better divert

children into other activities other than online. A lot of our guidance will talk to a strength-based approach. So trying to think about what does a child like doing? The challenge with that is if a child says: oh, I just like to be on my computer all the time and all I want to do is game, is then how we get them interested into other, more pro-social activities, like going to school, where there are many, many more protective factors, like having a hobby which may be more physical, rather than being sat on a machine.

But fundamentally -- this then talks back to my other point, how it becomes messy and interrelated -- is who is cognitively working with that child, about their interest and what's driving their interest? Is their interest coming because they are absolutely obsessed and fixated with violence, or is it coming from because that's what they have been brought up with; that's what they've seen in the home? They have been living in a house that's been full of domestic violence, perhaps drug abuse -- I'm not stereotyping, I'm saying the circumstances that these children are living their lives in and what is driving that and then addressing that need.

Q. So, they also, developing on from that, ask, looking at page 78 YJB000194_0078 paragraph 247 of your statement,

that:

"... online activity should be treated as a risk signal to explore, not proof that a child will offend, and this should trigger a safeguarding response and not just a justice one."

So in the case that -- either because it's volunteered, or because parents or teachers have made a disclosure that a child is actively engaged in extreme violence and gore material online, what does the safeguarding response to that actually consist of?

A. That would be a referral into children's social care because if we haven't got an arrangement where that child's safeguards are being put in place in the home, then that needs to happen. This goes back to how the multi-agency work comes together. So when you were saying earlier about local authorities, in terms of the Act, saying education, and children's social care, there is absolutely a role in terms of children's social care working with the family and making sure the right conditions are in place for a child is kept safe.

Q. Do youth justice -- if that was a youth justice service intervention or, for that matter, a children's early help worker, or a professional of that kind in children's social care, do they actually have the knowledge, training and skillset, to intervene

effectively in that area?

A. I think this is a really gap. I think one of the other things I would be saying to the Inquiry is: how do we have a workforce that understand all the things we want them to? In youth justice, there is no structured progression route for workforce. In other areas of practice, policing, as an example, you have a rank structure. I am not saying that you have to put ranks into youth justice, I'm just explaining that there is a mechanism and a pathway for professional development.

In youth justice, there isn't. If I'm a youth justice worker and I work in Exeter and I'm doing a brilliant job and I get offered to go and work in, I don't know, Cornwall, what may happen is they may say: oh, we want to keep this individual, so we will make this a senior practitioner role and we will add this bit onto it and add that bit onto it. So what you get is huge variation around the skills and capabilities of staff.

Well, actually, there is something about having a consistency of understanding around online harms, neurodiversity, how to work with children who have a preference for violence, how do we work with children with speech language/communication? Because at the moment, we are expecting people to know everything or we

are expecting them to rely on others.

Q. So there is a bigger piece in relation to the interventions around pro-social activity that we touched upon, but on the narrower aspects of ensuring that youth justice service workers and social care team members, who may receive the action plan and the safety planning out of this, that there is a big concern about what an adolescent boy is looking at online and seems to be dealing with a lot of violence and gore. The obvious things -- it's not easy to do -- that require doing is careful discussions with the parents about online safety in the home and software and ways of dealing with that and then interventions with the child, seeking to influence and educate about the risks in relation to that and move towards more pro-social activities. But should we understand that, to the extent the Inquiry may take the view that that requires investment and up-skilling, that you would readily agree with that?

A. Yes. Definitely absolutely. On the point around online harms, I do not think it is just youth justice workers. I think it cuts across most of the partners as well.

Q. Yes. Health and police?

A. Yes, and education as well.

Q. Thank you. We will come back to powers on certain orders in this area a bit later.

If we look at the evidence pack on online harms, YJB000146, please. So this is the evidence pack, June 2026, so very recent.

If we go to page 8 YJB000146_0008, the bottom two paragraphs, we see quite granular passages relating to the particular dangers of algorithms, and many witnesses have spoken to that. So:

"Content recommendation systems are designed to maximise user engagement by automatically personalising and recommending content based on users' previous views, interactions ... and the behaviour of similar users ..."

We see, in fairness to the care that has obviously gone into this document, the numbers, 14, 15, 16, 17 and 18 in this paragraph. I think, if we go to page 38 YJB000146_0038, there are different types of literature --

A. Yes.

Q. -- but that is drawn from sometimes interest group documents, like 5Rights Foundation, but in other cases, the academic literature in this area, in broad terms. Would you agree?

A. Yes, yes.

Q. Thank you. Then we also see, at page 10 YJB000146_0010. I'm partly going to this because -- out of a wish to be fair because I pointed out guidance that doesn't include

online harms, but this evidence pack has a lot of useful material. So on page 10, we see reference to generative AI being used and the risks in relation to that, and a helpful list of bullets points on the way in which AI could be maliciously used. So:

"Evade and circumvent content moderation efforts ...

"Tailor propaganda content."

So the creation of deepfakes, "audio recreations and voice-overs":

"... used to create pop music promoting antisemitic and racist ideologies during the ..."

Post-Southport riots:

"Tailor recruitment and radicalisation efforts ... chatbots ...

"Help plan attacks by facilitating operational ideas ... bomb making [and] 3D printed ..."

So that's speaking very much to what some of our experts in our seminar on technological aspects were referring to as "AI risk". So this, would you agree, this seems much more attuned, as a Youth Justice Board document, to the emerging threats, than the guidance?

A. Yes.

Q. Now, against that background, if we can go back to the first page YJB000146_0001, what's the status of this? I mean it's, on one view, a slightly curious title of

"Evidence Pack". Who does it go to? Is it circulated to everybody?

A. Yes. So this is published, it is available on Gov.uk. We share it with all heads of services, chairs of management boards and directors of children's services and then we use that to seek to influence, where there are evidence gaps. So we will work with the big research -- organisations who have been funded by Government to undertake research. So we are doing some close work with UKRI, as an example. So whilst we have a very small capacity to undertake research, we have three people in the team and we have about 120k that we can commission research out. We really, really want -- I mean, that's not going to do enough to address all of the things that have come out of this evidence pack. So we then seek to influence others, to undertake work that would fill the gaps for us to then help the sector to deliver better going forward.

Q. Right. It is a recent document and I do risk unfairness in this question but I'm going to ask it anyway. If we were to take a straw poll of 100 frontline Youth Justice Service practitioners, how many do you think would have read this?

A. Really good question. I may be optimistic at about 30 per cent. I say that just on the basis of the

Phase 1 evidence, where it was clear some of the people gave evidence hadn't read the most up-to-date case management guidance.

Q. How many of those hundred do you think would have been specifically trained in relation to this, if one were to be generous and to say --

A. None, none, none.

Q. -- in a year's time?

A. Well, we don't deliver training.

Q. I appreciate that, but that wasn't the question.

A. I suspect very few, and I think this goes back to my point about capability. I think it is a real gap. I think there is a gap in understanding what works, I think there's a gap in understanding how we upskill adults generally to be able to understand the online world that our children live in.

Q. Yes, so if we can go to page 34 YJB000146_0034 of this document. There is a telling section, it might be thought, on "Implications for policy and practice".

We see, in relation to this, that, amongst other advice, it says that children's online lives need to be considered when managing safety concerns.

If we can just go to the whole page, we see:

"Investing in workforce capability and confidence.

"Practitioners often report uncertainty about how to

identify, interpret and respond to online harms. Workforce development, including digital literacy and understanding emerging online risks, is paramount to build practitioner confidence and ensure consistent support and appropriate responses."

So that's speaking to what I have been asking about. How are you going to -- I don't mean you -- I don't necessarily the Youth Justice Board -- but how is Government to bridge that gap, where, even in a year's time, maybe none of the 100 would have been trained in it and 30 per cent may have read it, but they need these skills and they need to be aware of this importance?

A. They need those skills -- and I don't want to be facetious because I can't answer for Government -- we would want to, as a continuous improvement body, as we move forward, be able to really help in this area but we need to have sufficient capacity. We will be significantly smaller. If I didn't make that clear earlier, when we were talking about, you know, reducing the number of arm's-length bodies. We are 92 people today. We will probably be about 60 per cent -- we'll be about 40 per cent smaller come next year and would want to be able to prioritise doing this really, really important work.

This goes back to my other point about working

across Government. We may be an arm's-length body but we have a massive amount to offer and we are not part of Government and we are not seen as being part of Government and I understand why that is and why that's important but that doesn't mean that we shouldn't then be part of the solutions, because we really want to be and we would be very happy to be part of taking particular support around the workforce forward, going forward.

Q. Leaving to one side -- and I'm sorry, because that sounds discourteous to your role and to the board and I don't mean it to be -- but leaving to one side the machinery of Government issues, as between the board and Ministry of Justice, in concrete terms -- and of course, money is not limitless -- what would be top of your wish-list, to actually improve the understanding of online harms and the risks and get this so that those who are at the frontline have better skills and knowledge to intervene more positively? You will appreciate the background of asking that.

A. Yes, something really simple about -- the understanding of navigating online platforms. Then the second -- which I'm not convinced is necessarily for youth justice practitioners, but goes back to that broader skillset -- then what is going to work with that group of children

who are literally living their lives online and not leaving their bedrooms. There are some. So what's going to be the best way to get them out of that bedroom and living in the real world in a safe way?

Q. Thank you. Perhaps we will just start the next topic, if you are all right, for five minutes, or would you like to break there?

A. Five minutes, I think I can manage.

Q. Thank you. So I want to just turn to information sharing and then we will start and then we will break for lunch. So if we could go back to your statement, please. Paragraph 105, page 35 YJB000194_0035:

"Information sharing between YJSs and ...(reading to the words)...Act ..."

Then at 106, you give the statutory provisions which I don't intend to go through. But if we can go on to page 39 YJB000194_0039. Paragraph 109, at the bottom of the page, you say:

"In many cases, the statutory data ...(reading to the words)... Understanding ..."

We have heard some reference to that from others. Paragraph 110:

"The Working Together to Safeguard Children ... Statutory Guidance states ..."

Then we go over the page YJB000194_0041:

"Practitioners ...(reading to the words)... of children."

Here, we start to get into an issue that we have raised with other witnesses, that the focus remains on the safety and welfare of children, would you agree, in language that doesn't make overtly clear that it also includes the risk of children harming others?

A. The language in the working together guidance? Yes, I absolutely would agree. It is solely about the safety and welfare of children.

Q. Then paragraph 111, speaking to the complexities, you give a further citation from the Working Together to Safeguard Children guidance:

"There are interdependencies between local arrangements and other strategic partnership work happening locally ...(reading to the words)... decision making."

Now, the concept that each safeguarding partnership should be clear on the roles and responsibilities of these many partnerships, when you see the complexity, seems like a very big ask, would you agree?

A. Yes, it is complex and complicated.

Q. Then, 112:

"YJSs are permitted to share case-level information with partner services via AssetPlus."

You give the citation for the guidance:

"Where you share information with other agencies and individuals about a child, you must ...(reading to the words)... local policies and procedures."

So, does the guidance and the practicalities actually meet the original high statement? Because you say, effectively, current legislation allows the sharing of information appropriately but when you get towards the guidance, there's quite a lot that is precautionary and urging caution about data protection and if we just go back over the page, to the previous page, bottom of the page, necessity and proportionality. It might not be thought to be an emphasis on the benefits of sharing information, in particular, in the context of risk to others and starting from a data sharing concept, rather than a don't share data unless you can show that it is necessary and proportionate and remember the GDPR obligations?

A. I'm going to take the point about GDPR. I don't think it says don't do it personally. Because it should only be shared when there is a necessity to promote safety of the individual or the public.

Q. Taking it shortly, couldn't more be done to emphasise that if a child is assessed to pose a risk to others, that that is a gateway to the sharing of information

that needs to be followed?

A. I think this is part of the case management guidance that we have amended, if I'm not wrong and I will double-double-check in the break. There's definitely something we have added into this section about information sharing. I haven't got it written down. I have my really high-level, two-page summary but I can bring it back in after the break.

Q. Because again, you will understand the context for raising this now in Phase 2. Because in Phase 1, for example, specific to youth justice services was the knowledge that AR had seriously assaulted his father but that wasn't shared with other agencies and within a short period of time, was then lost from view. That youth justice services didn't share the whole of the AssetPlus deliberately, they only shared excerpts of it. So, although if we look at page 50 YJB000194_0050, paragraph 145, perhaps understandably, you say:

"There is also variation in how and when referrals made ...(reading to the words)... basis for sharing ..."

So you are emphasising there that: we have problems with health and education giving us information, but Phase 1 of this Inquiry, while flagging those issues, there is a problem with youth justice services sharing

information out, when it was relevant to risk to others?

A. Absolutely. I think I gave evidence in Phase 1 which was very clear that that should have been shared.

Q. And what progress since?

A. In terms of information sharing?

Q. Information sharing out, when there is a risk to others?

A. That is where the case management guidance, I'm confident, has been updated. I just can't remember the wording, so I will double-check in the break and bring that back.

MR MOSS: Thank you. Sir, that might be an appropriate moment.

SIR ADRIAN FULFORD: How long, Mr Moss? You know how much you have got left.

MR MOSS: Yes. Might we say 1.50 please, sir?

SIR ADRIAN FULFORD: 1.50 pm.

(1.04 pm)

(The short adjournment)

(1.50 pm)

SIR ADRIAN FULFORD: Yes, Mr Moss.

MR MOSS: Thank you, sir. So we were dealing with information sharing and if we could have back on the screen, please, your statement at YJB000194, page 40 YJB000194_0040, paragraph 112, the passage at the bottom of the page. We have had, disclosed to us over

lunchtime and we will circulate to Core Participants as soon as we can, the amendments, or the proposed amendments to the case management guidance. So just looking at that language at (a), the new version will say:

"Necessity and proportionality: personal information should be shared when necessary and proportionate to promote the safety of an individual or the public.

"Data protection law does not prevent necessary and proportionate information sharing to safeguard individuals from serious harm." (As read)

So that's a move in favour of a more permissive approach, not suggesting there's been any change in the law but a different in emphasis at least in that area, would you agree?

A. Yes, absolutely. Now you have a copy, I'm happy to take any feedback. That's quite easy for us to amend. We can do that like live, so if there's any other feedback we are happy receive that from you or Core Participants.

Q. Thank you. The bigger challenge, in a sense in this area, perhaps, we can see from another set of witness evidence. Could we have on the screen, please, YMC000001. If we just start with the first page. Just so that you get your bearings. You will see, Ms Roberts-Bibby, that this is the statement of

Ms Bonham-Griffiths and Ms Williams of YOT Managers Cymru, and if we can turn to page 10 YMC000001_0010, please.

We see, at paragraph 51, that they say:

"Clear national guidance and consistent training are required in relation to when AssetPlus or relevant risk information should be shared. Guidance should explain the legal and safeguarding basis, addressing necessity, proportionality, consent, confidentiality and the circumstances in which safeguarding permits or requires sharing.

"Current case management guidance does not provide sufficiently specific youth justice guidance on safeguarding and information sharing. A Youth Justice-specific document should include practical decision criteria, clarity about full assessments and extracts, case based training, management oversight, recording expectations and escalation routes where agencies disagree."

Coming, as it does, from the chairs of that representative organisation, that seems a -- very far removed from the information sharing duties being well understood and well embedded, would you agree?

A. Yes, yes.

Q. Guidance along those lines would need far more than the

management guidance document -- amended in the right direction, though it may be -- would you agree?

A. Yes.

Q. Is there any plan in place to give -- it may need to be a separate document to the management guidance because of how much detail would need to be provided -- but is there any plan to give specific guidance on that?

A. There is no specific plan. This is the first I have been made aware of YOT Managers Cymru's request and we will take that away and look at that. I think that would have to be done separately because, as I explained earlier, the case management guidance is the "how of the what" to the Standards for Justice, and even though we have been advocating for a review of Standards for Justice, that hasn't been done, so all of the case management guidance has to align with the standards for justice. So I think it is a separate product.

Q. That wouldn't be the home for it, in any event?

A. No.

Q. All right. Well, you have it there in terms of the ask, not from an individual practitioner but from the Welsh YOT Managers Cymru organisation.

You reference in your statement -- and we have been looking at with other witnesses -- the changes brought about by the Children's Wellbeing and Schools Act 2026.

We have heard evidence that Dame Rachel de Souza, the Children's Commissioner for England, urged in relation to the guidance for that, that the guidance should be clear about the risk of a child causing harm outside of the context of harm occurring to another child. She -- they put in, in their representations:

"The guidance should make clearer how professionals should share information when they are concerned that a child may cause harm, either in general or to a specific individual." (As read)

But the published guidance, ILT000362, at page 20 ILT000362_0020, so this is the very recently published guidance and familiar territory that we have been exploring with many witnesses, but middle of the page:

"Sharing information where a child pose as risk to others.

"The information sharing duty extends to information about any other individual connected to a child, provided it is relevant to a child's safety and welfare -- therefore, it includes sharing information about a child who potentially poses a risk to another child."

So there is the emphasis on the risk being to another child. But then it says:

"Information should not be withheld solely because

the child, as the information subject, is not at risk themselves but instead potentially poses a risk to the safety and welfare of others."

So then it goes broader. But then, in the next paragraph, it goes narrow again:

"Often, children who display harmful behaviour toward other children have unmet support needs and may have been exposed to harm themselves."

So, the concern arising out of that is that there is still -- it might be thought at the very least -- ambiguity about whether the information sharing duty, under the 2026 Act, is engaged only where a child is a risk to other children, or also when they are a risk to the public and to adults. Do you agree that that ambiguity remains?

A. Yes, I think it could be more clearly articulated in perhaps a sharper way. Apologies, to the pensmith, in this instance.

Q. No, but is that a polite way of saying this guidance is quite unclear?

A. I think it is seeking to add clarity but isn't meeting the intention because it starts -- the first paragraph I think is very, very ambiguous. I think you start to get some clarity into the second paragraph but it could be much sharper.

Q. Thank you. Back in your statement, page 41 YJB000194_0041, paragraph 114.

Forgive me, it may be over the page YJB000194_0042. So 114, you have been talking about the 2026 Act:

"While the legal basis outlined above may increase confidence in information-sharing between services, it will only be effective in managing children at risk of causing serious harm if services work together and agree a coordinated approach to mitigating that risk."

I'm not ignoring the second half but the first half of that sentence suggests it may increase confidence, but that doesn't sound like it has solved the problem?

A. No, I don't think it has.

Q. One sees that in clearer terms, in your paragraph 115:

"In relation to children who may pose a risk of serious harm to others, we believe that safeguarding legislation and statutory guidance remain open to interpretation as to whether they apply to this cohort. This was recognised in Phase 1 of the Inquiry. While we have outlined the legal basis for information sharing under agencies' safeguarding duties, uncertainty will remain unless the legislation and guidance are revised to provide greater clarity."

I assume that remains your view?

A. Yes, it is. Yes.

Q. Thank you. One aspect that might be thought frustrating and disappointing in this area is that this legislation, and in particular the guidance, is so very recent. So the 2026 Act gained its Royal Assent in April and the guidance is dated last month.

But, it might be thought not to be very joined up with the area of Government working that is looking at violence fixation and children posing a risk to other children and that, with relatively moderate amendment, it could have been very useful in making the position absolutely clear but it hasn't done so?

A. I think this talks to a frustration of mine with all of this work is how can we better work centrally, across Government, to deliver the things we need to deliver? We can learn from that as well. I'm not saying we are -- the YJB are immune from that. But trying to get all of the relevant voices heard in the relevant pieces of guidance, because there are other pieces of guidance -- you may ask me about them in terms of our contribution -- that we may have given comments on that's then not been included. I think that we are missing tricks by not spending enough time speaking to -- well, actually having the right people in the right room, to be able to really contribute to the policy guidance.

Q. Did the Youth Justice Board have the opportunity to contribute towards the drafting of that guidance, or indeed, of the --

A. Not that I'm aware of. No one in my team, as far as I'm aware of. I'm making an assumption that that engagement would have been done. When I was referring earlier to working more broadly across Government, that has been done by predominantly the Ministry of Justice. So I am making assumptions but, again, that could be totally wrong, that MoJ would have been engaged in that work.

Q. I follow. Then, if we can scroll down to paragraph 116 and 117 of your statement. I have been asking you about children's risk to others in the context of information sharing. But you draw the Inquiry's attention to the HMICRS report into multi-agency responses to serious youth violence and you give a helpful citation from that report from the inspectorate, which is:

"The current child protection system is still very much focused on risk within the family. We saw examples where professionals were struggling to understand what pathways and options were open to children at risk of serious youth violence. Some children's services identified these children as children in need and some as children who needed a child protection response. In the worst examples, serious youth violence was not

recognised as a safeguarding issue and children and families were not referred for support of any kind."

Then you observe that the inspectorate's report was:

"... largely concerned with children involved in serious violence who were themselves vulnerable and often victims of exploitation, abuse or violence."

You say:

"... even in these circumstances, agencies did not consistently recognise serious youth violence as a safeguarding issue, resulting in some children and families receiving no support at all."

So, just pausing there. More than two years since the Southport attack, and after the Phase 1 report, this Inquiry, you seem to be saying there is still a lack of clarity in children's services about whether children's risk of serious violence to others is appropriately viewed as a safeguarding issue or not?

A. Yes. That's what our evidence is.

Q. What is needed to change that position? Is that a statutory change that is needed? And the challenge, perhaps in children's services, would also be, how do you stop them then being swamped, if you change their statutory basis to make that overt? They would say 600,000 referrals, as it is, predominantly for risk to the child and if you add in a risk of a child being

violent to others, the system will be swamped?
A. I totally agree and I think some of the challenge at the moment for children's social care is volume and I think a prioritisation of younger children who are seen as being more vulnerable than perhaps the cohort of 14-17-year-olds. So I think there is a prioritisation within a prioritisation of where do children's social care put their efforts?
I accept the point about further extending the volume of work. However, we know these children are likely to be being worked with by a statutory agency in some way. You know, quite often they are not at school, so, there is not the protective factor or safeguarding arrangements of school. Quite often, they may not then be meeting the threshold for working with children in social care.
This goes back to the point I was talking about earlier on in terms of the layers of vulnerability. They may be living in a household -- and we know -- I think we referred to the Children's Commissioner's evidence of children who perhaps are living with violence and witnessing violence and I think we have to work smarter. Some of this does, I think, go to how that big front door is working and how we are making sure we are picking up the right children and they are

getting the right support and service, rather than children bouncing around systems and then causing significant harm and then the system reacting at the point that they have caused harm and resulting in victims.
Q. You refer later in your system I think, to SHiFT, which we may come onto as one example of the emphasis that that charity are giving to consistency of care.
A totally different point, in a way. But in the open-source information from that charity, they suggest that -- I think it is for every pound invested, in their work, there is a saving of £8?
A. Absolutely.
Q. So one shouldn't think of this, even if one is looking at it in narrow, fiscal terms as being spending with no return?
A. Sure. Similarly, we did a piece of work -- I think it was in 2023/24, we can share it with the Inquiry -- a cost-benefit analysis for every child that's diverted from coming into the statutory system, of, for every pound, how much that saved. So there is definitely a financial argument for doing things differently which may, for a period of time, feel more intensive, but in the long-term is definitely going to, I think, be more cost-effective.

Q. Thank you. I want to turn away from information sharing and just look at some further aspects in relation to the actual identification of VFIs and the risks that they pose. Can we start with that at page 45 YJB000194_0045, your paragraph 125 please.
So you say:
"When used effectively, existing youth justice frameworks, standards and guidance provide a strong and comprehensive basis for identifying and managing risk, including serious violence ..."
Is that right?
A. Yes.
Q. At the bottom of that page, paragraph 127, you say:
"There is good evidence that early, proportionate and relationship-based interventions delivered through these approaches can reduce offending and prevent escalation where implemented effectively ..."
But you also say:
"However, engagement at the pre-offence stage remains inconsistent."
That inconsistency, does that arise in part because of the regional variations of services and funding that we spoke about earlier on?
A. In part. In part, it is about regional variation and --
Q. And the other part?

A. The other part is around competence of workforce, and the other part is about following the evidence of what we know works and applying that in practice.
Q. Thank you. You say:
"Prevention activity is largely voluntary and referral based, meaning YJSs [also] do not have full visibility of all children at risk, particularly compared to statutory cohorts ..."
Is that right?
A. Yes. We do think there is a role for Youth Justice Service in working with those who may not be -- I think I made this point earlier, Mr Moss -- who may be working voluntary and that could work with the group, the VFI/NIEV/NIVE, whatever we ended up calling them. But that need, of course, to be -- it goes back to the point I have just answered -- appropriately resourced with a skilled workforce to be able to do that.
Q. Then paragraph 128, you say:
"This is compounded ...(reading to the words)... often outside the view of services."
The second half of that sentence, all important and makes sense on its face. The aspect of it compounding, can you just help what you see as the link between the inconsistency of the pre-offence stage with the emerging risks and online harms? Why is there a compounding

effect there?
A. Because there is the -- there is no visibility. At the moment -- it guess back to the discussion we had before the break -- is there's very limited visibility of what children are doing online. The professionals don't always know and then they don't always know how to respond. Then there is, I think, a lack of what is the right intervention, what is the right thing to be able to do with this child. I want to be clear, there are quite few and far between; you're probably maybe not even having one in every service and then, I think, that again, creates another challenge.
I mean, there are some opportunities under the devolution agenda, where -- and I'm talking predominantly about England in this respect, rather than Wales, although there are opportunities in Wales -- where there may be strategic authorities -- where they may be opportunities to pool resources and funding. So where you have small cohorts of children -- we have done some of this work with remand in London, at the London Accommodation Project, where you get collective commissioning, where you could then collectively commission either a resource, someone with the right skills or a service, to be able to work with that very small cohort across a geographical patch. Because that

way -- let's say you have 20 youth justice services work together, you may only lead one of a thing rather than 20 and you may have more chances of retaining that person with the right skill.
Q. All right, so we may come back to that issue of regional as opposed to local options, when we look at the framework. But that's helpful, thank you.
I want to turn just briefly to those with neurodivergence and if we can look at page 46 YJB000194_0046, paragraph 131 of your statement.
You say that:
"The guidance ..."
This is the management guidance:
"... supports adapting practice to meet a child's needs and promote engagement. It does not indicate that mental health conditions or neurodivergence remove the requirement for children on statutory orders to participate in supervision. A draft amendment is being developed to make this position more explicit."
Then, if we look at page 47 YJB000194_0047, paragraph 134 of your statement, you say:
"There is a section in ... 'How to work with children' chapter ... which gives guidance on how to adapt supervision of children ...."
Then reading down in the paragraph, we see you say

again:
"This guidance does not say that neurodivergent conditions excuse a lack of engagement, and a draft amendment is in process to state this explicitly in the guidance."
So what you seem to be saying, in a number of places in your statement is, that there is no sin of commission, in the guidance. It doesn't say: if a child is autistic, then that can excuse a lack of engage. But what you seem to be saying is: we don't make the opposite clear, and the amendment is going to deal with that?
A. Yes, and you should have copies of that in a pack.
Q. Yes.
A. It particularly relates as well to conducting an assessment, where we have been very clear that --
Q. All right. So let me take it again. We don't have this on our system. I'm afraid, because it was only disclosed at lunchtime. So on the subsection on conducting an assessment, it will now read:
"Identify the child's learning, communication and language needs, including any neurodivergence, such as autism, ADHD, dyslexia or dyspraxia, to ensure appropriate support and communication strategies are included in the intervention plan." (As read)

Pausing there. So far, it may be thought, unproblematic and uncontentious. But it then says this:
"You should be aware that awareness of neurodivergence can help to understand behaviour but does not, in itself, reduce risk." (As read)
A. Yes.
Q. What's that meant to --
A. That means that you may have an awareness but you may still need to do things with that child in order to mitigate and manage risk. It is not just about knowing that the child may have a neurodivergence, whether that be ADHD or autism, but that you are going to have to respond differently and there are going to have to be things put in place --
Q. Yes. One follows that, but is that language sufficiently clear, do you think? Because there is at least two aspects here that were problems in AR's case. So one was that his neurodivergence was treated directly as excusing his non-attendance with his youth justice worker. The other aspect is the sense in which inappropriate, dangerous, violent behaviour was excused, or overlooked, on the basis of AR being autistic.
Whereas, the correct approach would have been to analyse carefully the way in which his neurodivergence may have contextualised the risk. It may have been

an important aspects about his isolation, that were connected with his neurodivergence, but his neurodivergence didn't excuse his conduct, nor did it diminish the risk to others from it. Yet, it meant that he, for example, wasn't arrested and that follow-up action of other forms wasn't taken.

Now, against that background, saying: you should be aware that awareness of neurodivergence can help to understand behaviour but does not in itself reduce risk. Does that really give the necessary clarity, do you think?

A. You are asking me when I have agreed a document, so --

Q. Yes, I'm challenging you on your agreement of it?

A. Clearly, it doesn't for you and perhaps we therefore to test some thinking with people in practice, so we can absolutely take that away as something to respond to. If I was in practice, I would be thinking: right, what's the risk plan now? What's the risk mitigation? How am I going to meet this child's needs? But if your interpretation is that's not strong enough, we will take it away and strengthen that. As I say, we can do this live. It is not difficult for us to do that.

Q. Well, all I can do is ask questions but you will have gathered --

A. It is really helpful to have the provocation --

Q. -- whether that makes those two factors clear?

A. I think when you are around this all the time, it is very easy to think that everyone knows what you know and even being here today, I realise not everyone does know what I know. So we can absolutely take that away.

Q. With your knowledge, particularly of the Southport atrocity, it may be that the meaning of that and what is intended to achieve is clear but if you thought about that as the outside practitioner, without that background, perhaps less so, but it might be worth revisiting.

Page 50 YJB000194_0050, paragraph 146 please. In terms of issues that you identify as being challenging in the current approach. You say:

"Current approaches are not designed around children presenting with unclear or mixed motivations. This means practitioners not supported by a clearly defined or consistent national framework for identifying and assessing these risks."

Yes?

A. Yes.

Q. To some extent, ground we have covered previously. But the emphasis on unclear and mixed motivations and not having a defined or consistent framework for that, why are you particularly referring to unclear or mixed

motivations in this context?

A. Because I think that there has been a lot of work done around extremism/terrorism and it goes back to the discussion we were talking about earlier, whether it is VFI, NIEV, NIVE, whatever we want to call it, we know the evidence base still needs to be further developed around children and indeed, I think adults, who do not have -- who have a non-ideological view to their offending.

Q. Thank you. Then in 147 you raise the lack of a specific risk assessment tool designed for these types of behaviours, is that right?

A. Yes.

Q. We will come back to that. You also, in 148, raise funding issues in this context. Which, again, I will come back to, if I may, under a later topic. But if we go over the page YJB000194_0051, you say in paragraph 150:

"While YJS practitioners have expertise in assessment, relationship-based practice, diversion and risk management, the [board] considers that diminishing and inconsistent partner contributions, alongside increasing expectations of services, can make it more difficult for some YJSs to access the information ..."

The reference there to "diminishing and inconsistent

partner contributions", means what, in concrete terms? Give us an example.

A. I think I gave you the example earlier of probation. Health, in terms of the ability to respond. In some areas, there are challenges around alternative provision for education. We tend to see that you have generally got good representation at management board but then not all partners are represented in the delivery of the service and the Act is very clear, that it is a combined service across children's social care, education, probation, policing and health.

Q. So my simplistic layperson's terms, but you have the senior folk, or relatively senior folk turning up at the board meetings but not the operational staff --

A. Not always the capacity at working level.

Q. -- the working-level contribution?

A. And can I be clear, that's not because of a lack of want. That's normally -- nearly always driven by resourcing. It is very rare that it is because someone doesn't believe or doesn't want to support it. So I don't want to look like --

Q. It is not a lack of engagement or a lack of caring?

A. No, and that's why we tend to see, at management board level, even if it's someone who it isn't their lead area, someone will be there. Someone will be doing it

on top of their other portfolio. So I don't want to make it look like people don't care about it. They do, it's just it is an absolute capacity issue at working level.

Q. So, insofar as -- in terms of reforms of the Youth Justice Board and issues with the MoJ, insofar as some aspects of your evidence may be a plea for greater funding for the board, or a continued role for the board, in fact, at paragraph 151, you say that the:

"[Board's] view is that strengthening the capacity of the wider youth justice partnership, rather than solely increasing [Youth Justice Service] staffing levels, would be most likely to improve ...(reading to the words)... serious harm, risk consistency."

A. Yes.

Q. What one might take from that is if you do not have the probation staff to provide probation type support, if you don't have health resourcing that is able to give CBT type interventions and other interventions of that kind, because of thresholds and resources, those are the things at ground level that mean that risk is not being sufficiently mitigated?

A. Yes, and sometimes identified.

Q. Thank you. If we turn to multi-agency working then, please, next. If we look, first of all, with a focus on

how it is at the moment. Page 55 YJB000194_0055 . Paragraph 169. You say that:

"YJS case managers are responsible for carrying out comprehensive assessments of a child's needs and risks, and for putting appropriate support in place."

Just pausing there. Assuming that the potentially violent child -- if you will forgive the short-form description -- is on the youth justice service caseload, you are envisaging a primary responsibility sitting, as things are at the moment, with the youth justice service carrying out the comprehensive assessments of a child's needs and risks; yes?

A. Yes, which would be either, depending on the child's outcomes, a PDAT or an AssetPlus.

Q. But in either of those, that would involve drawing in information from other agencies, naturally?

A. Of course, yes.

Q. You say:

"Generally, this is done well for children who are engaged with statutory YJSs."

Now, two aspects about that. Do you have the same confidence for the non-statutory youth justice services?

A. No. I think I go on to say it in the next sentence, there is less consistency. Again, because people will not necessarily prioritise sharing information or maybe

not even have the information about those children and I think this comes back to the importance of, if you have a piece of information, really questioning: who do I really think needs to know this as well, if I'm seeing something that just feels a bit off? Which goes back to my point earlier, it is not just about identifying, it is then about responding and make sure -- if it is a Friday afternoon and you are seeing something really odd, don't leave it until Monday morning to write it up. Do something there then.

Q. Even as regards the statutory youth justice services, one has to remember that AR, for a year, was part of the statutory cohort and the findings of Phase 1 of the Inquiry were that those services were relatively poor --

A. Yes.

Q. -- and that phrase is a direct quote from the report, in responding to AR. So, what gives you the confidence that generally it is well done for children who are engaged with statutory youth justice services?

A. Bearing in mind we don't do the case-level work, I do have confidence in the quality of the inspections that HMIP undertake and they do do. When they do their inspection, they will look at the full caseload of a particular service and this is not something that they are routinely saying is an area of concern. Now, they

are saying it can be strengthened. But they are not saying that this is -- unlike in probation, where they are really struggling to deliver because of volumes of cases, good quality assessments. There is still more though, that -- I think in the last HMIP annual report was saying more can be done to strengthen that and in particular, more for victims.

Q. Presumably, the poor standard of Lancashire was not, in any sense, a one off outlier; it speaks to variability, nationally, in equality?

A. Yes, and I think there is a real challenge because consistency -- and you referred to the postcode lottery earlier -- of practice across 157 locally autonomous services is really, really varied. I think that's -- one of the things that we have been really keen to see is, in terms of the Standards for Justice Being reviewed to try to think about how can we drive up consistency practice? What can be done to do that when it is a locally autonomous, nationally devolved system? I think there is learning there. I know we are going to talk about devolution and regional ways of working late, but I think that is something that needs to be considered as part of the current agenda to devolve locally, is about how does that happen and how do we make sure that there is still good quality provision in

line with the national framework?
Q. Thank you. I understand the general importance that you give to working with systems that we have and improving them, rather than necessarily a whole redesign. If we look at page 56 YJB000194_0056, paragraph 175. You say:
"... responsibility for overseeing the risk of serious harm posed by a child would rest with the YJS where the child is on the statutory caseload."
So looking at the current management responsibilities sitting with youth justice service in that way, one of the problems it might be thought about that is that point about it aligning with the duration of the court order?
A. Yes.
Q. So, it is not, in that context, entirely optimal because it is going to be time-bound --
A. Yes.
Q. -- and absent specific acts of re-offending, and further sentencing, there will come a time when the statutory caseload work ends. Is there discretion to have a step down, where it reverts to preventative voluntary?
A. Yes, providing that is voluntary and there is a willingness to consent to engage from the family and the child. And there are occasions where that does happen because that's been seen as being necessary to

meet that child's needs and to prevent harm.
Q. But, even in the case of the duration of AR's Referral Order -- and one understands that, in a sense, it is an anecdotal example -- but he had two different youth justice workers in that time. So even if there isn't a change in youth justice worker, at the end of the Referral Order, ordinarily a lead agency is going to become somebody else?
A. Ordinarily, yes. Yes. If there is an ongoing need, yes.
Q. And in terms of --
A. That was, I think, children's social care.
Q. Yes, and in terms of trusted relationships and continuity of care, that's not optimal either?
A. No because that could be a different person from a different agency, which isn't the agency who is being identified to meet the need. It could just mean who you've got the good relationship with. However, we do know there is something very, very powerful and the importance of relationships and I know you have probably heard that in some of the seminars, but going back to some of the SHiFT work, that is what that shows, that that relationship is very powerful.
Q. So that could, with a good youth justice worker, be a positive -- and a role model and a trusted mentor type

role, if it works well, but there could be a sudden end to that in Referral Order work, even in those cases where it goes well?
A. Yes, yes.
Q. Then 176, having said cases will sit with youth justice service, you say:
"Where the child is subject to MAPPA, responsibility for managing the risk of violent offending is set out in the relevant guidance ..."
But as we look at earlier on, MAPPA is not going to be relevant to the overwhelming majority of children in this cohort?
A. Absolutely.
Q. So that impression -- it may be unfair, when I suggest that there is an impression that may be drawn from your statement, that current systems are, broadly speaking, okay, where it is with the youth justice service and MAPPA. Is that perhaps a little bit rose-tinted?
A. I think it is okay when children are on a statutory order. I think there is more of a challenge, when there's not a --
Q. Yes, but even when they are on a statutory order, because it is time-bound in that way, if one is dealing with the longitudinal risk?
A. In practice, if there was a concern, I know that

services hold onto children. I mean, I know that happens. But there isn't a requirement because the order has ended, and there isn't a requirement because there is an unmet need. I mean, that's the point -- I think that is the point you are getting to.
Q. Yes.
A. So, I don't intend to be rose-tinted at all. I think in my statement we were trying to be very factual about what the current arrangements are, and I think I said this morning, MAPPA is very rarely used. It is not necessarily designed for children, it is designed for adults and that's why I think it is important that through the Inquiry, wherever it is designed, it is going to work in practice and the reality is it is going to work.
Q. Thank you. You go on to say, if we look at paragraph 178, a bit further down, page 57 YJB000194_0057:
"... where a child is not under the supervision of either the YJS or MAPPA, the respective roles and responsibilities of different agencies become less clear ..."
So I challenge you a little bit on the "it is clear and works reasonably well, the youth justice service and MAPPA". But here, you are coming to, if it is not in

those cohorts, then that's where it is less clear; is that a fair summary?
A. Absolutely, yes.
Q. Thank you. So, one of the questions from the victims teams is, is it clear to you, the Youth Justice Board, today, who is actually responsible for identifying and managing VFI risk to the public in cases outside of youth justice service caseload and MAPPA? What's the answer to that?
A. I don't think there is clarity. I think that's exactly what I'm saying, I think in the second part of 178, is that it is not clear who is then responsible for identifying those risks and then managing them.
Q. Thank you. Then you, in 179, have that reference to Working Together with the complex array that we looked at earlier.
A. Yes.
Q. But you also flag the issue of cliff edge at aged 18. If we look at page 55 YJB000194_0055, 171:
"Support available to children often reduces significantly when they turn 18, creating a cliff edge between children's and adult services ... They are no longer eligible to receive the same level of support provided by the justice service (for example CAMHS and specific child-focused resettlement programmes)."

But presumably also from the youth justice service?
A. Yes, and I do think the cliff edge isn't just at 18. I think in -- sometimes in some practice, people start to think: oh, this child is 17 --
Q. They are so close to 18?
A. They are very difficult, let's start the transition. When, in actual fact, that doesn't actually solve addressing the needs and mitigating any risk or harm.
Q. Thank you. We heard from the Welsh Government last week. I don't think that Dr Goodall was claiming perfection in this regard, but that Wales has made progress to having some mitigation of the cliff edge, in part, I think, by imposing an expectation that there will be service continuity and, in part, by having a national safeguarding board that oversees that. Are there lessons for England from that?
A. Definitely, and building on that, there are also some lessons from the Welsh Youth Justice Blueprint, which is also contributing to some of that work and that work has now concluded and is now having a focus on consistency across out-of-court resolutions actually, in the 17 services in Wales. But there are definitely some lessons about a more collaborative way of working and preventing that cliff edge.
Q. In practical terms for youth justice services, as

somebody who perhaps is on the caseload but is rapidly approaching 18, what can be done to try to scope and shape equivalent services or as close to as possible for post-18?
A. Again, it depends on whether they are non-statutory or statutory. If they are in the statutory caseload, working really closely between youth justice service and probation and making a judgement, so there is an agreement between youth justice services and probation service about whether someone should stay with youth justice services for the period after their sentence, particularly if they haven't got very long left to serve.
The other is, particularly in the non-statutory caseload, local authorities will have a youth to adult transition team working really closely with that team and trying to make sure that that child's needs are going to be met and continue to be met as a young person, particularly if they have additional needs, whether that be neurodiversity, mental health, or have been looked after by the state or children's social care because, if they have been looked after, then some of their rights extend obviously, as you know, up to different -- and again, different areas, and different ages --

Q. Some, we know, end at 25?
A. I think that is part of the challenge. Some provisions, you might get your council tax paid until 21 at one point, and then others 25. Again, there is huge variation across England and Wales.
Q. Thank you. You draw our attention to some other challenges in this area. So if we look at page 55 YJB000194_0055, paragraph 168. Even in the cases which are managed by the youth justice service and have what you would see as the clarity that that involves, you say:
"... [the] model [could] be undermined by gaps in provision, such as longstanding vacancies in seconded specialist roles or limited engagement from partner agencies."
The vacancies in seconded specialist roles, is that a reference back to issues particularly with probation?
A. It could be probation. It could be your speech language communication lead, or speech language -- different acronym for Wales. It could be that you do not have a clinical psychologist. So, yes, those areas that are real specialists -- that perhaps a number of people will be relying on. Not necessarily just to work with a child but also to give peer support and supervision to the team because I mean, that's a real value in talking

to probation. The skills that a probation officer has are very, very valued by the rest of the service because they help develop the capability of the team.

Q. You were careful to say earlier on that, in general terms, where there were threshold and resource problems for partner agencies, it tended to be that there was engagement at board level?

A. Yes.

Q. It was the coal-face operational challenges that were the problem but here, you say limited engagement from partner agencies. Is that speaking to some poor practice in terms of not having, in the phraseology, buy-in?

A. Yes, in some areas. I mean, I think that's probably fewer than the vacancies. I think that where there is limited engagement, once that is identified, and raised, and people are reminded of their responsibilities, quite quickly that changes.

Q. Thank you. If we can just look -- although it is a general point that you make at page 16 YJB000194_0016, paragraph 41, I think it is touching on similar areas but I don't think we have looked at this paragraph yet:

"There is variation across local services as to inter-agency engagement, information sharing, approaches to leadership and multi-agency working. There is a need

for greater consistency across local services, national guidance and national leadership whilst accepting that each delivery context and community is unique."

What would be the top two or three points on your wish-list for that, in concrete terms? We understand there is a need for regional variations, at least to some extent. So what, in concrete terms, needs to change there?

A. I think there is something about multi-agency assurance. So really -- and I think that was really clear in AR's case -- I was quite surprised that there had been sort of no assurance of the case file at all by anyone across any of the partnership.

So I think there's something about how do you know, as a leadership group and a management board, that the things that you are expecting children victims and communities to get, to actually be delivered? So where are you getting your assurance that people know what they are doing, they are following the processes, they have read the case management guidance, they have read the AssetPlus guidance? So something for me that's good leadership.

The other is about information sharing which I think we have covered already, about being very clear that these are trusted colleagues and it is fine to share

information with them in the interests of either addressing a child's needs or preventing harm to a victim, or a potential victim.

Q. Thank you. Then, a discrete issue on this, that you raise at paragraph 174, page 56 YJB000194_0056 -- I apologise for jumping around -- looking at the question of multi-agency working as it is currently, you say:

"Counter Terrorism Policing ... is not a youth justice statutory partner under the ... 1998 [Act], only local police forces. This means they do not attend YJS Management Boards, which provide a core opportunity for multi-agency working regardless of cases on the statutory caseload."

Now, were you pointing to that just as a, as it were, legal curiosity, or is that a real practical drawback in the occasional particular case, or more widely?

A. No, I think I was just pointing to the fact that Counter Terrorism Policing is separate to the policing contribution, to the partnership. There are of course opportunities in some areas, you know, the Counter Terrorism Policing leadership will attend a management board, once a year, so one out of the four quarters, and have a themed, thematic discussion about preventing

terrorism with children. So there are things that they are plugged into. But again, that talks to the variation I have spoken about already about local practice. Although we want freedom with local practice, but there is something about having a national framework.

Q. Thank you. Then, finally, on multi-agency working as it is currently operating, page 33 YJB000194_0033, paragraph 100, please.

Looking at the cases where Prevent would take a referral, and cases where Prevent would be seen as the lead process. You say:

"Existing approaches are too narrowly focused, particularly within Prevent, and are not designed to deal with children with mixed or unclear ideologies or an obsession with violence. A large proportion of children referred into Prevent are categorised as having 'vulnerability present but no ideology', demonstrating a mismatch between existing frameworks and the risks presented by this cohort ..."

The reference, although it is a YJB tag there, I think is to the relevant Prevent statistics:

"The YJB feels that this approach is too static and does not consider the risks posed by individuals who are referred."

I don't know whether you want to speak more to that but that seems to echo Dame Rachel de Souza's report on referrals to Prevent, which I suspect you are familiar with?

A. Yes, I am, yes, and I think talks to the discussion we had about the "NIEV" definition and the point about vulnerability and the fact that that group of children are so malleable and on the one hand, that can be great, on the other, that's really risky. Yes, so that's why that's included.

Q. Thank you. So if we turn to how the systems for multi-agency working for this cohort could be reformed. Starting with a single assessment tool, if we look at page 5 YJB000194_0005 paragraph 16 of your statement you say the board:

"... strongly considers that there should be a single assessment tool which is used and applied across all agencies nationally. That [would] require the agreement of all government departments ... to adopt the tool."

You say:

"There are a range of established assessment frameworks that already exist across health, education ..."

And so on. Then page 22 YJB000194_0022,

paragraph 62:

"The YJB believes that government should explore, of the tools that are available, which one is best placed to assess need, improve multi-agency information sharing, and that could be implemented without creating duplication or additional burdens for practitioners. The current evidence supports structured assessment of children's needs, vulnerabilities, and risk factors, which is why the YJB developed the PDAT, rather than attempting to predict which individual children will go onto to commit serious violence."

Now, there are, in this area, potentially two different types of risk assessment tools that one could be dealing with. One would be a relatively straightforward assessment tool, suitable for use at first referral triage. So simpler in format and one that wouldn't require the same level of senior professional expertise.

And the second might be at the secondary referral stage, so more structured, professional judgement tools, most obviously the SAVRY.

A. Yes.

Q. When you put forward to the Inquiry -- I don't think you are suggesting the PDAT is it, but something that is PDAT like -- are you thinking of that in the first

category?

A. Yes, absolutely. So, at that point of the big front door, and then I think from there, being clear after that, well, actually, this does now need a more in-depth assessment in, because -- I think I mentioned it in my statement -- there are so many different tools available and you need to be clear what it is you are assessing for. I keep making this point. Identification is different to assessment and is different to planning and risk management and risk mitigation. So I think we always need to be asking: what are we assessing for and is that then to inform a risk plan, a needs plan? And bringing it then all back together, back into that arrangement of the big front door, so that everyone knows who is doing what and why.

Q. Thank you. So, at that front door consideration of a referral, you could have the case where the referral has raised a concern about fascination with violence or, for that matter, apparently ideological extremism risk, perhaps with difficulties in the home and so on, and you want a practicable initial risk assessment tool that can ask questions with professional curiosity that digs below the surface and gives a -- a first impression would be wrong -- but starts the process of looking at what the underlying needs are, across the spectrum,

which would --

A. And is there anything that we need to do now, here today, to make sure there is no manifestation of harm? Sorry, I interrupted you. But it is really important that point.

Q. Yes, and so, again, part of what we are beginning to explore in relation to that stage is whether, instead or in addition, checklists of: are we doing everything we need to be doing immediately? May have a part. I think your answer a moment ago -- or your interruption to me, suggested that thing of: do we need to be doing something now?

A. Yes.

Q. That would benefit from a safety checklist of: has this been done, has this been thought about? Type checklist, that you go through. Would you agree?

A. Yes, and is there anything else that we have not considered that we should have.

Q. Yes, all right. So other than saying that, within the youth justice service, PDAT attempts to work in that area, obviously, as we have been exploring, it is not perfect and would need adaptation but I think you are saying that's one contender for the sort of approach that could be used at that stage?

A. I'm not advocating for or against. I think there needs

to be a review of what is there and what is best fit and is it that you build on something that's best fit, or is it that you design something else. We are not -- I'm not wedded to PDAT. I think it has been very useful for us. One of the reasons we created it was to try to give us the data we wanted about the number of children being diverted and earlier this year we published, for the first time. We had the data. I mean, it has taken us four years to get it, but we have got it. So there something -- going back to my point about tools -- yes, there is about the benefit for the individual but then, what is it systemically you want to get from that tool, to be able then to help inform your strategy going forward?

Q. Yes, and then, at the more specialised assessment of risk, at the secondary referral, which may be more expert, I didn't sense that you were particularly putting forward AssetPlus in the same way because it is not designed to do that and it goes into levels of detail on other aspects?

A. I mean, I think, if I haven't made it clear, AssetPlus needs a thorough overview.

Q. I think you have made that clear.

A. Good. So I won't be advocating for it because I feel it is out of date. I don't feel it is as evidence-based as

it could be, and that feels uncomfortable because that's the tool we are asking practitioners to use but we have to work with what we have got.

Q. No, that level of candour in relation to why it is not currently fit for that purpose is, in itself, if I may say so, helpful.

Are you -- and there may not be any reason particularly why you should be -- but are you in a position to offer a view as to the best tool for the secondary stage? So SAVRY is one you that speak to your statement. I don't need to go to that. But we know the AREVA tool is significantly down the development pathway. We have asked others about that. Do you have sight of those --

A. I know less about AREVA than SAVRY. SAVRY has been used in contexts. So I have worked in previous to being at the YJB and of course by practitioners in youth justice, but I haven't even seen what an AREVA looks like. So I could not comment. Happy if --

Q. In fairness to you, it is still in development.

A. But if the Inquiry wanted us to have a look and feedback as an action, we would be happy to do that.

Q. Thank you. So moving to the framework for the future. I want to treat, separately, the first referral stage -- for some, the big front door -- and the pathway that

follows.

So, at the first referral stage, understanding that some of the VFI/NIEV/NIVE cohort might come initially to the youth justice service, in broad terms, a lot of the assessment of that area is done at first referral stage by Prevent because of the large number and the increasing number of referrals to Prevent. So on one view, Prevent is the current de facto front door.

Would you agree with that, in broad terms?

A. Yes, other than -- yes, in some respects for the particular cohort but more generally, with the cohort of children we see in the youth justice service, perhaps MASH is the other that we would probably see more volume.

Q. Yes. Thank you. There's lots of evidence that that current situation is problematic.

A. Yes.

Q. So there's the overwhelm risk for Prevent, there is the dilution risk for Prevent, which is linked, and there's Dame Rachel's report, amongst other evidence, that it is not an effective or efficient way to deal with the risk because of the low numbers that are taken on and the high numbers that are bounced back to the very agency who had referred in.

A. Yes.

Q. Would you agree with that evidence, in broad terms?

A. Yes, I mean, our view is that there needs to be a better join-up and -- collectively across Government, we need to find a way to join up education, health, policing, safeguarding and youth justice because everyone is holding different pieces of information and this was just so clear, wasn't it, with AR, and that we must recognise the cumulative significance of that information.

Q. Thank you. So before we get to questions about which agency or multi-agency process would be best managing the case after initial assessment, does the Youth Justice Board support the concept of a big front door being established outside of Prevent, that takes the referrals?

A. Yes. On the premise -- and again, for fear of boring you all with my same mantras -- on the basis that the services behind that front door are appropriately resourced, there is adequate information sharing --

Q. Yes, but you must believe me when I say we are going to come onto that, all right?

A. Okay, I believe you.

Q. So, I just want to stick, if we may --

A. I will take it --

Q. No, no. We will get there. But it is useful to

separate these out, albeit that one understands they are interconnected. So there are, unfortunately, different concepts that sit behind the big front door.

One is that the big front door could take all safeguarding and safety referrals. So everything from the traditional type of risk in the home, so the risk of physical or sexual abuse in the home referrals, that may very likely be currently coming to a MASH arrangement. But also take care of the different kinds of serious risk of violence to others referrals, which would include ideological extremism, violence fixation and could include other types of serious violence as well, and that the big front door would take all of those.

An alternative is that you have a body that takes the public protection type risk. So it takes the ideological terrorism, the violence fixation type cohort and perhaps serious violence to others in other categories, whether it would be gang-related and so on, but you leave the MASH to deal with the more traditional safeguarding type referrals.

Now, which of those do you see as preferable, of those --

A. The first.

Q. Thank you, and the obvious point about that is you are not creating a duplication but also, they are so

interrelated that it may be thought to separate them out would cause dangerous, unnecessary cracks, down which cases might fall?

A. Yes, and could replicate what we have seen with MAPPA.

Q. Thank you. Some put MASH as being the lead contender to play that role but there is much recognition of the fact that there would need to be an up-scaling and up-resourcing of MASH, not only to ensure that it had the initial case-handling capacity, but also that it dealt -- it could deal with adult cases because we understand that many MASH are only for children.

And no doubt, there would be other challenges as well. There would need to be Counter Terrorism Policing expertise brought to bear, which MASH, at the moment, probably wouldn't have, so that the Prevent type referrals had an adequate first assessment.

Against that background, does the Youth Justice Board support MASH as being the lead contender or some other body or a new agency?

A. I think there is a difference between "contender" and "coordinator". So who is going to coordinate the thing? And I think that could be MASH. Who is going to own the case? Which I think is what you are asking me in terms of the contender and I think that should be the most appropriate body --

Q. No, no. So I'm still not at who owns the cases because that's the pathway. It is about this first referral process. They're going to view the case --

A. Who is going to do the triage.

Q. Who is going to do the triage and the screening, and then pass onto Prevent, to a violence fixation type agency, to youth justice service for another case, to children's social care, if that's the most -- body. So who's going to do that assessment but it would need to bear if mind that if it is going to be a single body, it is going to deal with adults as well as children?

A. Yes. I think -- I hate to say this, I think there is a new role. Sorry. I'm not sure there is a neat fit, if it is going to do both, children and adults.

Q. When you say it is a new role, perhaps that speaks to the fact that if it were to be the MASH, would you be saying it is a significant -- it is not just a little bit more; it is a very significant broadening of the task that they currently do?

A. Yes, absolutely and adaptation from current workload. Yes.

Q. Thank you. But that somebody ought to be doing that functioning?

A. Yes, as a lead --

Q. You say is better than Prevent doing it, de facto?

A. Yes.

Q. Then if we can move to the pathways thereafter. So, imagine that that has been put in place --

A. Yes.

Q. -- and some case that is came into the big front door would go straight to Prevent, because it is a case of a child with very concerning, extreme right-wing interests, for example. But in the cases of significant concern around extreme violence and gore, but doesn't appear to have any ideological backing, perhaps an emphasis on an interest in mass casualty attacks, the question would become, if that wasn't a Prevent referral, who should then take those cases?

Now, we will come to the detail of that but in short, what's your answer to that?

A. I think we would say that providing they were resourced, youth justice services could pick that work up.

SIR ADRIAN FULFORD: Sorry who could?

A. Sorry, youth justice practitioners would be very capable.

MR MOSS: So, in your statement at page 60 YJB000194_0060, paragraph 189, this is in the context of who would be the duty holder, which is a slightly different thing, but you say:

"Where a child is engaged with a youth justice

service, we believe that the 'duty holder' should be ..."

The youth justice service.

So I think that speaks to a willingness to stand up and say: we can take those cases, yes?

A. I have to be clear, 157 local authorities might shoot me for saying that, but it is not for me to talk on behalf of them. But as the advisory body, our view is that, yes, youth justice services could do that.

Q. Yes, thank you. Would you agree that the Inquiry would have to balance, against that, the performance and other concerns that one saw in Phase 1, in terms of the poor performance?

A. Absolutely.

Q. Then, at paragraph 190, you refer there to the fact that if there is a serious risk of harm to others, in those cases, then effective support requires multi-agency response?

A. Yes.

Q. You refer again to MAPPA arrangements --

A. Yes.

Q. -- as the possibility?

A. Yes. I think our point there -- and I should sort of elaborate on my answer before -- is that whilst the youth justice service may be the holder, they cannot and

should not -- neither should any other, if they were to be the holder, be left to do all --

Q. No, they're not holding the case --

A. -- no because it is a partnership arrangement and they should --

Q. Absolutely. Take that, for the moment for read, that it has to be a multi-agency and others have to bear their responsibility. So you are saying some would be youth justice services, some would be MAPPA, and then in 191, reflecting what we saw in a different part of your statement, you say:

"For the small number of cases that fall outside these frameworks, the YJB considers that a local multi-agency safeguarding arrangements, which bring together the local authority, police and health partners [with] a statutory duty to coordinate safeguarding activity, are best placed to identify and assign a lead agency. In practice, this role would likely sit with children's services."

All right? So youth justice for some. MAPPA for others. In those that fall outside that, a multi-agency safeguarding arrangement, hosted by children's services.

A. Yes.

Q. You say "for the small number of cases that fall outside these frameworks". What is the evidence for the

suggestion that it would only be a small number of cases that fell outside those frameworks?

A. I think on the basis of the work that we have done on prevention and diversion, we know that that work is effective. So, I'm not -- I could be wrong -- again, this is where the data would be helpful, wouldn't it, to understand the volume -- that they are going to need more than one agency necessarily supporting them.

Q. Because you have already pointed to the fact that, in the prevention categories, there is a great deal of variation, including of funding. So one of the concerns is, well, actually, is that right for the small number of cases? Because we know that MAPPA will take, in practice, probably very few.

A. Yes, yes.

Q. In terms of youth justice services, we come back to the issues that we have been exploring. So, prevention, stronger in some areas than in others, and even those that are on the statutory caseload, it is going to be time-limited.

A. Yes, unless they are held. Unless they agree and consent to remain. I'm making an assumption because with the caseload, if we are calling it, for youth justice workers, that you are including children there that would be on an out-of-court resolution or not.

Some of this the devil is in the detail, isn't it?

Q. Yes, but I think really I'm seeking to -- in order to explore this -- slightly challenge you as to whether the situation -- most will be youth justice service, MAPPA will pick up the serious end, there will only be a small number that fall outside that, as to whether that's really accurate?

A. Maybe it is not a small number, and again, I don't know the volume. That's why I was talking earlier about the engagement of children's social care, as we know there are significant demands on those workers at the moment.

Q. If one then steps back and thinks: youth justice service for some, MAPPA for serious ends, but query how many numbers, then a local multi-agency safeguarding arrangement for the others; but you have then got two other issues. What about adult cases?

A. Yes.

Q. So that would have to be a fourth arrangement, unless they happen to be within MAPPA. And then you have also got the Prevent cases?

A. Yes.

Q. So, it is very unfair to say, on the Youth Justice Board approach, but on what you were helpfully scoping out here as one way that it could be dealt with, you could end up with five different pathways --

A. Different pathways, or rooms in the house.
Q. -- for the cohort, however it is precisely defined, and when one goes back to concerns about complex landscapes, that seems highly undesirable?
A. Yes.
Q. Would you agree?
A. I would. There is quite a lot of literature on over-simplifying wicked problems though, isn't there? I don't mean to be facetious but I am just trying to say sometimes when we try to oversimplify, we lose the essence of what we are trying to achieve.
Q. So an alternative approach would be to say that, after the big front door, for cases not taken on by Prevent, there should be a multi-agency process, which would have to have a policing involvement and a local authority involvement with social care, but certainly for cases involving children, would have to involve youth justice services as a partner?
A. Yes.
Q. But which took on all of those cases that were not held by Prevent, including adults. Now, the downside of that is you are creating a yet further process?
A. Yes.
Q. At least in the short-term. But it might give a clarity of process which, on the Inquiry's evidence, many are

complaining is lacking from the current landscape. What's your view on that?
A. I'm trying to think how I can say this without not sounding too blunt.
Q. Be as blunt as you like.
A. Well, what is our job here? Is our job here just to clarify the processes, or is it our job to solve the problem?
Q. So in part, where this comes from is two practical examples we have had, the Northamptonshire PDP-like approach of a system for children that is not PDP but brings together agencies and is police-led; Operation Airforce.

The other is our expert cadre, Anna Gianfrancesco's example of how it works in Brighton, where you have a co-chaired multi-agency process for this group, co-chaired by children's services and police, ensuring that all the other agencies are present?
A. Yes.
Q. And dealing -- and the background to that is they have a high-risk adolescents team in children's social care but they are able to bring these multi-agency meetings together, and very much then with good working practices in mind. So you have a clear safety plan. The appropriate teams within that process own their aspects

of it. The chairs have a governance system above them that gives the assurance.
A. Yes.
Q. So one is not sort of saying a process for the sake of it. But it would have to be resourced. It would have to have good multi-agency working concepts behind it and, yes, the desire to drill down, to meet the vulnerabilities, the unmet needs, and involve health, involve for children youth justice services in seeking to deliver that.

But isn't that arguably a better way of doing it than having a case that could go to four different teams and one which might, for example, need to bounce from youth justice's services, to the local authority-based system at the end of a Referral Order, for example?
A. Yes, or you could be totally radical and say: where is the best relationship with the child and the family or the adult? Sorry, I'm trying to think about all the different models and what's the best model to achieve what we want. I mean, the Brighton model sounds particularly interesting.
MR MOSS: Thank you. Sir, would be that a convenient moment to take our 10-minute break?
SIR ADRIAN FULFORD: It would. 10 minutes?
MR MOSS: Yes, thank you.

SIR ADRIAN FULFORD: We will sit again at 3.20 pm.
(3.10 pm)
(A short break)
(3.20 pm)
SIR ADRIAN FULFORD: Yes, Mr Moss.
MR MOSS: Thank you, sir. So Ms Roberts-Bibby, still on reform in the future to multi-agency processes. If we could have back on the screen, please, page 60 YJB000194_0060, paragraph 189.

Do you remember, Ms Roberts-Bibby, we were looking at this together before the break for the second half, where you attested to the fact that the YJS could be the duty holder and should be the duty holder for YJS cases.

I wanted to pick up now on good multi-agency processes and what they look like. Because in the first half of 189, you say:

"The [Youth Justice Board] believe that it is beneficial to identify a specific service or agency with lead or primary responsibility for children who pose a high risk of harm to others [whilst] also being vulnerable and experiencing unmet needs."

We understand that, whichever approach is adopted, other agencies will have other responsibilities in their areas. So please take that as read.

Sir, for your note, I won't turn them up, but there

are further references in Ms Roberts-Bibby's statement to the lead agency concept and its benefits, at paragraphs 192, 193 and 62.

SIR ADRIAN FULFORD: Thank you very much.

MR MOSS: That is one view and one approach. But we have been exploring with witnesses two models. One is, you have a clear, declared lead agency potentially with a lead professional. But the other model -- and this was put forward by our expert cadre -- is that they felt strongly that there shouldn't be a lead agency because every agency should be leading in their own specialism and if you nominate one agency as the lead agency, there is a significant risk that other agencies will drop off and be less engaged and you get sufficient ownership of the risk if you identify clearly which multi-agency process is in the lead, rather than agency, and the ultimate responsibility for the cases sits with the chair or the co-chairs of that process, but you must ensure that there is governance and oversight above the level of the chair to ensure accountability.

So, that was a positive preference for not having a system where you say, for example: the Youth Justice Board is now the lead agency for this case.

Do you still sit in the lead agency camp and if so, why?

A. Yes. It comes with a bit of a rider because I don't know why naively -- maybe it is because I work for children, or work in the realms of children's youth justice -- was thinking that the big front door arrangement was going to be for children only. So that was a bit of a surprise. So when I was in the break, I thought: oh, perhaps I should acknowledge that, and I'm now asking: does that make a difference, really? I'm not sure.

I'm not sure that it does, other than I do have a concern where you don't have something separate for children and they get swamped with adults because there are generally more of them. But that may just be because that's in -- in justice.

Q. Yes, and looking at this cohort, in a way, sadly that might not be the case because when one looks at the Prevent referrals for this, a majority are under the age of 18 within the relevant categories.

A. That don't get taken up, sorry.

Q. Yes, but it is a measure. It is only a proxy measure of what the cohort may look like. And it will have a very significant percentage and possibly a narrow majority, it might be thought, of adolescents. But also a number of young adults and, no doubt, some older adults?

A. It is not my role to ask you questions. I was going to

ask a question, and I will shut up.

Q. No, no. If it is helpful to explore it --

SIR ADRIAN FULFORD: Give it a go.

A. I'm just trying to work out what the landscape will look like when you have Prevention Partnerships and then Youth Futures Hubs and then whatever this thing is going to be. How all of that then comes together, when it is already a complex and complicated landscape and we are -- I say the royal "we" -- are adding in new things with Prevention Partnerships and Youth Futures Hubs and then this as well.

Q. That's exactly what we have to grapple with and it is a risk-benefit analysis effectively, of whether the disadvantages of running with existing processes and agencies are outweighed by the problems of creating a new one.

But, the other aspect of this is that that doesn't necessarily need to be a binary answer because it may be, for example -- and I would be grateful for your views on this -- that counter-intuitively, in the short-term, there might need to be a new process, or a suggested process to deal with this, but that in the medium term, the pressure might be to have a wider, more sweeping rationalisation of the system, to reduce the very high numbers, or to encourage movement in that

direction.

Now, there is issues about where the terms of reference of the Inquiry end and again, in the spirit of this Inquiry, I'm speaking very openly about what the challenges and the difficulties are.

But does that have an attraction to you of giving a clear pathway, albeit at the slightly painful feeling of creating a new body to add to a large landscape already? But then to move towards a process of rationalisation?

A. My only reservation is we are already in a position for youth justice where everyone has responsibility but no one does. That's my only reservation when we look at the way the partnership works and that equally applies to the way that Government departments are structured too. And that's not a pop at Government, it is the reality that you have policing being led by the Home Office, you have education being led by the Department for Education in England and Wales.

So we have already got the fact that youth justice doesn't actually sit anywhere, anyhow and I think that quite often -- and I think we are seeing that in some of the policy developments in response to Phase 1, that documents and products are being shared but youth justice aren't always being considered in that, and you

referred earlier to the 2026 Act, the guidance published earlier, but similarly, you could say the same for the NIEV guidance; youth justice services aren't referred to in that guidance.

Q. Yes.

A. So I think we just need to be very cautious that we don't miss the thing we are trying to achieve by not necessarily -- I totally respect the expert cadre's view, they are experts, much more than I am, but sometimes there is something helpful about an accountability.

Q. Yes. I follow, and a countervailing consideration is this, that if one were to have that sort of multi-agency type process, whether it is the Northamptonshire model or the Brighton model or some combination of them or something new altogether, at the very least, there needs to be clarity and, as it were, de-confliction with the youth justice service's responsibilities and how youth justice services -- if a child is on that caseload, because, as you say, your starting position is to say, many of the cases would sit with youth justice services and someone would have to have clarity about the ownership in that sense --

A. Yes.

Q. -- as to whether that multi-agency process -- what its

responsibilities were and how youth justice services would sit within that. It may be that youth justice services would be a partner in it?

A. Absolutely, yes.

Q. They would need to be involved in it. But they might not be leading it or chairing it?

A. Yes, yes.

Q. But you wouldn't rule out that sort of an arrangement?

A. No.

Q. So long as there was a role for youth justice service?

A. Yes, absolutely.

Q. Because there would have to be --

A. -- critical role for them to play. I'm very happy to take the suggestions away and share some thoughts with our expert boards and then feed them back in, if the Inquiry would find that helpful.

Q. No contributions along those lines would be rejected for a moment because -- it is a cliché in this Inquiry, but if it was easy, it would have been done already.

A. Absolutely, yes.

Q. Thank you. If we could just look at page 63 YJB000194_0063, paragraph 202 of your statement. I said that I would come back to this, but you said that:

"The YJB sees value in approaches that minimise the number of practitioners with whom a child and family

must engage and that promote continuity of relationships."

You refer to a "guide" model:

"... including approaches such as SHiFT ..."

Which I think is a charitable organisation that is having a slow increase of its numbers of cases --

A. That's right.

Q. -- where it seeks to have a single nominated person who is the sort of guide or the gateway to the panoply?

A. Yes.

Q. I don't know if you have seen their open source material -- you are probably more familiar than me -- but there is a diagram of that --

A. Yes.

Q. -- that shows the child, with this whole range of figures in silhouette and about 15 of them and the SHiFT model has a single guide alongside them who helps them navigate that, which I think is a good demonstration of what's intended by that. But the takeaway from us, would be, within the thinking about this and the best approach for the VFI cohort, that not just trusted relationships, but trying to avoid the panoply of practitioners --

A. Yes.

Q. -- which can be difficult, probably for the whole cohort

but potentially particularly for those with mental health conditions and the neurodivergence?

A. Yes. Absolutely, yes.

Q. Thank you. We have been looking at the shape of good multi-agency working. Your page 65 YJB000194_0065, paragraph 211, you have your own list there which I will just get onto the record, so paragraph 211. I'm just going to read a list, which is our working list of good principles. So, firstly:

Multi-agency working arrangements that require ownership. Whatever final view is taken on lead agency, there must be ownership of the risk, but with each agency retaining responsibility over their own areas and facilitating continuity of trusted relationships, where practical, as part of that ownership.

Secondly, a culture of professional curiosity, you must dig beneath the surface, you must ask questions about the underlying causes and vulnerabilities. The voice of the child needs to be heard but you must also maintain a focus on the risk to the public.

Thirdly, the focus should be on data sharing ability, in order to achieve the risk mitigation. Rather than on an overly cautious approach to data sharing, there needs to be a core, accurate, up-to-date, overview of the child, key events and key

vulnerabilities, that's shared between the agencies.

Fourthly, there needs to be a sufficiently good fit approach. In other words, all the services should be asking proactively what can they do to help, rather than using their thresholds as a reason not to provide services to the child.

Fifthly, lack of consent should not result in automatic closures. It should lead to review of whether other interventions or different approaches need to be tried and in appropriate cases, a lack of consent may need to result in an escalation rather than a diminution of services and the assessment of risk.

Auditable decisions have to be made. There must be a record of thinking, including on reasons for closure of a case, and cases should not generally be closed because they have been timed out. There needs to be, if necessary, escalation to a different approach.

There needs to be agreed escalation routes and processes. Agencies must take responsibility for delivery in their own areas. There must be a pride in high professional standards. It is not all about multi-agency and agencies not talking; it is about good professional standards.

You must consider the digital environment a key element now and there must be an expectation of adequate

resourcing to deliver all of that.

So that is a working list. Is there anything in that that you would disagree with or any significant omissions?

A. I'm just thinking, it is a list. It is a very long list.

Q. It is ten in total.

A. Yes. I think there's just something about not being afraid to access the specialist support that you need. I don't know if that's covered in the ten, sorry. I didn't note them all. So something about making sure you are leveraging in the specialist support that's needed, as part of good partnership working.

Q. So do you -- are you referring there to "leveraging specialist support", do you mean where there are those problems and risks of thresholds not being met?

A. Yes.

Q. Which is what the best fit, good fit is meant to deal with. Or do you mean you must be prepared to ask for help outside of standard interventions or the standard groups that you work with?

A. I think it is both. I think if you are not getting what you need, then being able to say: this isn't going to meet the need, this is what's needed, how do we make that happen? And that sometimes means challenging

thresholds and escalating through your line, or indeed others, to get to the point.

Quite often practitioners know the right thing to do. They just -- they spend a lot of time navigating. The most artful practitioners, where -- you know, I said this, this morning: where there is a will, there is a way -- will find a way to make sure that the relevant intervention or service is put in place.

Q. Thank you. I think we must reflect on that, certainly around the existing concept of sufficiently good fit, to bear in mind what you have said.

On the last of that list, the expectation of adequate resourcing -- and I did promise I would come back to it -- page 50 YJB000194_0050, paragraph 148. You have touched on this, I think in different aspects of your evidence. But you do urge on the Inquiry, that:

"While total funding to the YJSs increased in 2025, it [is] 6.1% below the 2015 level ... [and] Probation funding has fallen ... 58.3% since 2015 ..."

A. Yes.

Q. Sorry, it needs to be transcribed. So you are nodding, but I think you are agreeing?

A. Sorry. Yes, I'm agreeing, sorry.

Q. And the impact of that is what?

A. Well, all of the funding that we had previously given

through the youth justice grant, and now the MoJ gives through the youth justice grant, goes on people. So that means a reduction in head-count of people who are available to work with children, victims and communities. It doesn't go on any else. So it is all workforce costs. So it is a reduction in people.

Q. So ---

A. So, in effect --

Q. -- workforce costs, it's a reduction in people. Do you mean that the head-count has reduced, or are you saying that the funding for services, so the mentoring and those sorts of arrangements?

A. No, I'm saying -- well, it could be both because if the funding buys people which will deliver the service, so that could be a youth justice practitioner, it could be a speech language communication therapist. All of that. So where we have got a 6 per cent reduction between 2015 and 2025, and then we will have a further -- potentially, depending on the rate of inflation -- 12 per cent reduction over the next three years, that's then a further 12 per cent less people because that's where the money goes. It may be -- I mean, I'm giving you approximate figures because it could be that's just one very, very expensive rich practitioner or two or three others. But it is all people.

Q. Thank you. Part of that, as we saw in AR's case, is that although there were problems with the delivery, the youth justice workers who were assigned to AR's case during the Referral Order, were delivering interventions. So we recall that although there were challenges at that time, because there was Covid, but there was, for example, knife crime sessions that is were held?

A. Yes. We have covered the quality of those already. But yes, it would be someone who would be doing that kind of work.

Q. Thank you. I want to move on to the effectiveness of current laws and systems for monitoring and disrupting VFIs.

Page 65 YJB000194_0065, paragraph 213. You say, on this topic, that you don't:

"... believe that existing arrangements adequately support the identification, monitoring and disruption of children and young people who may present a serious risk of violence before harm occurs."

It is clear that the "current framework" paragraph 214:

"... is not consistently applied for managing children who present emerging or concerning risk factors that fall below criminal, civil or safeguarding

thresholds."

Now, a large part of what you go on to emphasise in this section of your statement, we covered already, and I don't diminish its importance because of that. Because, in some senses, the Inquiry's questions here why getting at how good are the laws and systems for the monitoring and disrupting element.

Your emphasis, without criticism, is on early intervention, the importance of meeting the needs and emphasising those aspects, and we understand your evidence in that regard, but I don't intend to rehearse it again.

But when you get to the current orders, if we pick it up with referral orders, page 70 YJB000194_0070, paragraph 226. You say that you acknowledge:

"... that the options available to the judiciary of either a Referral Order ... or custody for a guilty plea for a first offence may appear too restrictive."

A. Yes.

Q. But you:

"... would emphasise that it is the appropriate and robust application of the RO that most significantly supports its effectiveness."

What were you doing at there?

A. The framework for Referral Orders -- and we see that in

the statistics for re-offending rates -- is pretty good, compared to other interventions. So we are trying to say: let's not break something that's working. That doesn't dispute the fact that I think we said in the statement -- and I said last time in evidence and I will say it again -- that that guidance couldn't be updated and strengthened. It absolutely could and indeed should, and sooner rather than later. But that is an effective intervention for preventing children offending.

Q. All right. I'm jumping ahead just a little bit but could we have Ms Churchill's statement back on screen please. It is MOJ000098 and I think it is page 47 MOJ000098_0047, for paragraph 159.

So, she says, as noted earlier in her statement:

"... the Government has since announced plans to reform youth sentencing, including by making Youth Rehabilitation Orders available for some children receiving a first conviction."

Does the Youth Justice Board have a view on that?

A. We have not discussed it with the board but I don't think they would be objecting, providing it was the most appropriate outcome for that child, for that offence, at that time.

Q. And what would be the determinative factors in working

out whether it was the most appropriate outcome for that child, for that offence, at that time?

A. That's about trying to prevent further offending and harm to others. So is that order going to deliver the requirement? And if a Referral Order could do that, why would you not do that? Why would you jump straight to a higher -- or seen as a more severe order for a child?

Q. I follow, thank you. So back to Referral Orders. One downside, in a sense, of disruption or getting effective interventions in place is that by definition, they are post-conviction. So they require a conviction. So they don't help in the pre-conviction area, at the risk of stating the obvious.

Ms Cifuentes, when she gave her seminar presentation to us in our seminars, was asked about whether AR's Referral Order could have required him to pass up his digital devices so that they could be examined. The Inquiry is interested in that as to whether that could happen under Referral Orders, and Ms Cifuentes said that it was possible to do that under a Referral Order, but she said whether it happens is very, very minimal.

Is that arising out of suboptimal or out-of-date Referral Order guidance, or is that more a knowledge and cultural aspect, or a practice aspect, that professional thinking hasn't caught up with online harms enough, so

that practitioners aren't thinking: right, what needs to go into the contract for the Referral Order? Let's think about online harms. This is a case where we are worried about online harms, so let's think about device visibility. And that in practice, that's just not happening. Or is it a combination of the two?

A. It is a combination of both because I think, if the Referral Order guidance -- it had been updated to reflect some of those challenges around online harms, you would hope practitioners would have read that. It isn't just about practitioners, though. I have to be really, really clear; this is about volunteers as well. So our youth justice system, a bit like our schools, are run on volunteers. So where you have school governors, you have volunteers who will do panels.

Q. We saw that in AR's case. Although the records have been lost, that it would have gone to the panel, who were volunteers?

A. Yes. So there's something about making sure -- you know, when we were talking earlier about online harms, this isn't just practitioners, it is about the panel members as well, really understanding -- particularly, in an instant of a Referral Order, which is more of a rehabilitative order, where there's much more consent from the family and the child, you would expect to be

able to say: we want to know what's happening in your online activity, we are going to restrict you between these hours, or we are going to do these checks, or we are going to ask mum or grandma or whoever, to do these things.

I think that that does talk to some of the discussion we had, when I previously gave evidence, about just leaning in a bit. What can I do here? What is the -- possible? If I'm spotting this problem, what am I doing about it? How am I having the discussion with the child so that they can see that and that they can the risks that they are putting themselves and others at too?

Q. Thank you. So page 70 YJB000194_0070 paragraph 228. It must be over the page. This must be a false reference.

I think it is because we are still in --

SIR ADRIAN FULFORD: Ms Churchill's statement.

A. I was going to say, I didn't recognise that as being mine.

MR MOSS: Forgive me, I should have made clear. It is my fault. Maybe the original reference was correct, page 70, paragraph 228. I'm so sorry:

"The issue is that guidance is not consistently implemented -- we would call for the MoJ to review and update the Referral Order guidance, this would support

strengthening how robustly caseworkers apply the orders. This could include quality assurance arrangement to improve practice and application."

Then if we go to page 76 YJB000194_0076, paragraph 239, we see that theme, I think, repeated:

"The current Referral Order guidance is outdated. The YJB hold operational expertise in this area and have highlighted the need for the update. Responsibility for the guidance sits with the MoJ rather than the YJB."

So you seem to be pressing that quite hard in your statement. The Referral Order guidance, presumably, could include the need for a step-change in online harms and monitoring of devices, in appropriate cases?

A. Absolutely.

Q. It won't affect all cases at all, and would you agree currently doesn't do so?

A. Yes, it is absent at the moment.

Q. So, YJB000109, with apologies to you and to the Chair for the tedium of going to a document to prove the negative, but YJB000109, which is the Referral Order guidance, one sees it is eight years old. There were many places you could go to in this guidance to make this point, but if we look at page 45 YJB000109_0045 and paragraph 8.33, under "Interventions", on the left-hand side there are a number of positive interventions that

can be made in the orders, and on the right-hand side, one gets to requirements -- positive requirements on the child.

So one sees there: attending weapons programmes; requirement to attend school; requirement to stay away from specified places or people. So, conventional requirements that we know, from ASBOs and similar things: don't go here, don't meet these people, curfew, attendance at an attendance centre. But absolutely nowhere in that, do we find any reference at all to anything to do with the internet, online, what you do online, who you meet online?

A. Absolutely, and you make the point that we raised it twice in your statement, because we had amplified it at the time of it being written. So we have got our badge on the front document, I think we wanted to be very clear because at the moment we do develop some guidance, it is a little bit and it is not -- we don't develop all guidance. So I think we wanted to make the point that actually, it is a MoJ-owned document, and if it were our document, I would have committed to a re-written that in the way we have done with case management guidance and PDAT, even though there may be some points about have we landed the right point, for which we are grateful for your feedback.

Q. So other than the Referral Order guidance, thinking about the volunteer panel, who I think are responsible for agreeing the contract or the compact with the child offender, is there anything else that needs -- in guidance, that needs to be changed to make Referral Orders more fit for purpose for the online harms sphere?
A. No. We can take that away because we do do some work on the guidance for panel members as well.
Q. Who trains the panel?
A. Each service trains the panel. So again, it goes back to that local training model.
Q. Thank you, and youth justice services is a partnership arrangement. Does it vary as to which partner agency trains the panel. Would that be different across --
A. There tends to be joint -- the contributions from all of the partners, but it's normally co-ordinated through the service, which sits in the local authority, is generally the norm. But again, you get varying members numbers of panel members, depending on, geographically, where you are based and again, different diversities of panels.
Q. Okay, but for the most part, that would be local authority arranged training for those panel members?
A. Yes.
Q. Thank you. Then if we turn to the separate issues of civil orders, page 70 YJB000194_0070, paragraph 230,

back in your statement, please.

Taking it relatively briefly. So page 70. 230, bottom of the page:

"No civil order or injunction, also known as ancillary orders, exists specifically in respect to children who have an interest in violence."

We have explored this with others but we can take it fairly shortly. If we go over the page YJB000194_0071 please, and -- if we can go to the whole page, thank you. In terms of the civil injunctions you start with Anti-social Behaviour Injunctions at the foot of page 71.

But as the name suggests, that's targeted at anti-social behaviour, and it requires the court, as per 233.1(i), to be satisfied to the civil standard that the "respondent has engaged or threatens to engage in anti-social behaviour", so that's not a good fit?
A. No.
Q. Then over the page YJB000194_0072, gang injunctions. Important but a different part of serious violence?
A. Yes, absolutely.
Q. Then in terms of orders, Youth Diversion Orders, new, but, by definition, linked to traditional terrorism, ideological causes under the statute?
A. Yes.

Q. Over the page YJB000194_0073, Stalking Protection Orders, unlikely to be a good fit?
A. No.
Q. Over the page again YJB000194_0074, 233.5, community protection notice:

"... can be given a child aged 16 or over ..."

So it doesn't cater for the younger child group, but in any event, you point out, on the ground, these are being given by council anti-social behaviour officers and is targeted at that area. So again, not a good fit at all?
A. No, not for violence.
Q. Criminal Behaviour Order is next:

"... can be given to a child aged 10 or over on conviction for a criminal offence, where the court considers it is necessary to prevent behaviour which may cause harassment, alarm or distress, proved to the criminal standard ..."

So potentially some -- and one sees the guidance refers there to it being useful for cases where social media is abused, but that's more likely to fit in the sort of case of targeted, nasty harassment of an individual, rather than our case of extreme violence?
A. Yes.
Q. Then Sexual Harm Prevention Order. I am not saying

there would never be any crossover, one thinks of Com networks and so on, but again, not a good fit.

Knife Crime Prevention Orders. Potentially of some use in some cases where there is a link with a knife but again, it is not designed to fit this category. Would you agree?
A. Yes, I agree.
Q. So outside of those, the Inquiry has been exploring whether there is a need for a further civil order potentially, but also potentially a need for a further order post-conviction, to deal more carefully with this group, or more precisely with this group.

Would you think that a Referral Order, in terms of court order, if it was improved, could deal with most of the risk mitigation for the post-conviction group?
A. It could, yes. I don't see why it wouldn't, although it is more of a rehabilitative order than a control order, in terms of how it's previously been used but that doesn't mean it couldn't be used in that way.
Q. Is there a difficulty in terms of the robustness of the measures if, for example, the child has agreed to the monitoring of their devices, but then doesn't actually do it? It doesn't have the same effect as a breach for some other types of orders, does it?
A. No, no.

Q. So, potentially --
A. Go back to the panel.
Q. Go back to the panel but there is a lack of -- my words -- muscularity around interventions there, if they are not complying?
A. Yes --
Q. That might flag further risk but absent a further conviction, there is a limitation of what further measures can be taken in that situation, is there not?
A. There is, but then there is nothing else either, if that makes sense.
Q. But a tougher order -- and I think this could be the case potentially under a Youth Rehabilitation Order -- but a tougher order would make it a condition of sentence --
A. Condition, yes. It could be listed as one of the requirements of the order, as there are others at the moment. So, you know, attending an education programme, for instance.
SIR ADRIAN FULFORD: What, rehabilitation rather than referral?
A. Yes, a YRO. Particularly, if that had ISS with it as well.
MR MOSS: And for civil orders, particularly in the area of pre-convictions -- there may be for a higher risk but

not yet convicted cohort, the concern would be that there is currently no provision allowing eyes on devices and, similarly, for those who have been convicted but have come to the end of any youth justice service referral, but for whom there are still significant concerns, that there is an absence of any ability to get eyes on the device?
A. Unless they were on licence, of course.
Q. Yes. Do you agree -- obviously, one would have to have a very careful eye to proportionality and no doubt it would have to be a high threshold, and one understands why the entire emphasis in your statement is: the problem is not a lack of orders, it is early intervention. But would you nevertheless agree that there is a problem there?
A. Absolutely. I think we would agree there is a problem there and I think you have alluded to it in our statement around being cautious with creating new civil orders or powers prior to asking, and I think you absolutely have clearly been asking me whether the existing arrangements could be made to work. So, our aim is to -- as I spoke about earlier, when we were talking about guidance -- make sure that we were not overly criminalising, particularly where there hadn't been an offence committed and a child hasn't got

an outcome.
Q. Thank you. Turning briefly to interventions. In broad terms, I have understood your statement to say that there is currently a lack of evidence about the effectiveness of particular interventions for this cohort. But that, in broad terms, the interventions that are applied in other areas, around pro-social activities, trusted relationships, good role models and diverting away to more meaningful and beneficial activities, are likely to be those that are most helpful, together with addressing mental health needs, neurodivergence needs and addressing issues in the family home on a relationships level?
A. Yes and of course education, training and employment are really, really fundamental.
Q. Yes, so maintaining school attendance?
A. Maintaining school attendance absolutely. We have spoken about -- and systemic family work, really pretty key as well. I would just reinforce the point I said earlier, interventions are not always a programme which starts on this day and runs for two weeks. It can be a range of things that would help shift a child forward and to reduce harm.
Q. Would you also agree though, with witnesses who have pressed the case, that alongside those, you must have

a policing angle, which must, in appropriate cases, with care about the criminalisation of children be prepared in some cases to asset and to search, especially if that sort of disruptive action is necessary to get a view on devices?
A. Yes, absolutely. This goes back to the balance, isn't it, of the needs of the child and the needs of the public and they have to be taken in equal measure.
Q. Thank you. If we could go back to Ms Churchill's statement, please, MOJ000098, page 18 MOJ000098_0018, paragraph 58. There is a reference there to:
"... MoJ has been liaising cross-government on how VFIs under 18 years old are identified, handled in the system and on what interventions might be effective in reducing the risks to the public posed by these individuals."
Has the Youth Justice Board played any part in that, the consideration cross-government on what interventions might be effective in reducing the risks to the public posed by those individuals?
A. As of June of this year, we managed to get invited to an early interventions meeting, which I think members of my team have been to three meetings now, of that group.
Q. Is that under the NIEV Taskforce?
A. Yes, there is quite a heavy governance structure. So

there is a NIEV board, a NIEV steering group and then there's an early interventions group. So two of our team attend that meeting alternatively.

We also coordinated a meeting across Government, just to offer our support to the work that was being done, off the back of, we provided a briefing to the minister of our involvement to the Inquiry and the minister wanted to convene a group across -- which was very helpful -- the areas of his responsibility and have a briefing and then following that, we said that we would offer our support to Government departments to help with the work.

That's been the cross-government work that we have been involved in.

Q. Thank you. Is there any early provisional conclusions coming out of that work on interventions?

A. I would need to check with the team. Very happy to do that and give our perspective on that work.

Q. Thank you. That would be helpful. After the 1 April 2027, will that be part of the work that will be rehoused with MoJ, or will that remain with the Youth Justice Board?

A. No, that will not sit with us and we are in the process of having to dial that work down. So in terms of the changes, we will have a number of staff that will exit

early from the organisation and then a number of staff that will, if there's any -- if those people haven't exited, will maybe potentially move into the MoJ and then that work will sit with the MoJ and the YJB will have its different role.

Q. Thank you. Just a further couple of matters, please. Firstly, about reforms that have been referred to by other Government departments. So, first of all, we have seen that after the National Security Council meeting in March 2025, the Ministry of Justice was tasked with the action that Youth Offending Teams should prioritise those at risk of becoming VFIs, noting that they are not currently set up for that purpose. This should be informed by the latest evidence on which interventions work. Now, did the Youth Justice Board see any positive request arising out of that, do you know?

A. No, that was a letter, I think, that went from Sir Nick and Keith Fraser, if I'm not wrong, at that time. We have not had any requests from services as a result of that. As I say, we -- when we talk to services, they are asking for guidance on the "high risk, high harm" group but nothing as a result of that letter that was sent off of the back of that Cabinet Office meeting.

Q. Just give me one moment.

A. Sorry.

Q. Thank you.

I have asked you about Ms Churchill's reference to Youth Rehabilitation Orders on first conviction. She also says, if we can go back to that statement, please, MOJ000098, page 49 MOJ000098_0049, 166. Just while that's being brought up ... *(Pause)*.

Thank you. Forgive me, so, one sees that the view expressed:

"The MoJ considers that the responsibility for supporting and supervising children, including VFIs, who have committed (or at risk of committing) offences should remain with local authority-based youth justice service[s]."

So some commonality with you:

"However, the MoJ considers that there is a role for youth justice services to more effectively and efficiently create provision for children who need a more specialist and intensive package on a regional basis."

Now, as we understand that, the choice there of regional basis is deliberate, as opposed to on a local authority basis. You have referred to the fact that if one is looking at this in terms of the total number of figures who fit into the VFI cohort, that the numbers, when spread between local areas are not great?

A. Yes.

Q. So, one is thinking here of the proxy numbers for Prevent. So much fewer than for MASH referrals for being at risk in the family home, of course.

Has the Youth Justice Board given any thought to that concept; that the specialist services, whatever the arrangement is, could be on a regional rather than a local authority basis? Is there force in that?

A. Absolutely. We have already been -- I think I referred to it earlier -- doing work with London for the last four years. So we have given a grant and continue to give an innovation grant to London to develop an alternative provision to remand, to reduce the number of children being unnecessarily remanded in London and that's done on a calendar basis, where -- it is a collective commissioning basis for accommodation for children. That's taken four years to get to this point. It's not been easy to navigate but there's been some real learning that, I think, we can support with regions, particularly as we start to see the development of strategic authorities delivering those services. So I think there is some real benefit in that.

Q. Thank you. So we have been talking about that possibility of some sort of new multi-agency process, albeit maybe drawing on people who do similar things in

other cases, such as MACE and MARAC and so on, but a new multi-agency pathway for the VFI cohort.

We have rather been thinking of that in local authority level terms. But could you see a potential for that not to be local authority-based but regional-based, because the numbers, if the thresholds were set appropriately, could be relatively small?

A. Yes, you could, and I think you could then look at that across Wales. So, of course, we, obviously, at the moment -- and we will, in the future, in terms of our youth(?) improvement role, cover Wales as well -- you could do that across a number of local authorities. For Wales, there are 17, and I am not aligning Wales to region. I have to be clear. I have full respect that they are a country and then somewhere like London, for instance, you would then have a better span to be able then to deliver a more targeted and bespoke service, you know, by working collaboratively. Particularly, you know -- again this Government agenda is about having mayoral areas, and you could do that by having a mayoral area.

Q. It may or may not be an exact match but there is also the fact that given that that body would have to have good working relationships with Prevent, one also then has the fact that there are -- the regional

counter-terrorism units are based on a regional approach, rather than each separate constabulary?

A. Yes, and of course, some of that needs some alignment because not all of those areas match up and again, just talking to my point earlier about the impact of change, these services are also going through local Government reform. We are also seeing a termination of Police Crime Commissioners. So this is very much a landscape of lots of moving parts that we need to think about, as we strengthen the current system.

Q. So a further complication, but one worth thinking about, is that one shouldn't jump to: this need, for each first-tier authority to have this process. It could be thought about joining up on a regional basis?

A. I think the thing just probably worth thinking about is at the moment, I think lots of legislation points to the first-tier authority. So in terms of youth justice --

Q. That would need to be unpicked?

A. Yes, and children's social care and safeguarding and so forth. Whether it needs to be unpicked or layered on top of -- yeah.

Q. Thank you, and then the Department for Education, the Youth Justice Board, I think, in your opening statement, recommended that any child in England who is permanently excluded or missing from education, should be assessed

for a Child in Need plan, with national indicators on exclusions, managed moves and off-rolling.

We do not need to bring it up; that was in the opening statement. Is that something which the Youth Justice Board has put to the Department for Education outside this Inquiry, do you know?

A. No. We haven't. No, no, we haven't, in part, because I think our change in relationships with Government departments over recent years. When I started at the YJB, we would have met with the Department for Education, as with other Government departments on a monthly basis. And that has shifted with the direction of the board and moving us to being more focused on the youth justice services and the Department having those cross-governmental discussions.

Q. The victims and survivors team ask if that should go a step further and that, if such a child also has a history of violence, should there be an assessment of need and a mandatory multi-agency assessment of a risk to others, in that case, when they have then dropped out of education?

A. I mean, we know the numbers, we know the trajectory, sadly, of children who disengage with education then end up becoming involved with violence. So I think that would possibly be a helpful suggestion to consider and

impact asset how that could be done going forward.

Q. Thank you. Then on page 80 YJB000194_0080, final page, I think it is, of your statement, paragraph 253, there is a slightly Delphic reference to the board having identified some inaccuracies in the Phase 1 evidence. And included within that, was Referral Order guidance having been changed since 2020, when it is not the case. I just wonder -- I'm afraid, there will be some follow-up points, if you could just include a brief note of what those inaccuracies -- we take it, it is a reference to inaccuracies in the evidence of others, rather than in the Youth Justice Board?

A. It is, yes.

Q. I won't trouble you or tax you with a list now, but could you just provide a note as to what that was referring to, if you would?

A. Of course we can. No problem.

Q. Ms Roberts-Bibby, thank you for your patience with me. Those are my questions. I think it is Mr Weatherby, but it may be that I have covered issues enough? I don't know whether the Youth Justice Board -- no, so there are no questions from Core Participants. Sir, do you have any questions?

Questions by SIR ADRIAN FULFORD

SIR ADRIAN FULFORD: I'm afraid, we have given you rather

a lot of homework to do.
A. That's okay.
SIR ADRIAN FULFORD: I just want potentially to add one piece to that. Could we have paragraph 66 YJB000194_0023 of Ms Roberts-Bibby's statement back up, please.
Paragraph 66. *(Pause)* thank you very much. You have said in -- if I may say so -- very clearly terms that, in your view, AssetPlus needs a lot of work. It is out of date and needs changes. I'm working on the assumption that you have probably already, by way of submissions, when making that suggestion, have already covered this. But unless we have it -- and Mr Moss will tell me in a moment that we may have it -- unless we have it, could you, just shortly, set out what presently are the real deficiencies, from your point of view in AssetPlus, and what you would like to see in it; so how it would work differently and what it would offer in an improved state?
And this may be, as it were, too much, because it relates to a perennial problem of joined-up work between Government departments, which I think has haunted many people for a long time, but you, for instance, pointed us to one real potential deficiency, which is that the Department for Education will be looking at their IT

infrastructure as part of the children and social education reforms. Just if there's anything more in detail that is within your knowledge, which you think would be of particular utility, in terms of there being joined-up systems, between, for instance, the youth justice services and the Department for Education and other departments.
Just, it would be useful to have more of an understanding as to what the current deficiencies are?
A. Sure, no problem.
SIR ADRIAN FULFORD: Is that all right?
A. Yes, of course.
SIR ADRIAN FULFORD: Thank you very much indeed. It has been a very long day. I'm extremely grateful to you. Both your statement and your evidence have been of very considerable assistance to the Inquiry and I think this now finishes your evidence to us. So, many thanks for the whole of your contribution.
A. Pleasure.
SIR ADRIAN FULFORD: 10.00 am tomorrow?
MR MOSS: Sir, yes. Can I just mention that the programme for tomorrow is -- starts as scheduled, so Kay Dargue first for the Association of YOT Managers, followed by the evidence being given concurrently from the two YOT

Managers Cymru thereafter.
Sir, I'm sorry to say that Professor Lundigren will not be giving evidence tomorrow, through no fault of her own but it is due to ill health, and we will be keeping under review whether she may be called at a later stage. But it may well be that we will need to adduce her evidence as written evidence rather than call her, but we will update on that in due course. So we may have a shorter day tomorrow.
SIR ADRIAN FULFORD: Thank you very much indeed. 10 o'clock tomorrow.
(4.20 pm)
(The Inquiry adjourned until 10.00 am the following day)

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