

THE SOUTHPORT INQUIRY

OPENING STATEMENT ON BEHALF OF THE YOUTH JUSTICE BOARD

PHASE 2

1. Bebe King, Elsie Dot Stancombe, and Alice da Silva Aguiar, and all those injured on 29 July 2024, their families and loved ones, and the Southport community, remain at the heart of the thinking of everyone at the Youth Justice Board ('YJB'). These submissions are made in the hope that the work of this Inquiry ensures such an event cannot happen again.
2. The YJB's opening submissions have been written to identify areas for consideration within Phase 2; whilst aspects of these submissions have been taken from previous statements and YJB documents, these submissions are not to be read in isolation from earlier material.
3. The bedrock of recommended change by the Inquiry in this complex arena must be to 'do no harm'. New systems, a 'big front door' and any re-allocation of resources should not be at the expense of the basic requirements and needs of local systems to support children and families.
4. The recent seminars have underlined the fact that the prevention of future serious violent offences must have a tight focus on what works for children and understanding behaviour driven by problematic or obsessive interests (including what manifests as violence and sexual violence against women and girls).
5. The YJB has noted that it is yet to find a child who has gone on to commit serious offences, who has not had some engagement with local agencies. Systemic changes need to focus on preventing offending by children, providing early intervention and coordinated multi-agency provision within a universally understood prevention model.

Early action and intervention

6. Early action, early intervention and diversion both work and prevent future offending – a criminal justice case is a failed safeguarding case or, in other words, one where the unmet need/s of a child has not been addressed by adults. As the YJB has said before, there must be change so that children are diverted from offending; the question for a greater focus on addressing the risk to others from children has never been clearer.
7. The YJB agrees with both the Greater Manchester Violence Reduction Unit and the Ben Kinsella Trust, following their recent seminars on 10 September 2026 and 16 September 2026 respectively:

Dan Diamond, Greater Manchester Violence Reduction Unit

Slide 5: “Serious violence is preventable when partners act earlier, address root causes and connect prevention with safeguarding and public protection.”

Patrick Green, The Ben Kinsella Trust

Slide 12: “Universal prevention programmes can both reduce violence risk and help identify young people whose attitudes, beliefs or vulnerabilities suggest a more concerning trajectory, creating opportunities for earlier and more effective intervention.”

8. Diversion often provides quicker support for children, and a faster response for victims and communities. It is also cost effective: the earlier the intervention takes place, the greater the likelihood of rehabilitation and prevention of further offences and harm to others. Government should invest and promote a prevention approach that incentivises and better funds localities, so thresholds for intervention and engagement are not set so high and an integrated approach to multi-agency working for prevention is enabled. This ensures that children are not criminalised, and labelling is reduced.

9. Opportunities were missed in terms of understanding the way that AR viewed the world; likewise, opportunities were missed to help him understand his offending behaviour. The preventative work that was done was entirely insufficient and there was an absence of work focusing on victims, who the intended victims/s were and how to keep them safe. This was the view reflected by the YJB in both written and oral evidence in Phase 1; indeed, it was adopted by the Chair in his report. A child-first evidence-based approach means that once AR had contact with the Youth Justice Service, work with him should have assessed his needs and addressed them through a robust multi-agency plan, to reduce the risk of harm to others. This did not happen.

Risk assessment tools

10. For any preventative measure to be successful, the identified intervention must address the specific needs of that child. Currently, there are no specific risk assessment tools designed to assess the risk and needs of children who have committed or are suspected of committing terrorism offences, or to assess the risk and needs of children who have evidence of adopting extreme ideologies or a fixation on violence and serious criminal offending.
11. The YJB strongly considers that there should be a single multi-agency assessment tool which is commonly understood, used and applied across all agencies nationally. This will require the agreement of all Government departments as well as the Welsh Government, including but not limited to the Department for Education, the Ministry of Justice and the Department for Health and Social Care, to adopt the tool. There are a range of established assessment frameworks that already exist across health, education, social care, safeguarding and youth justice to identify children who may be vulnerable to violence, exploitation or other harms.
12. The current evidence supports structured assessment of children's needs, vulnerabilities and risk factors - this is why the YJB developed the Prevention and Diversion Assessment Tool ('PDAT'), requires the use of AssetPlus and strongly advocates for the role of a lead professional from education, health, Child and Adolescent Mental Health Services ('CAMHs'), and/or children's services who locally takes the lead in

ensuring that all partners are aware of the child's needs and collectively manage the risk. The lead professional should ensure that partners understand their role in addressing those needs and ensuring that they are met in line with the assessment, and that there is escalation if the plan does not achieve the intended objectives within the required time.

Interconnected systems

13. As the YJB has said before, there is a need for an interconnected system within which Ministers work strategically to set direction, develop policy and legislation, whilst monitoring the effectiveness of systems to prevent a reoccurrence.
14. Any changes to systems or new systems must ensure that local agencies continue to operate with understanding and trust, and with the ability to take action to support children's needs to prevent them manifesting into risk and harm.
15. There is a vital need for a single case management system or improved interoperability of information sharing across Youth Justice and Children's Services. There was a previous attempt, 'Wiring Up Youth Justice', which failed due to funding cuts. Building a single case management system is yet again a choice which depends on spending and investment.

Statutory Duties

16. The Crime and Disorder Act 1998 requires the cooperation of named multi-agency partners to deliver youth justice services locally – this is referred to in the Act as youth offending teams, but more often now known as Youth Justice Services. This includes a statutory duty to co-operate with the YJB.
17. In England, Section 11 of the Children Act 2004 confers a statutory duty on various organisations, agencies and individuals 'who must ensure their functions are discharged, having regard to the need to safeguard and promote the welfare of children'. Statutory guidance 'Working Together to Safeguard Children' published in March 2026,

makes clear that Section 11 places a duty on local authorities and district councils (including children and adult social care, housing and youth services), NHS organisations, the police, Youth Justice Services, as well as others. Wales operates under a similar model where it is for local areas to decide how best to coordinate agencies to support children and families under the Statutory Guidance on Partnership Arrangements in relation to Part 9 of the Social Services and Well-being (Wales) Act 2014.

18. The 2026 guidance places a sharp focus on child protection practice and outlines the expectations for a multi-agency approach amongst organisations, as well as information sharing. There is, however, little consideration when a child poses a risk to others and how this should be approached, with no guidance on what steps should be taken and by whom - there is an opportunity to address this as part of the ongoing review. This then brings us to the question of duty in cases where a child presents a risk of harm to others (and themselves), particularly in the context of possessing knives, but also generally.
19. In analysing the question of duty, it is important to understand that there are two cohorts of children that engage with local Youth Justice Services and how they can come to the attention of the Youth Justice System. The first cohort is the prevention and diversion group:
 - a. Prevention: These children have come to the attention of local services because of concerns about anti-social behaviour, emerging offending behaviour, association with offending peers, or other indicators that they may be at risk of entering the youth justice system. Many may also have additional needs relating to safeguarding, education, mental health or family circumstances. They are referred to the Youth Justice Service by practitioners from partner agencies where there are concerns and that targeted prevention support may reduce the risk of offending or further anti-social behaviour. **This engagement is voluntary and not mandated by a court order - it does not form part of the statutory caseload.** Referral pathways and assessment processes vary locally and there is currently no nationally mandated screening or assessment tool used consistently across all agencies when making referrals into prevention services.

- b. Diversion: These children can come into contact with the Youth Justice Service through both formal and informal out-of-court resolutions ('**OOCRs**'). Formal **OOCRs**, issued by the police, comprise Youth Cautions and Youth Conditional Cautions, which would be categorised as part of the Youth Justice Service's statutory caseload. **However, informal OCRs, including Community Resolutions, Deferred Prosecutions and Deferred Cautions, do not form part of the statutory caseload.** Not all informal outcomes involve referral to the Youth Justice Service, and some may be issued and managed solely by the police. As a result, Youth Justice Services do not necessarily have visibility of all children who receive informal outcomes.
20. The second cohort are those who are sentenced by the direction of the court and are supervised by the Youth Justice Service. These are children who have received a Referral Order ('**RO**'), Youth Rehabilitation Order ('**YRO**'), certain Civil Orders, or a custodial sentence such as a Detention and Training Order. These children will have an AssetPlus assessment completed by their caseworker. Responsibility for supervision will be determined by the type of order or sentence and the individual's circumstances and may be undertaken by the Youth Justice Service or, where appropriate, the Probation Service if they have turned 18.
21. Children who are recognised as vulnerable fall within the local authority's statutory safeguarding responsibilities. In contrast, children who may pose a risk to others are often viewed primarily through a criminal justice lens by children's social care. This can create an artificial distinction between child protection and youth justice services, despite many children in the youth justice system meeting the criteria for both safeguarding support and justice intervention.
22. As a result, some children fall into a grey area where their welfare needs are not fully addressed. Youth justice services can step in through prevention programmes, even when those children do not fall within their statutory cohort. This comes with multi-agency support that youth justice services coordinate to also address unmet needs. Many children at risk of entering the justice system have previously experienced unmet

safeguarding needs or have not received the support necessary to address the risks they face.

23. The Youth Justice Service does provide prevention and diversion services to children who have not met the Criminal Justice threshold [i.e. convicted of crime/cautioned], but they do not have a duty to do so. The fact that prevention cases do not form part of the statutory caseload influences funding and resource allocation. It becomes a local choice to provide intervention and diversion services, not a duty.
24. Clarity is needed on what constitutes the youth justice system, how safeguarding is defined, as well as a clearer definition on the standards of that system and strategic governance.
25. Currently, there already exists a framework, provided through the Criminal Justice Act 2003, to assess and manage the risks posed by sexual and violent offenders through multi-agency public protection arrangements ('**MAPP**A'). MAPPA is a mechanism which requires a lead agency to take responsibility of managing a MAPPA offender and sets out clear guidance on the management of risk. In respect of children, the Youth Justice Service is generally the lead agency for any MAPPA child, and they are expected to manage information sharing to properly identify risk.
26. The Youth Justice Service is responsible for identifying cases which are subject to MAPPA and are directed to use the YJB's AssetPlus tool to conduct risk assessments. Children's Services are also expected to attend all MAPPA meetings. However, this occurs only after sentence. Unless a child is identified as a MAPPA offender, the present Section 11 duty lacks the requirement for organisations to equally consider that of public protection and the risk the child poses to others. If the 2023 guidance were to be used by agencies going forward, the duty would need expanding or to mirror a MAPPA style model to include this critical element.

Education

27. The importance of education needs to be stressed. Children who have interaction with teachers, school staff and have the routine of education, combined with education's

positive messaging, have this as a protective factor. The evidence tells us that children engaged in education are less likely to offend. The oversight of children through education is also an opportunity to identify unmet needs and vulnerabilities as said by Dr Paul Betts in his recent seminar on 9 September 2026:

“Jonathan [Hall] said about it feels like a high bar to refer a child into this as a parent. I would agree with that. I think the biggest number of referrals by sector come from education and that's been the case for many years....”

28. The YJB recommends that any child in England who is permanently excluded or is classified as missing from education (as defined by the Department for Education’s ‘*Children missing education: statutory guidance for local authorities and schools*’) be assessed to be placed on a Child in Need (‘CiN’) plan. An equivalent policy should be implemented in Wales whereby children outlined above are classified as children who need care and support (as defined by the Social Services and Well-being (Wales) Act 2014).

29. There should be greater tracking and accountability of school exclusions, absence data and elective home educated children, including the introduction of national performance indicators on exclusions, managed moves, off-rolling [children removed from the school register without an exclusion or a reason], and local tracking systems. The implementation of the Children's Wellbeing and Schools Bill creates an opportunity to further specify Government’s expectations to address the concern relating to children missing from education. Consideration should also be given to strengthen the statutory oversight of academy schools by the relevant local authority.

Funding and resourcing

30. There is no escape from the fact that funding and resources need to be made available to the youth justice system and the statutory services named in the Crime and Disorder Act 1998, such as police, probation, health, local authorities (including education and

children's social care), so that they can fulfil the statutory functions of preventing the commission of offences by children and supporting victims.

31. This means that funding and resourcing must be considered by the Inquiry; realistically, the implementation of recommendations depends on funding, resources and the leadership will to make them happen. The complexity of funding questions is not simple:

- i. Local Authority services are funded by Local Authorities.
- ii. The criminal justice system is funded by the Ministry of Justice.
- iii. Prevent is funded by the Home Office.
- iv. Contributions to local youth justice services are funded in kind by the statutory services which make up the partnership (health, education, policing, probation and children's social care, so Department of Health, Department of Education, the Home Office, the Ministry of Justice and central Government funding).

This is an oversimplification of a very complex funding arrangement. In essence, national government provides the local government settlement and devolved settlement for Wales, and then Local Authorities must deliver everything asked of them within the funding available. The 'asks' often grow and fail to take account of the changing pressures without there being a corresponding change in the available budget.

32. Within Phase 2 of this Inquiry, the need to consider funding allocation implications for the Treasury and Local Authority budgets should not be ignored.

33. The YJB wishes to conclude by again expressing its profound sympathies to all who have been impacted by the tragic events of 29 July 2024.