Witness Name: E Churchill
Statement No: 1
Exhibits: EC/01-EC/57
Dated: 8 September 2026

THE SOUTHPORT PUBLIC INQUIRY – PHASE 2

FIRST WITNESS STATEMENT OF THE MINISTRY OF JUSTICE

I, Emma Churchill, of the Ministry of Justice ("MoJ"), 102 Petty France, London, SW1H 9AJ, will say as follows:

INTRODUCTORY MATTERS

1. I am Director General Policy - Courts, Access to Justice, International Justice and Legal at the Ministry of Justice. Since being appointed to the Ministry of Justice in December 2025, I have also been covering the Director General Policy - Prisons, Offenders and Analysis role on an interim basis. I have held multiple senior roles across government including as Director General for the Economic and Domestic Affairs Secretariat and as Director General for Migration and Borders at the Home Office.

2. I make this statement in response to the request dated 24 June 2026 for evidence under Rule 9 of the Inquiry Rules 2006 made on behalf of the Chair and Panel of the Southport Public Inquiry ("the Inquiry") ("the Rule 9 Request") in relation to Phase 2 of its investigations.

3. Before setting out introductory matters and background relevant to this witness statement, I wish to offer condolences to the families of Alice, Elsie and Bebe for their loss, on behalf of the MoJ, and recognise the strength, dignity and resilience shown by all who suffered grave harm and whose lives were forever marked by the tragedy which has led to this Inquiry. The MoJ supports the investigations being carried out by

the Southport Inquiry in relation to Phase 2, and hopes that any findings can help better the system to prevent such a horrific event from happening again.

OVERVIEW

4. I am duly authorised to make this statement on behalf of the MoJ and can confirm that where the facts stated in this witness statement are within my own knowledge, they are true, and where I have relied on information from others, they are true to the best of my knowledge and belief. In preparing this statement, I am reliant upon the work of the MoJ's Public Inquiries Response Team. They have coordinated and liaised with a number of colleagues that have relevant knowledge and experience across the MoJ, its Executive Agencies, and the Sentencing Council. I am also reliant on a review of contemporaneous written material identified by colleagues through rigorous and thorough searches. In this statement I have made clear where I have put forward my personal reflections. For the most part, however, this is a 'corporate' statement in the sense that – to meet the broad nature of the Rule 9 request – I have drawn and relied upon extensive input from relevant colleagues.

5. The MoJ is a major ministerial department at the heart of the justice system. We work to protect and advance the principles of justice. We are responsible for delivering prison, probation, and youth custody services; administering, in partnership with the judiciary, criminal, civil and family courts and tribunals; and supporting victims, children, families and vulnerable adults. These services are provided across England and Wales, and for certain non-devolved tribunals in Scotland and Northern Ireland. Together, our headquarters, agencies and public bodies employ almost 93,000 people. Alongside its operational responsibilities, the department has government policy responsibility in various other areas, including criminal and civil law and procedure; the management of offenders; coroners; burials and cremation; inquests; and the domestic law framework for human rights.

6. MoJ is supported by a number of Executive Agencies and Arms-Length Bodies ("ALBs"). This includes five Executive Agencies that are responsible for the delivery of public-facing services. These are: His Majesty's Prison and Probation Service ("HMPPS"); the Office of the Public Guardian ("OPG"); the Criminal Injuries

Compensation Authority ("CICA"); the Legal Aid Agency ("LAA"); and His Majesty's Courts and Tribunals Service ("HMCTS").

7. MoJ's Public Inquiries Response Team and its Recognised Legal Representative ("RLR") within the Government Legal Department ("GLD") represent MoJ, its five Executive Agencies listed above, and one of its ALBs: the Sentencing Council. The team does not represent other MoJ ALBs.

8. This witness statement will therefore not be able to provide a response to the Rule 9 request concerning the following ALBs, and other agencies, which may be of interest to the Inquiry:

8.1. The Youth Justice Board ("YJB"), who are responsible for monitoring the operation of the youth justice system in England and Wales;

8.2. The Official Solicitor and Public Trustee, who are responsible for helping people who are vulnerable because of their lack of mental capacity or young age to take advantage of the services offered by the justice system; and,

8.3. Youth Offending Teams ("YOTs")[1] in local authorities, who provide community supervision services for children. See paragraphs 16-21 for detail on the MoJ's role in relation to YOTs.

BACKGROUND

9. There is no single owner of the criminal justice system as a whole. The system is complex and interconnected, with a range of departments and organisations involved.

[1] YOTs are defined in section 39 of the Crime and Disorder Act 1998. Most YOTs and the government refer to YOTs as "youth justice services" to reflect the fact that much of their work is with children who have not been found guilty of committing an offence. However, for the purposes of this statement, I will use their legal name.

10. A person who commits a crime will be dealt with by the police (whose powers and role are determined by the Home Office), the Crown Prosecution Service (supervised by the Attorney General's Office), HMCTS and then sentenced by the independent judiciary. If an adult is sentenced (or remanded) to custody, they will be placed by HMPPS. If a child is sentenced (or remanded) to custody, they will be placed by the Youth Custody Service ("YCS"), part of HMPPS, which is described in more detail below. YOTs would then work with the child, their family and criminal justice agencies, providing assessments, advice to the court and supervision in the community where appropriate.

11. MoJ is the lead government department for the criminal justice system and plays a convening and system leadership role in bringing partners together to consider the end-to-end system (from the first point at which a person comes in contact with, or to the attention of, the criminal justice system, through to the legal processes of charging and sentencing, to the policy related to custody and a release back into the community) and how it could operate more effectively and efficiently.

12. Throughout this statement, I make reference to issues concerning violence fixated individuals ("VFIs"). There is currently no final cross-government definition of what constitutes a VFI, although a working definition has been in place since 9 June 2025, following a Cabinet Office meeting at which issues relating to Southport were considered. A paper from the Cabinet Office's **T1D - Cabinet Office Body** suggested a working definition of VFIs, as individuals with a "*...fascination with extreme violence and intent to inflict extreme violence, where ideology is not the primary driver*". This working definition was agreed between the **T1D** **T1D** Home Office, Joint Terrorism Analysis Centre, Counter Terrorism Policing, GO-Science, and the Foreign and Commonwealth Development Office. Where I refer to VFIs within this statement, I am therefore referring to that working definition.

Youth Justice Policy Unit

13. The Youth Justice Policy Unit ("YJPU") is a Deputy Director-led team of policy professionals within the MoJ. It covers policy for the entire youth justice system.

Operations of the youth custodial estate are covered separately by the YCS, as set out at paragraphs 48-52, and oversight of operations of YOTs is covered separately by the YJB, which this statement does not cover (see paragraph 8.1).

14. The YJPU advises ministers and delivers their decisions on policy regarding the youth justice system. It develops youth justice policy through analysis of data (for example on youth offending, first-time entrants to the criminal justice system and key performance indicators) and engagement with stakeholders. It works closely with other government departments, independent bodies and the sector to do this, including liaising with other government departments who are responsible for the statutory partners of YOTs (for example, the Department for Health and Social Care in relation to health) to ensure that policies relating to children account for the specific needs of children in the youth justice system.

15. As well as its policy function, the policy unit is also responsible for the management and oversight of grants given to local authorities and other organisations to deliver programmes delivering the government's objectives for youth justice. For example, since 2022, it has overseen the 'Turnaround' programme described below at paragraph 20.

Youth Offending Teams

16. Under section 39 of the Crime and Disorder Act 1998, each local authority must have a multi-disciplinary YOT. YOTs are locally managed partnerships comprising representatives from the local authority and statutory partners, including the police, probation, health and education. They also work closely with other partners such as housing, charities, and local communities.

17. YOTs are responsible for supervising children subject to court orders. In recent years, they have increasingly also worked with children at an earlier stage of offending, for example, a child who has received a caution from the police and has been referred to a YOT for help with the underlying driver of their offending. This supports the wider statutory aim of the youth justice system, set out in section 37 of the Crime and Disorder Act 1998, to prevent offending by children and young people.

18. Operational responsibility for YOTs sits locally with the relevant local authority and statutory partners, and their role is defined in legislation. The MoJ is responsible for youth justice policy and providing some funding at a national level but is not involved in the day-to-day operations of YOTs. Decisions on service delivery, staffing, individual interventions with children, and operational priorities, are matters for local authorities and YOT statutory partners.

19. The MoJ provides c.£90m of funding to YOTs per annum to support them in carrying out their statutory functions as set out in the Crime and Disorder Act 1998. This funding accounts for, on average, one-third of their total funding. Prior to 2026/27, MoJ funding was distributed through the YJB; from 2026/27 onwards, it will be provided directly by the MoJ. The MoJ has issued a multi-year settlement of £93.6m per annum for three years (2026/27–2028/29), which will help YOTs retain skilled staff, plan more effectively with partners, and commission services more efficiently. The remainder of YOT funding comes from local authorities, police and other statutory partner agencies and, in Wales, the Welsh Government. As these contributions are agreed locally, the overall funding available to individual YOTs varies considerably.

20. MoJ leads the Turnaround youth early intervention programme, which enables YOTs to support a cohort of children not on their statutory caseload in order to intervene earlier and stop young people being drawn into crime, as well as tackling anti-social behaviour ("ASB"). The programme has funded bespoke, evidence-based interventions for over 20,500 vulnerable children to March 2026 and aims to support a further 12,000 children by March 2029. The Ministry of Justice has invested £117m in the Turnaround programme: £71m in financial years 2022/23 to 2025/26, and £46m in financial years 2026/27 to 2028/29 (over £15m per year).

21. The YJB currently oversees the operation of the youth justice system in England and Wales, including monitoring YOT performance and sharing best practice to support service improvement. As it set out in its policy statement *'A Modern Youth Justice System: Foundations Fit for the Future'* published in February 2026, which I exhibit **EC/01 – MOJ000024** and in the Youth Justice White Paper *'Cutting Youth Crime, Changing Young Lives'* in May 2026, which I exhibit **EC/02 – MOJ000018** the

Government decided that the YJB will be reformed to focus on driving measurable, evidence-led improvement across YOTs, by identifying what works, supporting innovation, and accelerating the spread of effective approaches to improve outcomes for children, victims and communities. The MoJ will be responsible for national oversight of the youth justice system by monitoring of YOT performance in England and Wales. The expectation is that these functions will be transferred from April 2027.

Probation

Adults: Probation post-release supervision and risk management

22. Following release from custody, the MoJ and HMPPS are responsible for probation supervision and the ongoing management of risk for individuals released on licence. Probation practitioners monitor compliance with licence conditions, assess and manage risks to the public, support rehabilitation, and take enforcement action where necessary. Licence conditions may include requirements relating to residence, reporting to probation, exclusion from certain places or people, restrictions on internet or digital device use, participation in treatment programmes, and other measures designed to reduce the risk of reoffending. Where licence conditions are breached or risks escalate, the Probation Service has the authority to initiate recall to custody. Alongside risk management, probation teams work with individuals and other agencies to support successful reintegration into the community assisting individuals to access accommodation, employment, education, healthcare, substance misuse services, and other rehabilitative interventions.

Transition from YOTs to the Probation Service

23. Where a young person turns 18 or is approaching adulthood while subject to a custodial sentence or community supervision, arrangements are made to transition responsibility from YOTs to the Probation Service. The transition process is intended to ensure continuity of supervision, risk management and rehabilitative support, with information shared between agencies and plans developed jointly to support the individual's ongoing needs and risks. The timing and nature of the transition will

depend on the young person's age, sentence type, risk profile and individual circumstances. YOTs and probation practitioners work together to ensure that relevant assessments, licence conditions, safeguarding concerns and resettlement arrangements are transferred effectively. For young people released from custody who transition to adult services, the Probation Service assumes responsibility for managing licence compliance, assessing and managing risk, and providing access to rehabilitative interventions and community support. The aim is to avoid a disruption in supervision while recognising the different developmental needs of young adults. Government guidance emphasises collaborative planning between YOTs and probation services to support successful resettlement, maintain public protection, and reduce the likelihood of reoffending during this significant period of transition.

National Security Division

24. The National Security Division ("NSD") is a specialist division within HMPPS, established following a series of terrorist attacks committed by serving or recently released terrorist offenders in 2019 and 2020. Its primary purpose is to provide enhanced supervision, risk management and multi-agency oversight of individuals assessed as posing a terrorism or national security risk. The NSD works alongside Counter Terrorism Policing, prisons and wider criminal justice agencies to manage individuals both in custody and in the community.

25. The NSD operates with enhanced level of management intervention. Cases are allocated to specialist probation practitioners who hold smaller caseloads than those in probation delivery units. This enables more intensive supervision, greater professional curiosity, more frequent contact with offenders, and a more detailed understanding of risk factors, motivation and behaviour. The benefits of the NSD approach have previously been recognised in a joint inspection by His Majesty's Inspectorate of Probation ("HMI Probation") and His Majesty's Inspectorate of Constabulary and Fire & Rescue Services and His Majesty's Inspectorate of Prisons ("HMI Prisons"), which is exhibited at paragraph 232.1.

26. The NSD approach would potentially be of benefit to managing any offender who is assessed as requiring additional oversight and multi-agency working including those

Violent Fixated Individuals ("VFIs") who are considered to require the enhancements NSD can provide. Before this could be advanced, however, a final cross government definition of what constitutes a VFI would need to be agreed for NSD to work within, and an assessment undertaken as to the viability of providing this enhanced level of oversight and multi-agency working in respect of those individuals, given the resources that are currently available. It may also be possible to adopt a more streamlined approach to VFIs because, whilst certain aspects of the NSD approach are also likely to be of benefit for managing VFIs. (such as additional training, enhanced supervision and a reduced caseload to allow additional multi-agency working), other elements of the NSD approach are directed towards the ideological motivation behind terrorism offending and would not therefore be applicable to VFIs.

Multi-Agency Public Protection Arrangements

27. Multi-Agency Public Protection Arrangements ("MAPPA") are a process through which the Police, Probation and Prison Services work together with other agencies to assess and manage the risks posed by individuals convicted of serious violent, sexual and terrorism offences living in the community, in order to protect the public. They were established by the Criminal Justice Act 2003 and are operated locally by 42 Strategic Management Boards across England and Wales.

28. With regard to the management of children, *'MAPPA guidance'* from 2024, which I exhibit as **EC/03 – MOJ000019** states the following across paragraphs 23.15-23.17:

> *"A Child who is convicted of a serious sexual or violent offence (as set out in Schedule 3 of the Sexual Offences Act 2003 and Schedule 15 of the Criminal Justice Act 2003) and receives a relevant disposal (as set out in Chapter 6 – Identification and Notification of MAPPA offenders) will be subject to MAPPA.*
>
> *Under the Children Act 2004, a number of local agencies, including the police, the Prison Service, the Probation Service, health services and YOTs have a statutory duty to make arrangements for ensuring "their functions are discharged having regard to the need to safeguard and promote the welfare of*

children." This includes functions they contract out to others. MAPPA agencies are also required to have a regard to statutory guidance regarding the safeguarding and promoting the welfare of children.

Whenever a child is discussed at a MAPPA meeting, the meeting must ensure that it considers its responsibilities to safeguard and promote the welfare of that child and how their life may be impacted by the behaviour of an offender, as well as the risk of harm the child presents to others. Children convicted of an offence or who are alleged to have engaged in offending behaviour are entitled to the same safeguards and protections as any other child and due regard should be given to their welfare at all times. […] Children's Services and YOT should always be represented at these MAPPA meetings. Considering the needs of the child is not incompatible with the protection of the public and the aims of MAPPA."

Sentencing

29. MoJ sets the policy for legislation which then sets the wider sentencing framework. The Sentencing Council provides guidelines to the courts. Individual sentencing decisions are a matter for the independent judiciary.

The Sentencing Council

30. The Sentencing Council for England and Wales was set up in April 2010 to promote greater transparency and consistency in sentencing, while maintaining the independence of the judiciary. The primary role of the Sentencing Council is to issue guidelines on sentencing, which the courts must follow unless it is in the interests of justice not to do so. The Sentencing Council is an independent, non-departmental public body, and an ALB of MoJ.

31. The Sentencing Council sets no guideline, whether for adults or children, for the offence of murder. The only sentence for murder, according to statue, is imprisonment for life (for adults above 21), detention for life (for young adults aged 18-21), or detention at His Majesty's Pleasure (for children under 18). A judge passing any of

these types of life sentence has to specify a minimum term, which is the time the offender must serve before the Parole Board can consider whether they can be released. The Sentencing Council does not issue any guideline for the setting of that minimum term since Parliament has provided for how that is to be done, and at what level such terms are to be set, through the provisions of Schedule 21 to the Sentencing Act 2020.

32. Those who are convicted of a crime when aged 18 to 25 are sentenced as an adult, and therefore subject to adult sentencing guidelines. Under the Sentencing Council's '*General guideline: overarching principles*', age and / or lack of maturity may be considered as a mitigating factor when sentencing for 18 to 25-year-olds, which may lead to a reduced sentence. I exhibit the principles here, **EC/04 - MOJ000008**.

33. For individuals who turn 18 before the start of court proceedings, only adult sentences will be available. The exception to this is murder, where it is the date of the offence that determines the type of sentence available.

34. With a child or young person, the consideration of age requires a different approach to that which would be adopted in relation to an adult. Even within the category of child or young person, the response of a court to an offence is likely to be very different depending on whether the child or young person is at the lower end of the age bracket, in the middle, or towards the top end. I exhibit the guidelines here '*Sentencing Children and Young People'* **EC/05 – MOJ000006**.

35. Although chronological age dictates in some instances what sentence can be imposed, the '*Sentencing Children and Young People'* guideline confirms that the developmental and emotional age of the child or young person should always be considered, and it is of at least equal importance as their chronological age. It is important to consider whether the child or young person has the necessary maturity to appreciate fully the consequences of their conduct, the extent to which the child or young person has been acting on an impulsive basis and whether their conduct has been affected by inexperience, emotional volatility, or negative influences.

Sentencing framework for children

36. There is a separate sentencing framework for children, with sentencing principles focused on preventing reoffending and child welfare. Details of the different types of sentences that children, rather than adults, can receive are set out below. This context is provided to explain the significance of ensuring that children are not disadvantaged by court delays.

36.1. Referral Order: the community sentence most often used by the courts when dealing with 10 to 17-year-olds. The imposition of a Referral Order is mandatory for a first-time offender who pleads guilty, unless the court sends the child to the Crown Court for sentence. The child is referred to a local panel, composed of a member of the YOT and volunteers. Referral Orders require an offender to agree a contract of rehabilitative and restorative elements with the panel, to be completed within the sentence.

36.2. Youth Rehabilitation Order: a type of community sentence available for children (i.e., persons under the age of 18 at the date of conviction). The court can select from one or more of 18 possible requirements to impose on the child, including curfews, unpaid work, and education.

36.3. Detention and Training Order ("DTO"): a custodial sentence available for children aged between 12 and 17 inclusive at the date of conviction. Generally, half of the order is served in a custodial establishment (see below) and the remainder on licence in the community. The maximum term which can be served under a DTO is two years and the minimum is four months.

36.4. Other custodial sentences: in addition to the DTO, there are a number of longer custodial sentences which can only be imposed by the Crown Court for particularly serious offences, including sexual, terrorist, and specific violent offences.

37. In the Youth Justice White Paper published in May 2026, we announced a number of reforms to the youth sentencing framework. The review of criminal courts for children

being led by David Ormerod KC will also consider potential reforms to the youth sentencing framework.

38. An overview of the current youth sentencing framework is set out below. We have not at this stage reviewed the framework for potential gaps in sentencing of VFIs as our approach to sentencing reform has been to consider the operation of the youth sentencing framework as a whole, ensuring this is flexible, proportionate and effective, rather than responding to outcomes for specific types of offending. Our initial assessment is that there are a broad range of sentencing options available based on the nature of a child's offending and risk; however we are not in a position to draw firm conclusions and are committed to making changes in the future as necessary, particularly in light of any recommendations from the Inquiry.

Current Youth Sentencing Framework via the Sentencing Act 2020

39. The sentence for Offenders of Particular Concern ("SOPC") available under Section 278 of the Sentencing Act 2020 (and the youth equivalent, under section 252A) consists of an appropriate custodial term, and an extended license period of 1 year.

39.1. Children (or adults) sentenced to a SOPC are not eligible for release until they have served two-thirds of the custodial term, after which release is at the discretion of the Parole Board; if release is not directed earlier, they are released at the end of the custodial term and then serve the statutory licence period.

39.2. The non-sexual offences eligible for the SOPC regime are eligible because they fall within the statutory definition of terrorism, which requires the conduct to be undertaken for the purpose of advancing a political, religious, racial or ideological cause; VFI-related offending may not meet this threshold given there is no ideological motivation underlying the offence.

39.3. The primary difference between a SOPC and other youth custodial sentences is the extended license period, and the release arrangements.

40. While we have not made a full assessment of the appropriateness of extending the SOPC to those who have committed non-ideological offences as our review has focussed on the framework more holistically rather than on specific offence types, there are already other options available to the court should they want to ensure a longer licence period and to employ similar release arrangements (as set out below).

41. Section 254 of the Sentencing Act 2020 provides for an Extended Determinate Sentence **("EDS")**, which is a longer sentence of detention available for children who have committed certain violent, sexual or terrorism offences. Similarly to the sentencing options under sections 278 / s252A, an EDS is not subject to automatic release, and release must be agreed by the Parole Board. There is also an extended licence period (the length of which is determined by the judge).

42. An EDS must be at least 4 years in duration (unlike the SOPC which has no minimum term) and can only be passed if the offence is sufficiently serious (i.e., a section 250 or s252A sentence could be passed) and it falls within the relevant schedule (i.e., to be a relevant violent offence, it must fall within Schedule 18 Part 1 of the Sentencing Act 2020). To impose this sentence, the court must believe there is a significant risk that the offender will commit further serious offences in the future which could cause serious harm to members of the public. Therefore, an EDS is available for VFIs, if they meet the relevant offence and risk thresholds.

43. There are other custodial sentences available which could be suitable for VFIs convicted as a child who do not meet the EDS risk threshold. These do not require Parole Board-directed release arrangements nor an extended licence period. The varying release and supervision arrangements associated with different custodial sentences allow for a differentiated approach, depending on the severity of the offending and risk associated with each case.

44. A DTO is available for children aged 12 to 17 who are convicted of an imprisonable offence. For children aged 12 to 14, a DTO may only be imposed where the court considers the child to be a persistent offender. They can be from 4-24 months in duration, and there is an automatic release after 50% of the sentence is served. Early

release can be applied for before the 50% point. There is a provision to delay releases in exceptional cases, where there is judged to be a high degree of risk.

45. A section 250 sentence is a longer-term custodial sentence, available for children of any age who commit offences punishable by 14 years or more imprisonment for an adult. There is no minimum length up to a maximum of life. For fixed term sentences automatic release is at 40% of the sentence.

46. Both DTOs and section 250 sentences allow for ongoing supervision in the community through standard and additional licence conditions (exhibited at paragraph 151). While the precise arrangements differ depending on the sentence and release mechanism, a broad range of conditions are available to manage risk, support rehabilitation and protect the public, including curfews, exclusion zones, electronic monitoring, restrictions on contact and participation in specified activities or interventions (although conditions must be justified as necessary and proportionate to the risks presented by the child).

47. In its May 2026 Youth Justice White Paper *'Cutting Youth Crime Changing Young Lives'*, the government set out its plans to make reforms to the youth sentencing framework. This included an intention to legislate to remove the current restriction that generally requires youth courts to impose a Referral Order in cases when a child pleads guilty for a first-time offence. Instead, it will make the Youth Rehabilitation Order available for children in receipt of their first conviction – policy development is ongoing as to whether such orders will be available to some or all such children. By enabling courts to impose a Youth Rehabilitation Order in these circumstances, the government wished to ensure courts and practitioners will be able to draw upon a broader and more robust set of interventions. The paper has been exhibited at paragraph 21.

Prisons

Youth estate

48. Established in September 2017 as a distinct operating unit of HMPPS, the YCS is responsible for the operational running of public sector custodial sites across the Children and Young People Secure Estate. YCS is also responsible for the commissioning of services and contractual management sites run by the private sector, local authorities and (in one case) a charitable organisation, as well as placing all children remanded or sentenced to custody.

49. MoJ's role relates to the statutory arrangements for youth custody. Legislation determines the purpose and rules for different forms of establishment. The YCS is operationally responsible for delivering (or commissioning) establishments. The MoJ and YCS work together to determine longer-term strategic directions (for example, how we can reduce the number of children remanded to custody) and on long-term funding arrangements (for example, advising ministers on where best to invest across the existing or new estate). They also focus on seeking to improve the 'resettlement' process when children leave custody. Whilst this is operationally the responsibility of YCS and the YOT to which the child returns, the organisations explore how national policy arrangements or communications might improve outcomes.

50. YCS aims to protect the public by providing safe and secure accommodation for children, supporting their positive development whilst in the secure setting and working with partners to reduce the risk of reoffending, so that children are better prepared to make a positive contribution to their communities.

51. Given the distinct and often complex needs of the young cohort within the Children and Young People Secure Estate, YCS aims to ensure that the child's voice is brought into the service design, while also incorporating learning from the latest research and best practice. I exhibit these aims '*About us – Youth Custody Service – GOV.UK*' **EC/06 - MOJ000023**

52. YCS is dedicated to working with a wide range of central and local government partners and other agencies to improve the life chances of young people.

Adult estate

53. Making prisons safer places to live, work in and visit is a priority for HMPPS. Policies and procedures are in place for prisons to identify prisoners' risks of harming others and provide the right interventions to manage and reduce those risks.

54. The HMPPS Prison Safety Policy Framework sets out in chapter 5 (Managing risk of violence) how prisons respond to prisoners who behave violently or show signs that they are highly likely to behave violently. The chapter sets out details of the safety case management process - Challenge, Support and Intervention Plan ("CSIP") - which staff use to manage and support prisoners assessed as posing a raised risk of being violent. CSIP is used to manage prisoners at risk of custodial violence, and it should be noted that those convicted of violent offences are not necessarily referred to, or suitable for, CSIP. Any member of staff can make a referral where an individual is identified as presenting a raised risk of violence. Referrals are screened by the prison's safety team and, where appropriate, progressed to investigation. A trained case manager is then appointed to develop a multi-disciplinary Support and Intervention Plan - which identifies the individual's risks, triggers and needs, and sets out actions to reduce the likelihood of future violence. Progress is regularly reviewed and the plan remains in place until the risk has reduced and continued management through CSIP is no longer required. It is likely that this process would be used to manage VFI if their behaviour continued into custody although it is not designed specifically to manage and support VFIs.

55. Offender Management in Custody ("OMiC") is a core element of public protection. OMiC provides the framework in which we manage, support and sequence an individual's journey in prison through Key Work and Case Management. The introduction of the Prison Offender Manager ("POM") role and Senior Probation Officers in prisons have provided improvements to sentence planning and delivering better quality risk and need assessment. There is a clearer focus on robust information sharing which has been strengthened by the investment made in the development of digital services and standardisation of clear processes. We have aligned resources to follow risk and offer an enhanced service to those prisoners identified as posing a high risk of serious harm, and/or who are identified as most likely to commit a harmful offence. Key workers (Band 3 Prison Officers) also play a crucial role in the delivery of the sentence plan, through regular contact with the prisoner.

56. HMPPS also has a detailed Policy Framework to address the risks posed to members of the public by someone who is held in custody. It sets out guidance for staff on how HMPPS deliver its responsibility to implement controls and restrictions to protect the public during the custodial term of a prisoner's sentence and through to release into the community. Decisions to impose restrictions are informed by an initial screening to address any urgent issues such as harassment or potential risks to children. This is followed up by more detailed assessments. I exhibit this guidance '*Prison Public Protection Policy Framework'* **EC/07 – MOJ000043**.

IDENTIFICATION OF VIOLENCE FIXATED INDIVIDUALS

Defining violence fixated individuals

57. On 9 June 2025, the then HMPPS's Chief Operating Officer for Prisons attended a Cabinet Office meeting on Southport/VFIs on behalf of the then Interim Permanent Secretary. At this meeting, a working definition for VFIs was proposed in a paper from the Cabinet Office's **T1D - Cabinet Office Body** (as explained in paragraph 12 above). At the time, no further actions were noted for MoJ. I exhibit both the paper and email confirming meeting attendance **EC/08 – CAB000024** and **EC/09 – MOJ000044**.

Management of VFIs across MoJ's areas of responsibility

58. Although there are currently no youth justice-specific policies or procedures for VFIs, following the Southport attack, 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.

59. For the purposes of this witness statement, I have set out how violent individuals are managed across MoJ's areas of responsibility. VFIs may fall within this management.

Prisons – Adult estate

60. Despite there being no processes specific to VFIs, any prisoner convicted of a serious violent offence will be subject to a variety of processes to manage and understand their risk, and to attempt to progress them safely through their sentence. This includes Offender Management processes, security categorisation, Cell Sharing Risk Assessment, the provision of risk relevant rehabilitation interventions, and parole processes. If they are also Category A prisoners[2], there are additional arrangements in place to assess and manage risk.

61. Within the Long-Term High Security Estate ("LTHSE"), there are additional systems to manage the risk and needs of prisoners who pose a very high risk of violence on an ongoing basis, extending to their behaviour in prison.

62. If a prisoner poses a very high risk of violence which extends to their day-to-day behaviour in custody, then there are numerous options for intervention that HMPPS can employ depending on specifics of the case. People who present a high risk of violence are usually highly complex and so it is necessary to adopt a bespoke approach to their needs within the parameters of a suite of services and tools. This can include location in a specialist small unit[3], delivery of generic training for staff about challenging prisoner behaviour, and formal forensic risk assessments (over and above those required for mandatory processes such as parole).

63. There is also the option to offer sessions for staff in which - usually forensic psychologists – provide information about that prisoner's needs and risks, and offer advice, guidance and supervision for prison and probation staff who are managing and responding to that individual. Beyond this, specialist risk relevant interventions can be

[2] Category A prisoners in the UK are the highest-security prisoners whose escape would pose a critical danger to the public, police, or national security.
[3] This provision is available to the entirety of the adult male estate; an individual can be referred from a reception prison or a Category C prison.

provided for individuals assessed to pose the highest risk in specialist services within the LTHSE (as well as other areas).

64. Psychological Risk Assessment may also be available, depending on the case, although this is less common. Psychological professionals within HMPPS undertake a range of risk assessments with individuals for a number of reasons, primarily parole. For example, the Historical, Clinical and Risk Management-20 ("HCR-20") is an evidence-informed assessment tool designed to guide professional judgement when considering the likelihood of future violence and the factors that may influence risk. It is widely used across forensic, psychiatric and criminal justice services, alongside other such tools which may be considered necessary for each individual. I exhibit this '*Risk Assessment Guidance*' as **EC/10 – MOJ000030** (Please note that the information within this paragraph is also relevant to the HMPPS section below).

65. The HMPPS Prison Safety Policy Framework provides information for prison staff on the risks of violence and staff are trained to recognise heightened risks and triggers associated with specific situations and groups of prisoners. Staff are proactively able to manage the risks of violence in custody through the CSIP process which can be informed by factors such as a history of violence. Once a definition of VFIs has been confirmed, we would consider the position on CSIP referrals for VFIs.

HMPPS

66. HMPPS currently uses the Offender Assessment System ("OASys") tool to assess the risk of serious harm and the risk of serious and general reoffending, as explained in further detail in paragraph 128. It is expected that the Assessing Risk Needs and Strengths ("ARNS") service, which is being implemented in phases, will replace OASys entirely by 2029 and be used in all prisons and probation service regions . This is discussed further at paragraph 135. The Serious Violence Reoffending Predictor ("SVRP") is a statistical or machine learning algorithm that combines data on multiple risk factors into an estimate of the likelihood of proven reoffending for specific serious violent offences.

67. These are statutory offences which will usually fall within the existing qualitative description of serious harm used by HMPPS and other criminal justice agencies. Serious harm is, "*An event, which is life-threatening and/or traumatic, from which recovery, whether physical or psychological, can be expected to be difficult or impossible*".

68. SVRP reports likelihood of serious violent reoffending within 2 years as a percentage score. These 2-year scores translate to bandings of 'Low', 'Medium', 'High' or 'Very High' likelihood of reoffending for a serious violent offence.

69. SVRP is displayed within the Combined Serious Reoffending Predictor ("CSRP") which combines the likelihood of serious sexual and serious violent reoffences. For men who have no identified sexual risk their SVRP and CSRP scores will be the same.

70. These predictors have been developed and validated through research on HMPPS datasets that include hundreds or thousands of reoffenders.

71. The research behind the predictors has not used motivation for violence or fixation on violence within its risk factors, however it does include a question regarding the subject's attitudes to violence and quantity and type of previous violent offences.

72. We would not be able to use CSRP or SVRP to identify specifically which VFIs would be more likely to reoffend, but those with high scores and placed in high likelihood bandings are statistically more likely to reoffend violently. So once identified as a VFI if they were to have a high CSRP / SVRP score, this could be used as a criterion to assist in the prioritisation of their treatment.

73. Psychologists who can support with case consultation and case formulation are deployed across probation, in areas including the NSD and Offender Personality

Disorder ("OPD") pathway[4]. This is in parallel to the service discussed at paragraph 63.

Effectiveness of identification

74. As set out above at paragraphs 16-21, YOTs are legally and operationally distinct from the MoJ. It is currently the role of the YJB to oversee their performance. However, the Youth Justice White Paper sets out reforms to refocus the YJB towards driving the improvement of Youth Justice Services by identifying what works, supporting innovation, and accelerating the spread of effective practice. Responsibility for the development, funding, and monitoring of youth justice policy will be for the MoJ under direct ministerial oversight.

HMPPS

75. HMPPS are seeing some cases where behavioural and psychological violent tendencies are being identified through partner agencies, pre-conviction. If an individual has not been picked up pre-conviction by partner agencies, OASys can support assessors with identifying a fixation with violence (as set out below at paragraph 130). However, HMPPS do not routinely identify and record VFIs as a separate cohort, nor does it currently collect data on those fixated with violence and the risk they present, as although a working definition was agreed in 2025, no official definition has yet been determined (as explained at paragraph 12 above).

Data relating to VFIs within the criminal justice system

76. The MoJ does not collect data on those fixated with violence and the risk they present as there is no finalised official definition. The MoJ does publish quarterly data on

[4] The OPD Pathway is a joint strategy by NHS England and HMPPS that provides psychologically informed services for high-risk offenders with severe personality disorders, aiming to reduce serious reoffending and improve mental wellbeing across prison, secure healthcare, and community probation settings.

assaults within prisons (including those involving prisoners aged 18-25) in the Safety in Custody Statistics, the guide to which I exhibit the '*Guidance to Safety in Custody Statistics'* as **EC/11 – MOJ000017**

POLICIES AND GUIDANCE

VFI specific policies and guidance

Prisons – Adult estate

77. There is no guidance specific to VFIs in adult prisons, but prisons follow the Prison Safety Policy Framework, as mentioned at paragraph 54, I exhibit the *'Guide to Safety in Custody Statistics'* **EC11 – MOJ000017** and the '*Prison Safety Policy Framework*' **EC/12 – MOJ000001**

78. The current Prison Safety Policy Framework was implemented on 1 January 2025. Prison Group Directors are required to monitor compliance with this for prisons in their Prison Group. All prisons are required to have a local quality assurance process in place to ensure the effective delivery of CSIP, the safety case management system used to manage prisoners at raised risk of being violent in custody. The HMPPS Performance and Risk Group follow a programme of internal audits[5], assessing each prison's safety policy compliance. External Scrutiny is provided by HM Inspectorate of Prisons and the Independent Monitoring Board.

Prisons – Youth estate

[5] The Safety audit is delivered by PAR Custodial Assurance, and is a comprehensive audit to ensure robust safety practices across various operational areas. The audit provides assurance that prisons are meeting the expectations for reducing violence, self-harm, and self-inflicted deaths by identifying and addressing the risks, triggers, and drivers; providing the right interventions to manage and support those at risk; and ensuring that action is taken to support staff and prisoners who are affected by harmful behaviour they witness or experience.

79. When a child comes into custody, the YCS rely heavily on the information provided by the YOT, Social Care and the parents, to build an accurate picture of that child's risks and needs. YCS receive an Asset report on the 'Youth Justice Application Framework' ("YJAF") upon admission from the YOT that provides most of the background information. YJAF is a secure online platform used exclusively by Youth Justice Services and the Secure Estate to support effective communication and information sharing. It allows users to share information such as AssetPlus assessments (see below at paragraph 137 and case diary entries, and to access and download official documents, forms, and templates, which I exhibit as **EC/13 – MOJ000040**. If the child is known previously to YOTs and social care, YCS request copies of any assessments or formulations that have been completed previously to inform its practice. If a child is assessed as being fixated with violence, YCS would refer the child to the psychology team for intervention. The psychology team have multiple programmes they can deliver to help reduce risk of violence, such as Life Minus Violence and Timewise. These are usually only delivered to children who are sentenced, rather than those on remand.

80. In terms of initial assessments, a child meets with multiple departments within their first 72 hours in custody for assessments. This includes healthcare, education and substance misuse who complete an initial assessment. Additional support will be provided should additional support be needed. If a child is a risk of self-harm upon admission, a multi-disciplinary team will also meet to assess the child's risk to themselves.

81. An initial formulation is completed by wellbeing in preparation for the Core Support Team (CST) and the child's management. This is updated following the CST through a multi-disciplinary lens, supporting the management of the child's risks/needs. If YCS identifies a risk around violent fantasy, ideation and/or fixation, a referral for a risk assessment by the psychology team can be made and subsequent intervention work by psychology services would be carried out or a referral made to other agencies to support the child and manage risk, e.g. the NHS CAMHS/Wellbeing service, and counter-terrorism case management if there is a potential terrorism risk. The child may also be offered appropriate offending behaviour intervention (if sentenced)

Probation

82. As I explained in paragraph 12 above, there is currently a working definition of VFIs in use within government. Once a final cross-government definition has been agreed, specific policies or guidance will be developed.

83. Risk management of VFIs managed by probation services by virtue of a relevant sentence will be subject to MAPPA and other multi agency risk management structures. As the current guidance does not identify VFIs as a defined cohort, the risk will be addressed as part of a holistic risk assessment and associated management plan.

YOTs

84. There are currently no national Youth Justice policies or programmes that are specifically targeted at VFIs. Youth Justice practitioners in YOTs use guidance such as the YJB's '*Case Management Guidance*', which I exhibit as **EC/14 – YJB000101**, to understand how to work with children. The MoJ understands from engagement with YOTs and the YJB that these services likely refer to these general guidance documents, in the absence of specific guidance. Youth Justice practitioners also take account of guidance issued by other departments and organisations to address the cross-service needs of VFIs such as Working Together and guidance issued for members of Prevent Panels. YOT practitioners have told YJPU officials that specific guidance would be welcome.

Consideration of the national strategy

85. The absence of specific national policies and programmes, guidance and governance targeting the VFI cohort is indicative of the gaps in evidence and lack of a consistently used definition to capture this cohort, as was identified in Phase 1 of the Southport Inquiry and in subsequent cross-government work following the attack. The effects of this lack of definition are also evident throughout this statement.

86. The MoJ has been involved in cross-departmental work to address this gap and will continue this. In May 2025, the YJPU undertook rapid engagement of a sample of 11 youth justice services. This aimed at understanding services' current and possible role in supporting VFIs. A theme of services' views raised during this engagement was that clear guidance would be welcomed on how to identify VFIs as distinct from other children they work with, and what interventions would be effective to tackle their violence fixation.

87. The Home Office is leading cross-departmental work looking specifically at how VFIs travel through the system and where improvements can be made, and the MoJ is participating in this work. The MoJ recognises that VFIs are a cross-system issue requiring a thorough and co-ordinated cross-government response. The Home Office-led work was commissioned following a National Security Council Ministerial meeting in March 2025, attended by the MoJ and Home Office. As part of its wider contribution to this work, the MoJ is responsible for the development of a cross-government understanding of the role Youth Justice Services (YJS) play in identifying, assessing and managing VFIs, and whether there is a case for expanding or strengthening that role within the wider safeguarding and crime prevention landscape. We would refer the Inquiry to the Home Office for further detail on this ongoing work.

TRAINING

VFI specific training

88. At present there is no formalised VFI training. Teams across MoJ continue to learn more about this cohort and in response some have developed informal group discussion material for reflective practice sessions to understand the emerging evidence on this cohort. For example, at a recent internal conference, on 11 June 2026, an MoJ psychologist gave a presentation on violence fascinated/fixated individuals and neurodivergence. Furthermore, colleagues led a reflective practice session with attendees on the topic of VFIs more generally. Although the presentations drew upon untested and unpublished data that has not yet been quality assured, the aim was to facilitate early discussion amongst attendees on this emerging issue.

Prisons – Adult estate

89. There is currently no specific training for prison staff in the adult estate on VFIs. However, violence reduction training and supporting resources are available to staff to help them understand the drivers of violence, identify violence-related risk factors and manage violence effectively. This includes the use of the CSIP process, which supports staff to assess risk, understand the underlying drivers of violent behaviour and develop appropriate risk management plans for managing the risk of custodial violence

90. Staff undertaking key roles in violence reduction, risk assessment and case management receive role-specific training and guidance relevant to those responsibilities. HMPPS has also developed a Risk Identification Toolkit to support staff in recognising and assessing indicators of violence risk. In addition, staff are supported through local violence reduction strategies, multidisciplinary case discussions and professional input from Safety, Security, Psychology and Healthcare teams when managing complex or high-risk individuals.

91. Whilst these arrangements are not designed specifically for VFIs, they provide the existing framework for identifying, assessing and managing prisoners who present an increased risk of violence.

92. The effectiveness of safety training is assessed through how well staff apply safety processes in practice. This includes monitoring safety and violence outcomes, the quality of CSIP investigations, case management plans and reviews, compliance with the Prison Safety Policy Framework, local management oversight, assurance and quality assurance activity, and findings from HM Inspectorate of Prisons and Independent Monitoring Boards. Learning identified through serious incidents, assurance activity and inspection findings is used to inform updates to training, guidance and operational practice where improvements are identified. Whilst these arrangements are not designed specifically to assess training on VFIs, they provide assurance that staff are effectively identifying, assessing and managing violence-related risk.

93. Extremism Risk Guidance Revised ("ERG-R") assessors are required to complete an assessed training course, where they must demonstrate their knowledge and competency in applying the assessment. This framework, which is discussed in further detail at paragraph 187, recognises that individuals may follow different terrorism engagement pathways and that a range of interacting influences can shape their behaviour. This includes consideration of the relevance of harmful online content where appropriate. These principles are reflected in the training delivered to delegates. Violence fixation is discussed as a current theme within today's terrorism environment, as part of providing delegates with an overview of the current threat landscape. The message is not specific to VFIs; rather, it acknowledges that, for some terrorist offenders, fixations or fascinations with violence can be a contributing factor that interacts with other influences within their wider pathway. Assessments conducted using the framework may result in different recommendations, depending on the individual's specific risk, need, and responsivity profile. Further to paragraph 64, psychologists are trained in specific risk assessment tools, and these are applied to those identified for further assessment.

94. The Prison Safety Policy Framework sets out the expectation that staff will identify, assess and manage individuals who present an increased risk of violence - working alongside Safety, Security, Psychology and Healthcare colleagues where appropriate. Whilst these arrangements are not designed specifically for VFIs, they provide the existing framework for recognising and managing prisoners who present a heightened risk of violence.

95. In addition, HMPPS is working with the Metropolitan Police and strategic intelligence experts who are investigating incel (involuntary celibate) and VFI typologies and how they may overlap to develop appropriate staff training resources. Incels are a sub-culture community of men who forge a sense of identity around their perceived inability to form sexual or romantic relationships. In recent years, there has been a small, but growing, number of violent attacks that have been attributed to individuals who identify as incels **EC/15 – MOJ000002**.

Probation

96. There is a generic risk assessment and risk management training that is applicable to the management of VFIs, but no specific training due to the lack of a formal definition.

97. Probation Officers are trained to undertake general risk assessment and risk management. Within the NSD, there are psychologists embedded across the five National Security Units who support risk assessment and case consultation and formulation. Looking forwards, bi-annual case formulation training for operational staff is commencing in November 2026, but this is not specific to VFIs. A small psychology support service is available for probation regions, focused on consultancy and support.

Consideration of the training strategy

98. Due to a lack of a clear definition of VFIs, it is difficult to formulate an appropriate training package for professionals within the Criminal Justice System.

99. A definition is key to developing VFI specific training. In order to develop appropriate training, additional work is required to establish who is included in the VFI cohort to identify the most appropriate interventions and risk management approaches for this group. Any definition that is developed should be subject to evaluation and review to ensure that any training that is introduced is evidence-based.

100. Whilst it is acknowledged that further, specific training in relation to VFIs is required to upskill staff within MoJ's remit across the Criminal Justice Service, it is caveated by the need for additional training and resources across our various partner agencies, especially those delivering risk reduction interventions, e.g., family intervention work to support risk reduction, Mental Health Services delivering bespoke work.

INFORMATION SHARING

Information sharing arrangements

101. For VFIs managed under MAPPA, there is a clear legal framework for sharing information. The Statutory Guidance states at paragraphs 9.4-9.7:

"The purpose of sharing information about individuals (data subjects) under MAPPA is to enable the relevant agencies to work together more effectively in assessing risks and considering how to manage them, in order to protect the public. Agencies should share all relevant information, so that public protection is not compromised, while respecting the rights of data subjects, which may limit what can be shared. These rights are set out in Part 3 of the Data Protection Act 2018 (DPA) and Article 8 of the European Convention on Human Rights. In summary, the principles derived require that information sharing is lawful, necessary and proportionate.

Information-sharing must be lawful

Information sharing must be in accordance with the law. Sections 325(4)-(4G) of the Criminal Justice Act 2003 (CJA) expressly permit information sharing between Responsible Authorities (RAs), Duty to Cooperate Agencies (DTCs) and Associate agencies for the purposes of assessing and managing the risks presented by MAPPA offenders.

These agencies and individuals are considered to be competent authorities in relation to the DPA 2018 when sharing information under MAPPA, even where they would not otherwise qualify as competent authorities (see sections 325(4D) and (4E). This means that information sharing under MAPPA is always carried out under Part 3 of the DPA 2018.

Section 325(4B) provides that disclosure under section 325 will not breach any obligation of confidence owed by a person disclosing information, or any other restriction on the disclosure of information.'

102. Information sharing is also possible where VFIs are known to HMPPS but are not managed under MAPPA. Again, there must be a lawful basis for sharing information. The '*HMPPS Information Sharing Policy Framework*' sets out the requirement for information sharing to be done in accordance with the provisions of the Data Protection Act 2018 and the UK General Data Protection Regulation. The policy intends to enable HMPPS staff to share personal information to prevent abuse or serious harm where

there is a legal gateway for doing so. It does not describe the process by which information must be shared, as this will vary significantly depending on the nature of the information being shared and who the receiving agency is. I exhibit this Framework as **EC/16 – MOJ000032**.

103. Section 14 of the Offender Management Act 2007 allows the Secretary of State and other bodies such as police and local authorities involved in offender management to share information. This section supports effective communication and coordination among various entities dealing with offenders.

104. In addition, the '*HMPPS Child Safeguarding Policy Framework*' is clear that information sharing is a core safeguarding responsibility and should not be delayed because of concerns about consent or data protection where a child's safety is at stake. I exhibit the Framework as **EC/17 MOJ000042**.

105. HMPPS is working with the Department for Education to implement section 4 of the Children's Wellbeing and Schools Act 2026. This measure creates a duty on agencies listed under section 11 of the Children Act 2004 (including HMPPS) to share information about a child where they consider it relevant to safeguarding or promoting that child's welfare.

Effectiveness of information sharing

106. Information-sharing operates within a cross-government legal framework, taking into consideration the Data Protection Act 2018 and UK General Data Protection Regulation, the Children Act 1989 and 2004, and '*Working Together to Safeguard Children*' guidance. I exhibit this guidance as **EC/18 – DFE000262**

107. When sharing information, the protection of children overrides concerns about confidentiality where there is a risk of harm.

108. Agencies under the MoJ, including prisons and probation services, are key partners in safeguarding arrangements and are expected to share relevant information with other

agencies and contribute to identifying risk and harm. They also support criminal investigations and safeguarding interventions, where required.

109. However, complications can arise in sharing information due to individuals in different organisations not sharing the same security clearances when handling sensitive documentation.

110. Parents of young people withholding, withdrawing or manipulating their consent to information sharing can also add to the complexities of effective information sharing. There is a delicate balance between building and maintaining trust with parents and families of young people and managing risk. Within the custodial setting, relationships are proactively developed with families and carers who are invited to engage with Core Support Teams, actively contributing to custody and release planning. In addition, Family Therapy provision is available to children and their families via the YCS Psychology Services team.

ASSESSMENT AND MANAGEMENT OF RISK

Assessment of risks posed by VFIs

Prisons – Adult estate

111. While there is no policy for assessing the risk posed specifically by VFIs in prison, the Prison Safety Policy Framework requires that prisons must assess prisoners' risks of harm to others effectively and make appropriate use of risk information to inform decisions on the management of prisoners. We exhibited the aforementioned framework at paragraph 77.

112. Staff in the adult estate are trained to recognise the drivers of violence, identify emerging risks and use processes such as CSIPs (as mentioned above in paragraph 54) to manage individuals who present a heightened risk of violence in custody. The focus is on understanding what sits behind the behaviour and putting the right support

and interventions in place to reduce the risk of further harm. This training is not VFI specific, so may not capture all VFIs.

113. VFIs are not currently identified in prisons, however all staff have a responsibility to submit a CSIP referral for any prisoner they believe poses a raised risk of being violent. CSIP is used to manage prisoners at risk of custodial violence, although it should be noted that those convicted of violent offences are not necessarily referred to, or suitable for, CSIP. Once a definition of VFIs has been confirmed, we would consider the position on CSIP referrals for VFIs.

114. Staff must also be able to submit a CSIP referral on behalf of prisoners and their family members where it is requested (we exhibit the Prison Safety Policy Framework, as mentioned above in paragraph 77, the relevant paragraphs in the Framework are paragraph 4.107 to 4.113). Referrals for CSIP must be based on evidence and be formulated from multiple information sources, including a conversation with the prisoner. When making a referral, staff must consider the prisoner's risk factors, triggers and any potential protective factors (where they are known). The Prison Safety Policy Framework states at paragraph 4.110 that the prison's safety team must screen all CSIP referrals promptly and assess and evaluate them to decide what action to take.

115. The Prison Safety Policy Framework states at paragraph 4.113 that if a decision is taken to support a prisoner outside of the CSIP process, this must also be recorded on their case notes, along with the actions that will be taken to support them outside CSIP. This must be communicated to the appropriate staff members, as well as the prisoner.

116. The Prison Safety Policy Framework states at paragraphs 4.114 to 4.116 that where the result of the referral is to open an investigation, as part of the investigation a staff member must speak with the prisoner and with any other people relevant to the investigation such as members of staff, and/or other prisoners. An investigation must focus on the prisoner and include consideration of their motives, risk factors, triggers and protective factors, to develop an informed understanding of that prisoner's behaviour and what is driving it, as well as things that can help to improve that

behaviour. Where the CSIP referral is in response to a specific incident, the investigation must include consideration of what triggered the referral with an equal focus on why the incident occurred. Investigations must be evidence-based, drawing on a range of data and information to enable an informed decision to be made. These stages of the CSIP process are completed digitally, with prison staff answering the questions set out during these stages of the process. A Custodial Manager reviews the information and makes the decision whether the case should progress to a full CSIP plan or be managed through alternative processes.

117. The Prison Safety Policy Framework states at paragraph 4.121 that once the decision has been taken to open a Support and Intervention Plan, a case manager must be assigned to the prisoner promptly.

118. There are currently no assessment tools specifically utilised for VFIs.

119. Children within the criminal justice system are recognised as having multiple needs in multiple domains, which can span many services including mental health, neurodisability[6], substance misuse, physical health and offending behaviour. To support the needs of children in the secure setting, the YCS' '*Framework for Integrated Care, SECURE STAIRS*[7], provides a set of evidence-informed guiding principles and practices that can provide a template for the integration of services for children and young people in some of the most complex situations, who are at high risk of harm, and who may display high-risk behaviours. In the existing children and young people secure estate in England, SECURE STAIRS is a trauma-informed[8], whole system approach to assessment, that involves the potential for input from a range of specialist

---

[6] Neurodisability is an umbrella term for conditions associated with impairment involving the nervous system and includes conditions such as cerebral palsy, autism and epilepsy; it is not uncommon for such conditions to co-occur.

[7] SECURE STAIRS is a framework for care that guides how the YCS works with CYP in secure settings. It was developed in collaboration with NHS England and NHS Improvement.

[8] Trauma-informed practice is an approach to health and care interventions which is grounded in the understanding that trauma exposure can impact an individual's neurological, biological, psychological and social development. It is a whole system approach that recognises, understands and responds to both the prevalence and impact of trauma in a way that seeks to cause no further harm

and operational staff groups. The framework seeks to ensure that staff have the right skills and support to care for the children and young people appropriately. At the centre of the framework is a co-produced plan for each child. This formulation is the basis for further assessment and intervention design. The formulation is completed by health colleagues following a child's arrival in custody. YCS' psychologists draw upon the formulation to identify risk/ needs and any additional assessment and/or intervention work relating to their offending behaviour. Any assessments relating to harmful sexual behaviour are undertaken by health colleagues. The framework provides the overarching approach to working with children in custody, although delivery and implementation may vary at a site level.

120. Within the Youth Offender Institution ("YOI") estate, mainstream services are available for all children in custody to varying degrees, depending on need. Mainstream custodial services aim to provide a universal service to every child, in accordance with need. Locally, Support Services enable a co-ordinated approach to the delivery of integrated services according to each child's needs. Every child in custody should have a Multi-Agency Support Team which should include a range of multi-disciplinary colleagues. Each Support Team is responsible for a cohort of children, the size of which is determined locally. Co-ordinated locally, each child is allocated to a Support Team during their induction to the secure setting. Support Team meetings are held at various frequencies across the YOI sites, with the aim of ensuring each child's plan is reviewed every other month, as a minimum. The formulation and plan should be responsive to the child's needs and risks.

121. For those children in custody not responding to mainstream services whether in the shorter or longer term due to complexity of need, Enhanced Support Services ("ESS") are available. Where a child's needs and/or vulnerabilities mean that a Support Team is no longer able to meet need, ESS are required and provided via various pathways. Each of the ESS pathways provide additional support and resource proportionate to the child's need and/or vulnerabilities. Within this structure, an Enhanced Support Team ("EST") enables a co-ordinated approach to the delivery of specialist services. Each EST has responsibility for one child. The team members have the level of skills required to reflect the complexity of the child's needs. Each EST holds at least weekly reviews. The functional lead allocated to the EST is responsible for ensuring the EST

takes place. The EST is responsible for co-ordinating the child's Care Plan. Given the escalation of need, this is likely to involve a review of the formulation and a greater focus on meeting needs in the immediacy.

122. For those children accessing ESS, a bespoke pathway can be provided via an Enhanced Support Unit ("ESU"). ESUs are designed for children with exceptionally complex needs requiring additional bespoke and individualised services and support within a discrete physical environment. An ESU is currently available in HMYOI Feltham A.

123. HMPPS Psychology Service Group and Forensic Psychology Services Wales undertake a range of risk assessments with individuals for various reasons, primarily parole. Such assessments will cover risk of harm to self and others, utilising a range of structured professional judgement tools which are suitable for the individual case. These assessments will inform Parole but also may impact on wider custodial management processes such as categorisation, access to other interventions and services or specialist units. Within the YCS there is a dedicated team of psychologists who work specifically with children. This group have lower cases loads and are actively involved with children from reception age upwards. Psychologists are allocated to each residential unit and have a caseload of children. The psychologists deliver directly into the ESS and ESTs working alongside other professional groups. Bespoke interventions are delivered to children in custody based on individual need and evidence base for interventions with children.

124. Where needed for children in the YOI estate, psychology services operating guidance for psychologists has been developed with support from psychology colleagues in the LTHSE – *'Supporting Restrictive Children'* (September 2024, reviewed September 2025). YCS Psychology Services monitor identified Restricted Status ("RS")[9] children who require these services whether remanded or sentenced. YCS Psychology

[9] Restricted status refers to those children who have been deemed a risk to the public, state and or police if unlawful at large. Individuals managed as restricted status transfer into the high security estate at 18 years old and are managed as category A offenders at that point.

Services hold a list of all RS children in the YOIs which is reviewed locally by the establishment psychologists who are involved in the provision of psychological advice to other professionals. On sentencing, RS children have a Psychology Risk Assessment completed by YCS Psychology Services which draws on the '*Psychology Risk Assessment*' Policy Framework as guidance, which I exhibit as **EC/19 – MOJ000037**. Risk Assessment Tools are child specific and age appropriate and could involve using the ERG-R, Structured Assessment of Violence Risk in Youth ("SAVRY") and the Structured Assessment of Protective Factors ("SAPROF") of harms to self and others and appropriate support to manage identified risks. Reception processes have been digitally streamlined to flag risk information earlier and promote supportive conversations between staff and prisoners and effectively manage prisoners on arrival to prison.

Probation

The Offender Assessment System

125. There is no separate tool for assessing the risks presented by VFIs; however, HMPPS undertakes a detailed risk assessment in both prisons and probation services, currently through the OASys, to analyse the behaviour and lifestyle of individuals to understand:

125.1. the likelihood of the individual committing a further offence;

125.2. whether that offence is likely to cause serious harm to others;

125.3. the needs most closely linked to their offending; and

125.4. drivers or motivation for offending.

125.5. HMPPS use this information to develop plans to manage the risks identified.

Risk of reoffending

126. HMPPS uses validated actuarial reoffending predictor tools to determine a percentage score for how likely an individual is to reoffend for different types of reoffending such as all offending or more specialised offending such as serious violence. These percentages are aligned into risk bands of low, medium, high or very high. These tools have been shown to have very good predictive validity: that is, they effectively differentiate offenders who are lower risk of reoffending than those who are higher risk of reoffending.

127. However, they are unable to consider increases in situational risk and therefore practitioners are required to overlay their professional judgement on the final assessment of risk.

Risk of serious harm

128. OASys defines "serious harm" as: "*an event which is life threatening and/or traumatic and from which recovery, whether physical or psychological, can be expected to be "difficult or impossible*". The definition is set out in the *'Risk of Serious Harm Guidance 2020'*, a copy of which is exhibited at paragraph 132.

129. Practitioners assess the specific risks the individual presents, to whom and whether the circumstances or factors linked to the harm are still relevant, or if not, could be present again in the future.

130. There are specific questions within OASys to identify violence including if the offence has involved excessive or sadistic violence, obsessive behaviours or other indicators of violence such as use of weapons or general physical violence. There are also questions designed to understand an individual's thinking and attitudes such as if there is evidence of hate-based behaviours, pro-criminal attitudes or a hostile orientation which involves grievance thinking, callousness and hostility towards others and rules.

131. It is currently HMPPS practice to assign one of four levels to the Risk of Serious Harm to a number of groups:

131.1. Public

131.2. Children

131.3. Known adult

131.4. Staff

131.5. Prisoners

132. The *'Risk of Serious Harm Guidance 2020'* supports individuals to apply the levels consistently and accurately. I exhibit this guidance as **EC/20 – MOJ000011**.

133. Levels of serious harm are defined as follows:

133.1. Low risk of serious harm: Current evidence does not indicate likelihood of causing serious harm.

133.2. Medium risk of serious harm: There are identifiable indicators of risk of serious harm. The person has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances.

133.3. High risk of serious harm: There are identifiable indicators of risk of serious harm. The potential event could happen at any time, and the impact would be serious.

133.4. Very high risk of serious harm: There is an imminent risk of serious harm. The potential event is more likely than not to happen imminently, and the impact would be serious.

134. Individuals referred to as 'high risk' are likely to refer to those at high risk of serious harm, i.e., individuals:

134.1. with the highest likelihood of serious reoffending (sexual and/or violent) and the highest risk of harm; or

134.2. where the likelihood of reoffending may be lower but if they did the impact would be serious and there are few protective factors in place.

134.3. Specialist forensic psychological assessment is also available for the highest risk individuals identified through referral.

Assessing Risk Needs and Strengths service (ARNS)

135. HMPPS are currently developing a new tool that will fully replace OASys by 2029, the new service is being delivered in phases, with the ARNS Sentence Plan being the first element that was launched nationally within Prison and Probation in April 2026, with the remaining assessment and risk sections anticipated to be released throughout 2027-28. ARNS builds on the evidence base underpinning OASys and will continue to use a combination of validated actuarial reoffending predictor tools and professional judgement. The modern service will be easier to navigate, better integrated with other prison and probation platforms and include AI functionality, to highlight information stored in different places, reduce duplication and enable practitioners to make informed decisions on risk.

136. The Assessing Risk Needs and Strengths ("ARNS") service will be used in all prisons and probation service regions. Screening of resettlement needs and pre-release plans will be brought into the ARNS service in 2027. This will reduce duplication and provide a consistent approach to assessment of risk, strengths, criminogenic and resettlement needs on one shared platform, pre and post release.

<u>YOTs</u>

137. YOTs use the YJB's *'AssetPlus framework'* as the statutory assessment and intervention planning tool and I exhibit the model document as **EC/21 – MOJ000020** AssetPlus provides a structured assessment of a child's offending

behaviour, risk of harm to others, risk to their own safety and wellbeing, and factors linked to future offending. While AssetPlus does not contain a specific VFI assessment tool, it enables practitioners to identify and assess behaviours and circumstances associated with serious violence, fixation, grievance, concerning online activity, extremism and other indicators of risk.

Effectiveness of assessment tools

138. Without a confirmed definition of VFIs and national guidance it is difficult to assess whether existing tools in the adult prison estate adequately capture the risk. With a formal VFI definition in place risk identification tools, violence reduction training and staff guidance would need to either be updated or formulated to reflect and highlight risk factors particular to VFIs in order to be most effective.

139. There is consistency in the fact that all YOTs in England and Wales use AssetPlus, which contains standard sections for assessing risk of harm, serious risk of harm, and safety and well-being. Youth justice National Standards (the statutory standards issued by the Secretary of State for Justice, on the advice of the YJB, which set out the minimum expectations for agencies delivering youth justice services) which I exhibit as '*Standards for children in youth justice'* **EC/22 – MOJ000003**, and YJB Case Management Guidance, apply nationally. There is not a single cross-government risk assessment model used by all agencies; consistency is achieved primarily through information sharing and professional judgement.

Multi-agency sharing of risk assessments

Prisons – Adult estate

140. As mentioned at paragraph 94 above, the Prison Safety Policy Framework sets out the circumstances where risk information should be shared with other agencies, for example with healthcare partners, criminal justice agencies, including probation services and the YCS.

141. The HMPPS Prison Public Protection Policy Framework, exhibited at paragraph 5556, makes it clear that information sharing is critical to public protection. The framework requires relevant risk and public protection information to be shared within prisons and with external agencies, including probation, police and safeguarding services, where necessary and proportionate. It emphasises that the sharing of relevant information throughout custody and before release is essential to effective risk management and public protection.

Probation

142. The circumstances for referrals into multi agency settings will depend on the case and the most appropriate route for referral.

143. Under MAPPA, the Probation Service is expected to share information with other agencies to inform risk the assessment. and management of the offender's risk. MAPPA statutory guidance requires risk assessments to consider the information available from all agencies involved, which I exhibit as **EC/23 – MOJ000009**. Risk assessments are formally shared when a case meets the threshold for MAPPA management at level 2 or 3. Information on thresholds for formal multi agency management is set out in MAPPA statutory guidance at Chapter 7, which I exhibit as **EC/24 – MOJ000036**.

144. HMPPS are also required to make referrals to Children's Services as set in statutory guidance *'Working Together to Safeguard Children'* and will share risk concerns in that process.

YOTs

145. Risk information is shared through local safeguarding arrangements and public protection arrangements. *'Working Together to Safeguard Children'* is the government's statutory multi-agency safeguarding guidance, exhibited at paragraph 106. This guidance sets out that *"YOTs should have a lead officer responsible for ensuring safeguarding is embedded in their practice"*. Youth justice services are

expected to participate in local safeguarding arrangements. Effective information-sharing is a central expectation.

Transitioning from the youth estate to the adult estate

146. Most children held within a Secure Training Centre (STC)[10] or YOI will have a case formulation which has been developed by a psychologist and shared with the professional network. Where a fixation with violence has been identified this may trigger a referral to interventions for a more in-depth assessment and treatment. Where a child is a MAPPA nominal, secure settings are required to contribute to risk management discussions. Children serving Detention and Training Orders of 8 months or more can have their release delayed by up to 2 months where there are significant public protection concerns, or their late release will have a critical effect on their rehabilitation. Children serving longer sentences who will be over 18 by their conditional release date can be detained for longer under the Power to Detain. '*The Power to Detain Dangerous Prisoners Serving Determinate Sentence Policy Framework'* sets out the purpose, eligibility criteria and panel consideration process. I exhibit the guidance **EC/25 – MOJ000033**.

147. When a child enters custody, they are expected to arrive with an ASSET+, which is an assessment and planning interventions framework, which was designed to be an end-to-end assessment and intervention plan, allowing one record to follow a child or young person throughout their time in the youth justice system. The assessment is owned by the YOT and is commenced when a child arrives in custody. The custody site can then make updates to set parts of the assessment to ensure continuity. Elements of the assessment include risk of harm, serious risk of harm and risk to the young person. Information is also collated to explain the young person's situation or behaviour. Practitioners are expected to use these sections to develop the intervention plan for the child to deliver key outcomes, one of which is to not hurt others.

---

[10] An STC is a place of detention for a young person who had been convicted of an offence or remanded pursuant to section 43 of the Prison Act 1952, as amended by section 5 of the Criminal Justice and Public Order Act 1994 (CJPOA 1994).

148. When an ASSET+ is available at the point of placement it will support the senior placement officers in making their placement decision. However, it is important to note that an ASSET+ is not always available, and placement officers will therefore have to make judgements based on the information provided to them verbally by the YOT. An ASSET+ will support the interventions teams on-site to complete the needs screens for sentenced children which will help them to signpost what offending behaviour programmes the children would benefit from completing.

149. Where are child is serving a community sentence, it is mandatory for a child to engage with the YOT in the manner particular to the requirements of that particular order. Failure to do so may result in breach proceedings. Children released from custody on supervision are expected to comply with standard requirements, which include keeping in touch with their supervising officer.

150. YOTs maintain the option to request additional and bespoke conditions. YOT case managers should evidence that additional conditions are necessary and proportionate to manage risks. Additional licence conditions/requirements must fall into one of the categories set out in the *'Licence Conditions Policy Framework'* which I exhibit as **EC/26 – MOJ000016**:

150.1. residence at a specific place

150.2. restriction of residency

150.3. making or maintaining contact with a person

150.4. participation in, or co-operation with, a programme or set of activities

150.5. restrictions on possession, ownership, control or inspection of specified items or documents

150.6. disclosure of information Licence conditions and Notice of Supervision ("NoS") requirements guidance

150.7. a curfew arrangement

150.8. freedom of movement

150.9. supervision in the community by the supervising officer, or other responsible officer, or organisation

150.10. restriction of specified conduct or specified acts

150.11. extremism

150.12. electronic monitoring conditions

150.13. terrorist personal search

151. I exhibit the published details of post-custody restrictions as '*Licence Conditions and Notice of Supervision Requirements guidance*' **EC/27 – MOJ000038**.

152. Currently, children under 18 cannot be polygraph tested or directed to reside in a Probation Approved Premises. Electronic monitoring for children released on licence on/after their conditional release date is restricted to those whose release was directed by the Parole Board following a recall. A bespoke Intensive Supervision and Surveillance condition can enable electronic monitoring: however, it is strongly discouraged by the YJB as there is evidence to suggest it can increase offending post custody.

Effectiveness of management of risks

Youth justice

153. The tragic events in Southport in 2024 have highlighted, as the Phase 1 report found, that there are gaps in how systems collectively identify and (crucially) intervene with children who pose significant risks to others. I concur with the Phase 1 report's

summary that, even where children are known to multiple services, failures in information sharing and ownership of risk can mean escalating and concerning behaviour is effectively left unmanaged.

154. The youth justice system operates generally effectively when it is working with a child under its formal supervision – e.g. through a court order or a formal out of court resolution. YOTs' multi-disciplinary teams and approaches have been critical to their effectiveness since being established in the Crime and Disorder Act 1998. YOTs' management of all children, including under-18s who would likely be defined as VFIs, is either mandatory, under possibility of prosecution; or voluntary, subject to consent of the child. Where a child has not committed an offence resulting in a mandatory intervention, or does not consent to YOT voluntary intervention, the YOT cannot engage that child, however. This limits the management of children who might be VFIs, but who have not yet offended or do not consent to YOT intervention. However, where YOTs do intervene, they are broadly effective multi-disciplinary teams delivering reduced reoffending.

155. Youth justice services have contributed to a substantial long-term reduction in youth offending, with the number of children cautioned or sentenced falling by around 88% between 2009/10 and 2024/25. This reflects the success of prevention, diversion and early intervention approaches. While caution or sentence data should not be viewed in isolation, and wider demographic and policy factors have also influenced these trends, the sustained decline provides a strong indication of the effectiveness of the youth justice system over time.

156. This broader picture is supported by inspection evidence. YJS' effectiveness are inspected by HMI Probation against evidence-based standards aimed to drive improvement. Under the previous HMI Probation inspection framework (2018 – March 2025), HMI Probation inspected 156 services across England and Wales, of which four services (under 3%) were rated as 'Inadequate'. HMI Probation introduced a new, agile inspection framework from March 2025 which inspects YJS against the quality of their work with children and (for the first time) victims. Between the launch of the new inspection framework in March 2025 and end-March 2026, HMI Probation published 19 reports, of which 12 (c. 63%) were assessed as either 'good' or

'outstanding', and the remaining 7 as 'requires improvement'. I exhibit the published *'Inspection Framework 2025'* **EC/28 – MOJ000100**.

157. All that said, we accept that evidence of broad effectiveness does not preclude significant individual failings or system level weaknesses that require policy intervention. The youth justice system is founded on a multi-agency model intended to identify risk, share information and coordinate effective interventions for children to ensure they receive support from relevant agencies. This model did not operate effectively in AR's case and exposed significant weaknesses in practice. This is consistent with themes identified by HMI Probation in its 2026 Annual Report: while finding a number of strengths across YJS, including strong engagement and relationship-based practice with children, it also highlighted several areas for improvement, particularly work to keep children and communities safe, the quality of risk assessment, information sharing and partnership working. I exhibit the published *'HMI Probation Annual Report 2026'* **EC/29 – MOJ000114**.

158. The MoJ has publicly acknowledged the need and plans for reform in this area. In the Youth Justice White Paper, published in May 2026, the department set out a clear position that genuine diversion means gripping problematic behaviour early, with tough and decisive action where offending does happen, that addresses root causes.

159. In AR's specific case, the Inquiry's volume one report noted that the court's sentencing options were confined to a Referral Order or a DTO. AR received a Referral Order, which the Inquiry found, among other factors, resulted in a comparatively limited intervention that was not well suited to managing the serious and escalating risk he posed to others. As noted at paragraph 47 of the Witness 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.

160. Alongside these sentencing reforms, the MoJ is also reshaping and reforming national oversight of YJS to ensure that the framework enables more effective government intervention where standards are not met. In July 2026, the MoJ published a consultation on proposed changes to strengthen central government's approach to YJS performance oversight, including through removing duplication and fragmentation

from the current oversight arrangements and updating National Standards so they reflect the realities of current practice, such as the increasing proportion of children with very complex needs entering the system. I exhibit the consultation **EC/30 – MOJ000115**.

161. However, national systems and policies, and local systems and processes that exist either side of that, create a landscape which practitioners can find difficult to navigate, risking ineffective case management through individuals' needs not being met sufficiently to reduce risk to others or themselves. Youth justice services join up with, but also operate in parallel to, a diverse range of other systems serving similar but different functions, with remits which often overlap. Some of the most relevant to this cohort include, but are not limited to, the Prevent system and Channel panels[11], safeguarding teams within local authorities, and Forensic Child and Adolescent Mental Health Services (FCAMHS).

162. As above, the MoJ has been working with other government departments to explore these wider cross-system issues in the months since the attack, and we also welcome the Inquiry's own conclusions and recommendations about how we might streamline or reform statutory and practical arrangements.

163. We wholly agree that these questions, focusing on the justice system's management of VFIs, should and must be asked. We also recognise that VFIs are a very small cohort of very complex children and adults. The justice system must be able to manage all those within it: it would not be feasible, proportionate or appropriate to design the system around one group and their highly specific requirements. However, we note that much more needs to be done to adequately manage VFIs, and we

[11] Channel, part of the Prevent Strategy, is a multi-agency safeguarding programme that provides early support to individuals at risk of being drawn into terrorism. Local authorities have a duty to ensure that a Channel panel is in place in their area to assess and coordinate the support needs of a referred individual. The Channel panel will be chaired by the local authority, and include the police plus representatives from sectors such as health, social care, education, prisons and probation as appropriate

welcome the Inquiry's recommendations on how we can ensure there is sufficient resilience throughout the system to do so.

164. The relatively low number of children who might meet the definition of a "VFI" can also make this more difficult – an individual local authority structure is likely to have very few (if any) children meeting this threshold at any one time. To address this wider issue, the department has also been encouraging greater collaboration across YOTs, to pool resources to deal with low volumes of more complex children and cases. In particular, this has been a key feature of our work to reduce the number of children unnecessarily remanded to custody. Individual local authorities will have very few (if any) children remanded to custody at any one time, and so that makes it difficult or unaffordable to maintain provision of the interventions, support or accommodation. We have, therefore, been providing policy and financial incentives for 'regions' to come together; we assess that this has been successful, particularly a pilot with Greater Manchester across its 10 local authorities. Similarly, in our development of the Youth Diversion Order ("YDO") (see below, paragraph 257257), we have considered how best to align local resource to demand for YDOs. A governance structure that will support both management of extant Orders and the sharing of good practice and learning on the use of YDOs across the country is under consideration.

165. The link between VFIs and regional working between Youth Justice Services is that intensive support and supervision provision is often more feasible to sustain at a regional level. For example, an intensive fostering placement may not be financially viable for an individual local authority to create but it is viable as a regional specialist fostering service. Or a bail Intensive Support and Supervision team might be able to offer a more comprehensive and robust support package if local authorities pool their funding/resources. I exhibit the London Accommodation Pathfinder ("LAP") evaluation **EC/31 – MOJ000117**.

166. 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. 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.

167. The Greater Manchester pilot described above was evaluated, which I exhibit here **EC/32 – MOJ000116**. It showed that even some children charged with serious violence offences were successfully supported on intensive bail or remand to local authority accommodation. However, it did not refer to 'VFIs' specifically as a cohort.

168. Further 'regional' join-up of this sort, whilst retaining local authorities' critical role and case ownership, may also be part of a more effective system for identifying and managing risk of VFIs.

Prisons – Adult estate

169. In adult prisons, CSIP is the case management process designed to support prisoners in the adult estate at raised risk of violence in custody, and is available to the whole adult prison population, including prisoners on remand. However, CSIP is not an intervention in itself, rather it sets out ways in which staff would manage and support prisoners at a raised risk of committing custodial violence and would require referral to appropriate sources of support to effectively manage VFIs. Furthermore, it is not designed to support VFIs specifically.

Possible ways to utilise orders to reduce risk of violence fixation

170. The Sentencing Council provides guidelines for use by the Courts when sentencing offenders. When sentencing adults their purpose is to seek to ensure that offenders are sentenced according to the level of seriousness of the offence based upon an assessment of the culpability of the offender and the harm caused, intended or risked. The guidelines seek to ensure that the sentence is proportionate to the seriousness of the offence whilst considering the five purposes of sentencing (punishment, reduction of crime, reform and rehabilitation, protection of the public, reparation).

171. When sentencing children or young people (those aged under 18 at the date of the finding of guilt), courts must follow the detailed guidance that is set out in the Sentencing Council's Sentencing Children and Young People overarching guideline.

172. The guideline states that when sentencing children and young people the seriousness of the offence will be the starting point, however the approach to sentencing should be individualistic and focused on the child or young person, as opposed to offence focused.

173. A court must have regard to:

173.1. the principal aim of the youth justice system (to prevent offending by children and young people-: section 37 Crime and Disorder Act 1998); and,

173.2. the welfare of the child or young person (section 44 Children and Young Persons Act 1933).

174. The Council have produced a number of children and young people offence specific guidelines including bladed articles and offensive weapons, robbery and sexual offences.

175. In addition, all guidelines (adult and children and young people guidelines) link to ancillary order guidance on a range of orders that are available to the court (such as restraining orders, forfeiture, Serious Crime Prevention Orders etc). These orders are provided for by statute, and the guidance produced by the Council is an explanation of the law.

176. Where a child has been convicted of an offence, there are numerous criminal orders available as part of the youth sentencing framework (exhibited at paragraph 34) that can be adapted to the circumstance and profile of individual children and the particular drivers of their offending. Whilst none are specific or bespoke to VFIs, they provide a lot of flexibility to the court to put in place the restrictions or requirements aimed at managing risk and promoting rehabilitation. A full summary of the sentences available for this cohort can be found on the Sentencing Council website titled *'Types of sentences for children and young people'* which I exhibit as **EC/33 – MOJ000004**. Community sentences include the Referral Order – which involve the court referring a child to a panel consisting of a member of the youth offending team and two volunteers – to decide on a contract with the child with the aim of assisting with rehabilitation;

there are no fixed requirements. Instead, this order is intended to be flexible to the individual child. Nevertheless, this order may not be appropriate in its current form. At present, a child sentenced in a Youth Court must receive a Referral Order if they are being sentenced for their first conviction and plead guilty, unless a custodial sentence, hospital order, or discharge is imposed. This means such children cannot receive a Youth Rehabilitation Order, which can be longer with court-imposed requirements, including those not available as part of the Referral Order (e.g. an electronic monitoring requirement). Because Youth Rehabilitation Orders can be more intensive, they may be more appropriate in response to more entrenched or serious offending, including offending exhibited by VFIs. In a recent Youth Justice White Paper, the government committed to considering whether this, among other aspects of the Referral Order, warrant reform. A recent publication analysing reoffending rates for different sentences can be found on gov.uk: which I exhibit as **EC/34 – MOJ000041**.

177. Custodial sentences are used as a last resort, where an offence is so serious that no other sentence is deemed appropriate. A range of custodial sentences are available. For children, the most common custodial sentence is the Detention and Training Order, with a maximum duration of 24 months; half the sentence is spent in custody and half in the community. Longer sentences are available, including life sentences, for the most serious cases.

178. Numerous ancillary orders can be imposed alongside a sentence. These are intended to prevent reoffending and harmful behaviour, not as punishments in themselves. In a VFI context, this might include a Criminal Behaviour Order, which is used where the court considers it is necessary to prevent behaviour which may cause harassment, alarm or distress, proved to the criminal standard. The order will set out various requirements. If the child does not keep to the terms of the Criminal Behaviour Order, this is a criminal offence and they can be arrested.

Disposals available to manage children in contact with the YJS

179. There is an extensive range of disposals available to manage children in contact with the youth justice system - including sentencing options, out of court disposals, civil

and criminal orders. For the most part, these measures are not designed to address a particular type of offending behaviour; rather, they provide flexible mechanisms through which risks can be managed and mitigated in a way that is proportionate to the individual circumstances of the case. Where there are offence-based criteria which may restrict availability in a VFI context this is noted in the table below. Otherwise, the availability and suitability of the available measures will depend on the nature of the behaviour involved, the level of risk presented, the seriousness of any offending, and whether the relevant statutory thresholds are met. We consider it appropriate that sentencers and law enforcement agencies have a range of tools available to address VFI offending, which may present in different ways. The effectiveness of the system will depend on effective assessment of children's risks and needs so the right interventions can be put in place, and upon these interventions being effectively delivered and enforced.

180. Sentencing outcomes and out of court resolutions are dependent on a child having committed an offence. As reflected upon elsewhere, there is a gap in the formal levers available for VFIs who have not engaged in offending. This does not necessarily indicate a gap in the existing sentencing framework, which is designed principally to respond to offending behaviour, but rather reflects the wider policy challenge of how to manage potential risk where criminal offending has not occurred. Youth Diversion Orders (YDOs), conversely, do not require an individual to have committed an offence, and may be used both in instances where a terrorist offence has been committed, *or* where the individual has, 'engaged in conduct likely to facilitate the commission of a terrorism offence'. YDOs are only designed to address terrorist behaviours and therefore are not directly applicable to the VFI cohorts. YDOs are set to be introduced later this year, and we will monitor their use to consider if we might want to expand this approach to VFIs. I exhibit the impact of sentencing on proven reoffending for young offenders in England and Wales, 2012 to 2014, **EC/35 – MOJ000099**.

Type of order	**Relevant order**	**Availability**	**Commentary**
Custodial sentence	**Detention and Training Order**	Available for 12-17 yr olds convicted of imprisonable offences.	The DTO is the most commonly used custodial sentence for children, available for terms of 4 months to a maximum 2 years.

	(s.233 Sentencing Act 2020)	If the offender is aged under 15 when convicted the court may not make a DTO unless it is of the opinion that the offender is a persistent offender.	We have committed in the Youth Justice White Paper to restrict the use of short custodial sentences, by raising the DTO minimum term to 12 months in most cases (with targeted exemptions). This may limit the court's options to deal with VFI offending which meets the custodial threshold but may not warrant a long custodial sentence. However, we do not consider this leaves a risk management gap – MoJ analysis suggests that short custodial sentences are not effective at preventing reoffending, and the alternative of an intensive community sentence which would entail a longer period of YJS supervision, or a longer custodial sentence where appropriate, may be more effective in managing the risk of reoffending. Automatic release is at midway point of sentence. Early release can be applied for before the 50% point. There is a provision to delay releases in exceptional cases, where there is judged to be a high degree of risk. Offenders are subject to a Notice of Supervision in the community for the remainder of their sentence, where they must follow any requirements included in the Order.
	Section 250 (s.250 Sentencing Act 2020)	This sentence is available for children aged 10 to 17 for certain specified offences or any offence which would be punishable, in the case of a person aged 21 or over, with a custodial sentence of 14 years or more.	The s.250 sentence provides a flexible custodial sentence where children are convicted of serious offences. The length of the sentence can be anything up to the adult maximum for the same offence. Release is automatic at 40% with the offender subject to licence under YJS or probation supervision (age dependent) for the remainder of their sentence.

	Special Sentence for Offenders of Particular Concern (SOPC) (available under Section 278 of the Sentencing Act 2020 (and the youth equivalent, 252a)	This sentence is available for children who have committed a terrorism or national security offence listed in Schedule 13 of the Sentencing Code, or a non-listed offence found to have a terror connection, which carries a maximum penalty of over 2 years. It is the required sentence for a relevant offence where the criteria for a life sentence or an extended sentence are not met. The SOPC sentence is also available for adults who have committed sexual offences listed in Schedule 13.	This sentence consists of an appropriate custodial term, and an extended licence period of 1 year. Offenders are not eligible for release until they have served two-thirds of the custodial term, after which release is at the discretion of the Parole Board; if release is not directed earlier, they are released at the end of the custodial term and then serve the statutory licence period.
	Extended Determinate Sentence (EDS) (s.254 Sentencing Act 2020) An extended custodial sentence of at least 4 years duration, available for certain violent,	Only available for serious offences where a s250 or s252a sentence could be passed and it falls within the relevant schedule (i.e., to be a relevant violent offence, it must fall within Schedule 18 Part 1 of the Sentencing Act 2020).	This sentence has wider availability than the SOPC but provides similar risk management elements – extended licence period and Parole Board release. The test to be applied by the court that they must be satisfied there is a significant risk the offender will commit further serious offences in the future, causing serious harm to the public is likely relevant to VFIs.

	sexual or terrorism offences. Release must be agreed by the Parole Board and there is an extended licence period (length is determined by the judge).	To impose this sentence, the court must believe there is a significant risk that the offender will commit further serious offences in the future which could cause serious harm to members of the public.	
	Detention at His Majesty's Pleasure (s.259 Sentencing Act 2020)	Anyone who commits murder as a child will receive a mandatory life sentence of Detention at His Majesty's Pleasure. The court will set a tariff, which is the minimum term to be spent in custody.	This is the youth equivalent of the mandatory life sentence for murder for adults. The child must serve a minimum tariff before they are eligible for release which is set by the court. Release from custody will be subject to Parole Board decision. The offender will remain on licence following release and is liable to be recalled to custody if they breach their licence conditions.
	Discretionary Life Sentence **(s.250 Sentencing Act)**	If a child is convicted of a serious, specified offence for which an adult can be sentenced to life imprisonment and they are dangerous in the opinion of the court and the seriousness of the offence, or of the offence and one or more offences associated with it, justifies a sentence of detention for life, the court must impose a sentence of custody for life under section 250	A discretionary life sentence operates in the same way as DHMP – the offender will serve a minimum tariff set by the court, release is at the discretion of the Parole Board and the offender remains on licence following release.

		of the Sentencing Act 2020.	
Community Sentence Other relevant orders	**Referral Order** **(s.83 Sentencing Act 2020)**	Available for offences committed by a child aged 10 to 17 where the case is being heard in the youth court and where the court is not required to impose a mandatory sentence. The imposition of a Referral Order is mandatory for a first-time offender who pleads guilty, unless the court sends the child to the Crown Court for sentence.	Referral Orders are the community sentence most often used by the courts when dealing with 10 to 17-year-olds. The child is referred to a local panel, composed of a member of the YJS and volunteers. Referral Orders require an offender to agree a contract of rehabilitative and restorative requirements with the panel, to be completed within the sentence. The Youth Justice White Paper outlines planned reforms to remove the restriction that requires youth courts to impose a Referral Order for children who plead guilty to a first-time offence and to consider the role of volunteers in the local panel.
	Youth Rehabilitation Order (YRO) **(s.173 Sentencing Act 2020)**	Available for any offence committed by a child aged 10 to 17, where the court is not required to impose a referral order, or a mandatory sentence requirement applies. The court must be satisfied the offence is 'serious enough' for a community penalty, but it need not be imprisonable.	The YRO is a community sentence available up to a maximum of 3 years, designed to address offending behaviour, manage risk and support rehabilitation while allowing the child to remain in the community. It is a flexible order that allows the court to choose from a menu of 18 requirements according to the child's offending behaviour, risks and welfare needs. YROs provide a flexible sentencing option that can be adapted to the child's needs and the seriousness of the offending. Courts can increase the intensity of the order by adding requirements where a more restrictive response is needed. Under new reforms, the Government will make the YRO

			available for some, or all, children in receipt of their first conviction (3.86 of the Youth Justice White Paper).
	YRO with Intensive Supervision and Surveillance (YRO ISS) **(s.175 Sentencing Act 2020)**	Only available where the court is satisfied that the offence, or the combination of the offence and others associated with it, was so serious that a custodial sentence would otherwise be appropriate.	A YRO ISS is a rigorous, community-based intervention available for children. It currently involves a curfew, extended specified activity requirement (e.g. engaging in a reparation activity), and a mandatory electronic monitoring requirement.
	YRO with Intensive Fostering (YRO IF) **(s.176 Sentencing Act 2020)**	Only available where the court is satisfied that the offence, or the combination of the offence and others associated with it, was so serious that a custodial sentence would otherwise be appropriate.	A Youth Rehabilitation Order with Intensive Fostering (IF) is a statutory alternative to custody in which a multi-disciplinary team works with a child and their family during a placement of no longer than 12 months with specially trained foster carers.
	Youth Diversion Order **(s.215 Crime and Policing Act 2026)**	A court may make a YDO where it is satisfied that on the balance of probabilities the individual has: - committed a terrorism offence; - committed another offence with a terrorist connection; or - engaged in conduct likely to	These orders will provide a new risk management tool for children and young people showing signs of involvement in terrorism-related activity. YDOs can include a range of prohibitions and requirements tailored to the individual, including restrictions on association, communication, travel and access to places, as well as requirements to attend appointments or participate in specified activities. Orders may also include notification requirements and monitoring provisions.

		facilitate the commission of a terrorism offence; And that it considers it is necessary to make the order to protect the public from a risk of terrorism or other serious harm.	As they are designed specifically to manage terrorism related behaviour and / or offending, they would not be appropriate for VFI offending, where an ideological motivation is not present. However, they may present a useful model with parallels for the management of VFIs.
	Parenting Order (s.365 Sentencing Act)	Available in a range of circumstances – including where a child has been referred to a YJS (s.25 Anti-social behaviour Act) or convicted of any offence (s.366)	This order is widely available for children in the youth justice system and provide a potentially useful tool to support rehabilitation and desistance, by ensuring that a child's parents are suitably engaged in and share responsibility for the plan for their child. They are a disposal available in the early intervention space, before a child has been convicted of any offence, or that can sit alongside a child's sentence. We believe they offer a potentially valuable tool with relevance to the VFI cohort, but any benefit is largely theoretical at present – while widely available these are currently seldom used (although YJS may provide parenting interventions on a voluntary basis). We have committed in the Youth Justice White Paper to encourage greater use of these orders.

Out of Court Resolutions

181. For lower-level offending, out of court resolutions (OOCRs) can also be issued. An overview of the OOCR framework is set out below:

182. Youth Conditional Cautions (statutory) and Deferred Prosecutions require the child to complete interventions provided by either the relevant YJS or police force. If the child does not complete the intervention, the police have the power to prosecute the child for the original offence. By contrast, Youth Cautions (statutory) and Community Resolutions (non-statutory) entail voluntary interventions; once issued, the police cannot prosecute for the original offence.

183. More fundamentally, OOCRs are not a consistently or directly effective management approach for VFIs. Violence fixation is not an offence in itself, and for a child to receive an OOCR they must have committed an offence.

184. However, when working with any child issued an OOCR, the YJS will put in place an evidence-based intervention that is relevant to the offence, the individual needs of the child, and takes into consideration relevant risk factors, such as neurodivergence, to prevent reoffending. VFIs often face the same such risk factors as non-VFI children. Evidence is nascent and weak, but even in that context, we expect that OOCRs issued to children who are VFIs may effectively manage the risk presented by that child's violence fixation. But overall, their 'general' nature and requirement for an offence to have been committed means OOCRs do not address VFIs sufficiently.

185. We announced in the Youth Justice White Paper that we will consult on reforms to establish an OOCR framework that strengthens rehabilitation and manages risk more effectively. By improving OOCR practice, this will de facto improve management of VFIs who have been issued OOCRs – but again, OOCRs are not a generally relevant approach to managing VFIs.

Lessons to be learned from other tools

Extremism risk guidance

186. The Extremism Risk Guidance 22+ ("ERG22+") was developed by and introduced across HMPPS in 2011. It is an evidence-informed structured professional judgement ("SPJ") framework – an approach that combines research evidence with professional expertise and case specific information to support transparent and defensible risk assessments. The ERG22+ was implemented to support the assessment and management of individuals convicted of terrorism-related offences, regardless of ideology, including relevant cases involving young people where specialist youth considerations apply. Its development drew on expert consultation, research, and operational casework to identify the factors relevant to terrorism-related offending and to inform professional judgements about risk and rehabilitative need. The ERG22+ was used to support operational decision-making relating to sentence management, rehabilitation, and public protection across custody and community settings.

187. The ERG-R is the successor to the ERG22+, developed by HMPPS's Counter Terrorism Assessment and Rehabilitation Centre ("CT-ARC") to ensure terrorism risk assessment remains relevant to the contemporary threat landscape and current evidence base. Like its predecessor, it is used across adult and relevant youth cases, supported by supplementary guidance addressing developmental considerations. It expands the original framework from 22 to 36 factors, building on the original three dimensions (engagement, intent, and capability) by introducing a fourth domain covering protective factors, strengthening the assessment of online radicalisation and dynamic risk, and aligning more closely with SPJ principles. Its development involved literature reviews, psychometric evaluation of the ERG22+, operational casework analysis, expert scrutiny, peer review, piloting and practitioner testing before being implemented across HMPPS in March 2025.

188. The ERG22+ and ERG-R are not general violence risk assessment tools. Both were developed specifically for use with individuals convicted of terrorism-related offences and, in limited operational circumstances, may also be used where an individual is assessed as presenting a significant risk of being drawn into terrorism. These exceptional cases are determined through existing counter-terrorism risk management processes and are not intended to extend the tools to broader violence risk assessment. Neither tool was designed or validated for assessing individuals motivated primarily by violence fixation rather than ideology.

189. At the same time, it is likely that some individuals assessed using the ERG22+ or ERG-R would also meet the criteria for being considered VFIs, particularly where a violent fixation is linked to an extremist ideology, grievance, or cause. However, because individuals are not routinely categorised in this way, it is currently unknown how many such cases exist or how the ERG-R performs specifically for this subgroup.

190. Further evidence is required to determine how well the ERG-R captures the assessment needs of individuals whose primary risk relates to violence fixation rather than ideology. This includes establishing a clearer definition of violence fixation, improving understanding of pathways into VFI-related behaviour, identifying factors associated with progression to offending, and examining how these interact with existing structured risk assessment approaches, including the ERG-R and general violence tools such as the HCR-20, exhibited above at paragraph 93. Only once this evidence base is established would it be possible to determine whether adaptations to existing frameworks, supplementary guidance, or the development of a new assessment approach are warranted.

191. As covered in the statement starting at paragraph 93, the ERG is a structured and evidence-informed framework that supports the assessment, management and rehabilitation of individuals convicted of terrorism-related offences. Its strengths lie in its structured professional judgement approach, recognition of the diverse pathways and drivers associated with terrorism-related offending, consideration of the relevance of factors to the individual rather than simply their presence or absence, incorporation of dynamic factors that may change over time, and support for individualised formulation, risk management and intervention planning.

192. The ERG-R represents a revision of the original ERG22+, informed by the developing research evidence, operational experience, expert consultation and formal review of the assessment framework. Drawing on learning from the application of the original ERG22+, relevant research and other international risk assessment frameworks, the revised framework seeks to reflect developments in understanding of extremist offending, risk, disengagement and rehabilitation while maintaining a structured and evidence-informed approach to professional judgement.

193. As a structured professional judgement framework, the ERG-R is not an actuarial or psychometric instrument and is not intended to generate a statistical probability that an individual will offend or reoffend. Its utility should therefore not be judged solely in terms of predictive accuracy. Rather, its value lies in providing a structured and transparent basis for bringing together relevant information, developing an individualised formulation and informing professional judgements about risk management and rehabilitation. There are nevertheless limitations to the available evidence base. Terrorism-related offending, and particularly reoffending, is relatively rare, populations are heterogeneous, and pathways into and away from terrorism-related offending vary considerably. These features make conventional approaches to predictive validation challenging and mean that conclusions about the performance of any terrorism-specific assessment framework need to be appropriately qualified.

194. In practice, an ERG-R does not automatically determine a particular referral or intervention. Rather, the assessment and resulting formulation help identify the factors most relevant to an individual's current risk and needs, the circumstances in which concern may increase or reduce, and relevant strengths and protective or mitigating factors. This can inform case management and risk management recommendations, priorities and targets for intervention and rehabilitation, and, where appropriate, the need for further specialist assessment or input. It can also support subsequent review of changes in relevant factors over time. Recommendations are therefore individually formulated and considered alongside the wider case-management context and other relevant information and assessments.

195. As outlined 188above, there is currently insufficient evidence to determine whether the ERG-R, or other existing risk assessment frameworks, fully address the assessment needs of individuals for whom violence fixation represents a primary concern, including where ideological motivation may be absent, unclear or less prominent. Further work is needed to establish a sufficiently clear definition of violence fixation, improve understanding of pathways into and progression towards VFI-related offending, identify factors associated with escalation and movement away from offending, and determine the extent to which these are already captured by existing assessment approaches.

196. Further research may demonstrate that existing risk assessment approaches are sufficient, either individually or in combination, or that supplementary guidance or adaptation of an existing framework is required. Alternatively, it may identify an assessment gap warranting the development of a more specific approach. This work would also help clarify the extent to which any future approach should draw upon the principles and structure of the ERG-R. Before developing any new tool, consideration would need to be given to how violence fixation is defined; whether it is clearly delineated from other types of risk; the additional value such a tool would provide; how it would inform risk management and interventions; the contexts in which it would be used; and the associated practitioner training and resourcing requirements.

Systems used to manage terrorism and organised crime

197. In low-frequency, high-harm cases where there are conceptual challenges and an unknown base rate of reoffending, SPJ approaches offer several advantages, including the ability to integrate empirical evidence with professional expertise while accommodating the complexity and heterogeneity of individual cases.

198. VFIs present challenges to HMPPS similar to those associated with serious and organised crime ("SOC") offending. Unlike terrorism cases, where a young person's risk may be clearly identified through a specific legislative terrorism offence or charge, neither SOC nor VFI is defined through distinct offence categories. As a result, HMPPS must assess each individual on a case-by-case basis to determine whether they fall within these cohorts. There are no formal shared identification criteria for SOC associated individuals between HMPPS and criminal justice partners. This leads to difficulties in identification, failures in information and intelligence sharing and limits to effective risk reduction activity. Similar shortcomings with defining and identifying VFI individuals will therefore continue to inhibit HMPPS's, and the wider system's, ability to effectively manage their risks.

199. The link between VFI and SOC is not fully understood, but there is some clear cross over between child and young person offending and VFIs, terrorism risk, serious and

organised crime and state threats. This is evidenced in emerging offending types such as 'COM' networks[12]. This offending profile presents some significant challenges to HMPPS as currently constituted.

200. HMPPS and the National Police Chiefs Council ("NPCC") Serious and Organised Crime Portfolio have commenced the scoping of a serious and organised crime hub which would aim to address some of these systemic issues. The further development of ancillary orders to support management in custody and the community (for example serious crime prevention orders or the proposed cyber-crime risk orders) could be considered for application to those with VFI concerns.

201. In the absence of a definition or shared understanding of individuals considered to be violence fixated, there is no work currently underway aimed specifically at the overlap between VFI as a concept and SOC.

202. The development of ancillary orders is not a matter for HMPPS/MOJ but we are aware of interest in this area from Home Office, Policing and NCA colleagues.

203. The structures in both CT and SOC at various stages of development and maturity offer a potential way forward for the management of VFI within HMPPS. An example would be the management of COM networks, where there can be concerns around multiple threat areas like SOC, extremism, sexual offending and violence fixation.

204. CT case management is well established, supported by a mature evidence base and clear lessons learned following multiple internal and external reviews. The threat profile for terrorist offenders will differ to that for VFIs; including the primary driver and

---

[12] Com groups are online networks of individuals who carry out serious, high-harm offences including child sexual abuse, serious violence, cybercrime (referred to as cyber Com), and extremism. Com groups are dynamic and often overlap across these threats, although not every case will involve all. Within these groups, offenders may compete against one another to cause the highest harm to gain status and notoriety. Offenders may do so by creating and sharing harmful and extreme content, for example, child sexual abuse material ("CSAM"), or by coercing victims, often under 18-year-olds, to commit harmful acts towards themselves or others, such as inflicting injuries.

motivation for an individual's actions, along with activity being capable of falling within the ambit of terrorism without it involving violence against a person – and it therefore remains important to distinguish between VFIs and those convicted of terrorism offences or assessed to pose a terrorist risk[13]. Nonetheless, the HMPPS CT system may provide useful lessons for the management of other threat types.

205. The underlying principles of CT case management include early identification and prevention of risk, and bespoke end-to-end case management tailored to individual risk and need. This includes robust and regularly reviewed risk assessments; intelligence-led decision-making; multi-agency collaboration and information sharing; the use of proportionate control measures alongside tailored interventions; and delivery supported by specialist staff, dedicated training and national oversight.

206. The Prevent programme is one of the four strands of HM Government's counter-terrorism strategy, CONTEST[14]. Its primary aim is to stop people from becoming terrorists or supporting terrorism by identifying and supporting individuals who may be susceptible to radicalisation before criminal activity occurs.

207. In addition to discharging its duties under Prevent in the context of prison and probation, HMPPS has also supported Prevent-related work in the non-conviction space. Specifically, the Prevent Assessment Framework, developed collaboratively by HMPPS's CT-ARC, the Home Office and Counter Terrorism Policing, supports structured decision-making within Prevent by helping practitioners screen referrals and, where appropriate, assess underlying susceptibility through the Susceptibility Assessment. The Prevent Assessment Framework is currently used in Prevent to screen all eligible Prevent referrals, including those who may be VFIs.

---

[13] Terrorist offenders are individuals convicted of terrorism offences or whose offending has been determined by the court at the point of sentencing to have a terrorist connection, whereas 'terrorist risk' refers to an assessed potential for an individual to engage in, support, encourage, or facilitate terrorism-related activity, where the offence is not terrorist in nature.
[14] CONTEST is the UK's overarching counter-terrorism strategy with a primary objective to reduce the risk from terrorism.

208. Adopting these principles and taking a dedicated approach could help inform structured and effective identification, assessment and management of VFIs.

MULTI-AGENCY ARRANGEMENTS

209. MAPPA is the framework through which agencies work together to assess and manage the risks posed by individuals convicted of/sentenced for specified violent, sexual and terrorism offences living in the community, in order to protect the public. Individuals convicted of other offences who are deemed to be dangerous may also be managed under the MAPPA framework. Agencies work together to ensure information is shared and risks are assessed and managed.

210. MAPPA bring together the Police, Probation and Prison Services in each of the 42 Police Force Areas in England and Wales into what is known as the MAPPA Responsible Authority ("RA"). A number of other agencies are under a statutory duty to co-operate with the RA. These Duty to Co-operate ("DTC") agencies include Children's and Adult Social Care, Health Services, Youth Justice Services, the Department for Work and Pensions and Local Housing and Education Authorities. Local Strategic Management Boards comprise of senior representatives from each of the Responsible Authority and DTC agencies are responsible for delivering MAPPA within their respective areas.

211. The statutory provisions mean that a VFI would need to be a convicted offender and to be subject to a sentence or some other legal instrument in order to be managed under MAPPA. If someone with violent fixation is MAPPA-eligible, information about them is shared between agencies to inform the risk assessments and risk management plans of those managing them.

212. There are 4 categories of MAPPA-eligible individual:

212.1. Category 1: subject to sex offender notification requirements (commonly known as being on the Sex Offender Register);

212.2. Category 2: mainly violent offenders sentenced to 12 months or more imprisonment or a hospital order;

212.3. Category 3: individuals who do not qualify under Categories 1, 2 or 4 but whose previous or current offending poses a risk of serious harm.

212.4. Category 4: terrorism convicted and terrorism risk individuals.

213. There are three levels of MAPPA management depending on what is needed to manage the risk.

213.1. Level 1: Multi-Agency Support, where the risks posed by the offender can be managed by the lead agency in co-operation with other agencies but without the need for formal multi agency meetings.

213.2. Level 2: Multi-Agency Management.

213.3. Level 3: Enhanced Multi-Agency Management.

214. Formal MAPPA meetings must be held for offenders managed at Level 2 or 3. These are attended by professionals from relevant agencies to develop a multi-agency risk assessment and management plan.

215. Visor[15] supports the effective sharing of risk related information and intelligence between MAPPA responsible authority agencies (Prison, Police and Probation). All Category 1, 3 and 4 cases, and all Level 2/3 cases have a record on Visor.

216. To be eligible for MAPPA management under any category, the individual must have a relevant caution or conviction, meaning some VFIs will not be eligible for MAPPA

[15] Visor is a national shared database for recording Official Sensitive (with High Control) information about risk and intelligence on certain offenders who pose a risk of serious harm to the public.

management. Further information regarding eligibility, is set out in Chapter 6 of the statutory MAPPA guidance '*Identification and Notification of MAPPA Offenders*'. Category 3 provides considerable flexibility in bringing VFIs into MAPPA who would not otherwise qualify as long as they have committed an offence indicating that they are capable of causing serious harm and require multi-agency management at Level 2 or 3. Offenders demonstrating a pattern of offending behaviour indicating serious harm or an escalation in risk of serious harm (e.g. deterioration in mental health or escalation in alcohol misuse) that was related to their offence but was not apparent from the conviction should be considered for Category 3 management.

217. VFIs managed under MAPPA would be managed in the same way as other MAPPA-managed individuals with the risk management plan being bespoke to the individual. MAPPA use a structured approach to risk management called the "four pillars" where agencies identify actions to manage risk under the headings: supervision, monitoring and controls, interventions and victim safety. MAPPA then make use of the strategies available to the different agencies involved, such as the use of third-party disclosures and the application of civil orders. The 4 Pillars of Risk Management is an approach to the planning and delivery of risk management developed by Prof. Hazel Kemshall at De Montfort University. I exhibit the guidance as **EC/20 – MOJ000011**, page 36.

218. Inspections and research have found MAPPA to be effective in reducing further offending, Research by the Policing Institute for the Eastern Region at Anglia Ruskin University ("ARU") , which I exhibit as **EC/36 – MOJ000010**, states: *'[...] the reoffending rates of those managed under MAPPA are less than half of that of the national average, with the one-year MAPPA proven reoffending rate at 12.2% compared to the national overall one year, proven reoffending rates of between 30.0% and 31.3% over a similar time frame'*. Research has also shown MAPPA to be particularly effective at Level 2 and 3 management. I exhibit further research as **EC/37 – MOJ000021**. There is no research that considers MAPPA management of VFIs specifically.

219. Children with convictions or cautions may be MAPPA-eligible under the same categories as adults from the age of 10. Each local YOT is required to review all of its MAPPA cases and refer appropriate cases to Level 2 or 3, taking into account the

needs of the child, information from partner agencies and the potential risk of serious harm the child presents to others. Work has been undertaken to promote the use of MAPPA with YOTs.

Coordination of case management and monitoring across MAPPA

220. The MoJ does not have specific data on VFIs; however, more generally, under MAPPA there will always be what is termed a lead agency. The lead agency is the agency with the main statutory authority and responsibility to manage a MAPPA offender in the community. It has the primary responsibility for referring the offender to Level 2 or Level 3 MAPPA or for coordinating management at Level 1. The lead agency will not always be a member of the RA, and could be any of the following:

220.1. the Probation Service for any MAPPA offender aged over 18 under their supervision until the supervision period expires;

220.2. YOTs for any MAPPA eligible child under their supervision until the supervision period expires or the individual is transferred to adult services;

220.3. mental health services for patients subject to a Hospital Order; and

220.4. the Police for any other offender.

221. While other agencies will share information and contribute to risk assessments and risk management plans, it is the lead agency's responsibility to gather information from partners and use this to develop, coordinate and implement the risk management plan. This should be kept under formal review. Where the individual is managed at Level 2 or Level 3, the review will take place during the formal MAPPA meeting.

222. The MAPPA Strategic Management Board in each area is responsible for implementing MAPPA arrangements and monitoring their effectiveness in their area.

223. MAPPA could be an effective framework for the management of MAPPA-eligible convicted individuals where agencies have concerns that they are violence fixated.

HMPPS consider MAPPA to be generally well understood by practitioners across relevant agencies and have found that having a statutory basis which requires agencies to work together and share information can help with achieving multi-agency engagement. MAPPA supports the sharing of information when changes or concerns arise, leading to a more dynamic risk assessment process and responsive risk management plan. Category 3 enables flexibility for managing individuals on a discretionary basis if they have convictions or cautions that are indicative of a risk of serious harm, where they do not qualify under the other categories.

224. The legislation provides the legal gateway for information sharing between MAPPA agencies; however, not all VFIs are eligible for MAPPA management and are not identifiable as a cohort based on offence type. MAPPA are designed to manage individuals subject to legal sanctions – and so have only very limited value in respect of individuals for whom those sanctions are not available. The MAPPA framework is to allow information-sharing and co-operation between organisations: it does not confer additional powers to manage individuals' risks. As such, having powers via a current sentence, civil order or other type of legislation requirement is therefore important to what MAPPA, and the organisations involved in the management of the VFI, can achieve. Without the powers of a current sentence or civil order, for example, there is a limit to what MAPPA can achieve.

225. Multi-agency structures which have been designed to work with cohorts not yet convicted (such as Multi-Agency Safeguarding Hubs, and Channel Panels under Prevent), might provide a more appropriate model for non-MAPPA-eligible VFIs.

Assessment of multi-agency arrangements

226. Trying to fit all VFIs into a new single set of arrangements may not be the best way forward. Ensuring existing structures have access to the up-to-date evidence and clear guidance on assessing and intervening with VFIs is likely to be more effective. VFIs should be referred to the most appropriate set of arrangements depending on the individual case. This would mirror what happens with other cohorts, for example domestic abusers, or those who pose a risk to children, although there may be a gap

relating to earlier intervention and prevention that needs to be filled through a Channel type approach.

227. The principle used to underpin lead agency status in MAPPA may however be helpful. At an individual case level, the set of arrangements under which risks are managed will depend on the circumstances of the case. What is important is that the right agencies are around the table, that all the information is shared, and that the multi-agency process synthesises it and uses it to identify actions for managing the risks posed by VFIs including how to address any underlying needs.

228. Senior staff within MoJ sponsored agencies such as HMPPS would have the required skills and experience to coordinate multi-agency risk management for VFIs they are already responsible for supervising, through well-established process for MAPPA-managed individuals. Other agencies would lead on multi-agency management where their agency is identified as the lead agency under MAPPA and they have the relevant expertise.

229. HMPPS has experience of working with a wide range of offending and has the capacity and experience to develop expertise on working with convicted VFIs as the evidence develops, even where they have been convicted for a separate matter. However, HMPPS's legal basis and expertise is working within the structures of the criminal justice system with convicted offenders rather than early intervention, voluntary engagement and working outside the sentence of the court. It would not have the capacity to take on an expanded remit for preventative work.

230. A shared risk assessment tool may not be a realistic prospect as agencies have different responsibilities. For example, a mental health assessment will not be the same as a risk assessment undertaken by the Probation Service. Different services and agencies also have different expertise and resourcing considerations, which means that it would be challenging to operationalise a risk assessment tool in the same way across different services. Similarly, individuals who come into contact with different services will present different risks, threats, and needs in different contexts. In MAPPA, all individuals managed at Levels 2 and 3 will have a MAPPA risk assessment and Risk Management Plan which is shared on Visor, but each agency

also has its own risk assessment tools. While the Police and Probation Services share the MoJ developed actuarial risk predictor for sexual offending, there is not currently the equivalent evidence base to develop a similar tool for VFIs.

231. However, a list of evidence-based risk and protective factors to be applied in different settings would be helpful and would support shared understanding and collaboration across sectors. The development of such a list would require a clear definition of VFIs and the outcomes under consideration. This would require extensive research, which would need to take into account the fact that risk and protection may manifest differently in different contexts and subgroups.

Culture surrounding multi-agency risk management

232. We consider that there are several factors which would need to be present to achieve effective multi-agency working with VFIs. These are likely to apply whatever structure is used and include:

232.1. A clear stated and agreed purpose.

232.2. Shared understanding of risk.

232.3. A clear understanding of each other's roles.

232.4. Strong professional relationships and trust.

232.5. Clear leadership, accountability, and governance.

232.6. Robust joint assessment and management of risk.

232.7. Joint understanding of what action is likely to be most effective.

232.8. Key Performance Indicators which encourage and reward collaborative working.

232.9. An explicit route for resolution where no agency considers they are responsible for the case

233. There may be lessons to be learned from the operation of MAPPA which have developed over 25 years and have a culture of owning and managing risk appropriately. This is evidenced by the following documents:

233.1. Counter Terrorism Joint Inspection – National Security Division and multi-agency arrangements for the management of terrorist offenders in the wake of terrorist attacks – HM Inspectorate of Probation, which I exhibit as **EC/38 – MOJ000007**.

233.2. Independent Review of the MAPPA Arrangements Used to Supervise Terrorist and Terrorism-Risk Offenders - Multi-Agency Public Protection Arrangements - MAPPA, which I exhibit as **EC/39 – ILT000147**.

233.3. Twenty years on, is MAPPA achieving its objectives? A joint thematic inspection of Multi-Agency Public Protection Arrangements, exhibited above at paragraph 218.

233.4. The National MAPPA Research – ARU. For the exhibit, see paragraph 218.

234. Taken together, these four sources provide evidence of a well-established and widely endorsed culture of partnership working across MAPPA, in particular in relation to the management of terrorist offenders and in relation to cases adopted for formal multi - agency management.

235. While MAPPA has not been explicitly adapted to the specific challenges of joint management of VFIs it is well placed to take this on where there is a legal basis to do so. It is notable that MAPPA are not a statutory body; they are a process that enables agencies to discharge their statutory responsibilities more effectively to protect the public in a co-ordinated manner. Agencies retain their full statutory responsibilities and obligations at all times, and these must not be compromised by MAPPA. No agency

should feel pressured to agree to a course of action that it considers to be in conflict with their statutory obligations and wider responsibility for public protection.

236. It may be that mapping the pathways and the agencies which hold statutory responsibility for the different profiles of VFIs would support greater cooperation in their management.

EFFECTIVENESS OF CURRENT SYSTEMS AND LEGISLATION

Assessment of current legislation in identifying VFIs

237. In regard to criminal law, following the Southport attack, the Home Secretary asked Jonathan Hall KC, the Independent Reviewer of Terrorism Legislation ("IRTL"), to explore what law was available to convict a lone person planning a mass casualty attack without a terrorist motive and whether the definition of terrorism should be expanded to capture this scenario. I exhibit his report, *'Classification of Extreme Violence Used in Southport Attack on 29 July 2024'* as **EC/40 – ILT000100**. Following his independent review, Jonathan Hall KC recommended against an extension of the definition to capture this scenario. Instead, he highlighted a gap in the law and recommended that:

> *"The government considers bringing forward legislation to create a new offence where an individual, with the intention of killing two or more persons, engages in any conduct in preparation for giving effect to this intention. The maximum sentence should be life imprisonment.*

238. On 13 March 2025, the Minister for Security, Dan Jarvis, set out the Government's response to the IRTL, stating that the Government *'...accept[s] and strongly support[s] this recommendation' and confirming its intention to '...fix the legislation to close the gaps identified."* See exhibit as **EC/41 – MOJ000039**.

239. On 13 April 2026, during the debate in the House of Commons following the publication of the Inquiry's Phase 1 Report, the Government confirmed that legislation

to address this gap would be brought forward in the current session of Parliament: see exhibit as **EC/42 – MOJ000031**.

240. The Government therefore agrees with the IRTL's assessment that the existing legal framework does not capture lone actors who plan, but do not attempt to commit, multiple killings without an ideological motive.

241. The IRTL identified that there are a number of routes, depending on the circumstances, in which a criminal offence could apply before a violent act is carried out. These include; the law on attempt; the law on conspiracy; and certain bespoke preparatory offences. However, none of these routes capture conduct when a person acting alone without an ideological motive is planning a mass attack. The Government therefore proposes creating a new offence of planning a mass killing. It should be noted that the proposed offence, whilst clearly covering VFIs planning an attack, may not be limited to VFIs and would cover the planning of mass attacks for other, non-terrorist, motives or where no motive is discernible.

242. Whilst the proposed planning multiple killings offence is still in development, it is the Government intention that it would strengthen law enforcement's ability to prevent attacks and intervene at an earlier stage.

243. It is designed to address a gap in the current legal framework by capturing individuals who are planning to kill multiple people, but were acting alone, lack a clear ideological motive, and have not progressed to an attempted attack. Such conduct can fall outside existing offences: in the absence of a clear ideological motive, it would not be captured by terrorism offences such as section 5 of the Terrorism Act 2006 (offence of preparing terrorist acts); where the individual is acting alone, it would not be caught by the law on conspiracy; and, where the intended conduct remains at the planning stage, it would not be captured by attempted homicide offences, which require acts that are more than merely preparatory.

244. At present, where an individual engages in this type of planning activity, operational partners may have no criminal offence available through which to investigate, arrest or prosecute them where no bespoke, specific preparatory offence (e.g. a weapons

offence) applies. The proposed offence would therefore fill that gap by providing a general basis for intervention before plans progress to an attempted attack. In doing so, it would strengthen the ability of operational partners to investigate, arrest and disrupt individuals who pose the most serious threat, thereby reducing the risk that plans to kill multiple people result in real-world harm.

245. In relation to the options that would apply to an individual convicted of the offence, these elements are still being finalised. However, given the seriousness of the conduct the offence is intended to capture, we consider it appropriate that the sentencing and management framework broadly aligns with that available for other serious, non-terrorism offences, including relevant custodial, supervisory, and ancillary measures.

Current Court Orders applicable to those at risk of becoming VFIs

246. All Sentencing guidelines (adult and children and young people guidelines) link to ancillary order guidance on a range of criminal orders that are available to the court (such as restraining orders, forfeiture, Serious Crime Prevention Orders etc). These orders are provided for by statute, and the guidance produced by the Council is an explanation of the law.

Applicable Court Orders

Referral Orders

247. Sentences are only deployed in the event that a child has been convicted of an offence and so necessarily are not a wholly preventative measure – they are punishments where an offence has already occurred. They may be considered preventative in a VFI context insofar as community sentences, in particular, may be used in the earlier stages of a child's offending where it has not become extreme. AR himself, as the Inquiry knows, received a Referral Order on a previous occasion before the Southport murders occurred.

248. A Referral Order is the community sentence most often used by the courts when dealing with 10- to 17-year-olds, particularly for first time convictions where the child pleads guilty. In such circumstances, the youth court is generally required to impose a Referral Order unless a discharge, hospital order or custody is being proposed. The Government committed to review this, as set out in paragraph 176. Referral Orders require that an offender must agree a contract of rehabilitative and restorative elements to be completed within the sentence. They may be imposed for up to one year.

Youth Rehabilitation Orders

249. The Youth Rehabilitation Order is a youth community sentence that allows courts to choose from a selection of 18 requirements, including curfews, education, activity, unpaid work and electronic monitoring. They may be imposed for up to three years. As at paragraph 176, the MoJ recently published an analysis comparing reoffending outcomes for different youth community sentences, which I exhibit at paragraph 176.

Knife Crime Prevention Orders

250. MoJ worked alongside the Home Office in the development of Knife Crime Prevention Orders in 2023, providing its view and coordinating the views of the Crown Prosecution Service and YJB. I exhibit the correspondence as **EC/43 – MOJ000025**.

Cyber Crime Risk Orders

251. The policy development for these orders is led by the Home Office, and MoJ would defer to them for detailed questions on their operation and efficacy. We are broadly supportive of the proposal of their introduction, as they offer a means of protecting the public through offering a mechanism to restrict individuals who may be at risk of undertaking harmful cyber-crime related activity. They may have particular benefit during lengthy investigations.

252. Cyber Crime Risk Orders would allow courts to impose restrictions and monitoring requirements on individuals who present a serious cyber risk, including children. They would enable law enforcement to manage children during lengthy investigations, including before a conviction is secured. Although policy development is being led by the Home Office, MOJ Officials have encouraged proportionality in the policy development of these orders, so as not to criminalise children further. The MoJ always considers proportionality in respect of the youth justice system, as evidence shows that the greater a child's involvement in the criminal justice system, the greater the risk of further offending. As CCROs would be issued to children who have not yet been found guilty of an offence, the MoJ has worked with the Home Office on the design of this order to build in balanced and proportionate safeguards such as a time limit, proposing positive requirements to support desistance alongside restrictions. We have also sought to build in closer involvement of the Youth Justice Service – who are best placed to make an assessment of the child's needs and circumstances around their offending – in decisions around the imposition of these orders, particularly where positive requirements are being considered.

Assessment of Court Orders

Youth Out of Court Resolutions

253. The current framework of out of court and court-imposed sentences do offer services and courts a very broad range of powers. For example, section 7 of the Code of Practice for Youth Conditional Cautions, which I exhibit as **EC/44 – MOJ000022** sets out that police can, in consultation with youth justice services, set conditions which must be appropriate, proportionate and achievable and can be rehabilitative and/or reparative and/or constitute punishment.

254. As at paragraph 154, unless a child has been issued by a court or the police with an order entailing mandatory engagement with the relevant YOT, a child is free to refuse YOT intervention. As such, where a child presents a risk, including by planning a mass attack, but has not yet committed an offence, the YOT cannot guarantee monitoring or disrupting that child before harm occurs. The creation of this new offence, as at

paragraph 237, would help to close this gap by enabling earlier mandatory engagement with YOTs, thereby strengthening their ability to intervene before harm occurs.

255. However, the Youth Justice White Paper, exhibited at paragraph 21 above, acknowledges that further changes are necessary.

256. The government committed to fundamental reform of youth Out of Court Resolutions framework and changes to the sentencing framework (some of which are described above). Whilst neither is specific to VFIs, it reflects the government's goal of reforming the youth justice system to reflect the fact that the system is now dealing with a far smaller, but far more complex, set of children many of whom have committed serious and violent offences than was the case when the system was first designed in 1998.

Youth Diversion Orders ("YDOs")

257. In addition, YDOs are new civil orders introduced in the Crime and Policing Act 2026, which were designed to manage and reduce the risk posed by children and young people who may be vulnerable to engaging in terrorism-related activity, including acts of violence, without the need for a criminal conviction. They are applied for by the police to a court, and if the court approves, issued to the child.

258. A court may make a YDO where it is satisfied, on the balance of probabilities (the civil standard), that the individual has:

258.1. committed a terrorism offence;

258.2. committed another offence with a terrorist connection; or

258.3. engaged in conduct likely to facilitate the commission of a terrorism offence; and

258.4. that it is necessary to make the order to protect the public from a risk of terrorism or other serious harm.

259. YDOs can include a range of prohibitions and requirements tailored to the individual, including restrictions on association, communication, travel and access to places, as well as requirements to attend appointments or participate in specified activities. Orders may also include notification requirements and monitoring provisions.

260. YDOs are a police-led risk management tool and are intended to provide an early intervention mechanism for children and young people who meet the relevant threshold, but where prosecution may not be appropriate.

261. While there may be some circumstances in which a young person who meets a VFI definition also meets the statutory criteria for the court to make a YDO – e.g. if they have been convicted of an offence under s.58 of the Terrorism Act 2000 (possessing information useful to a person committing or preparing an act of terrorism) despite their primary motivation for that activity not being to linked to ideology or seeking to advance a cause – the YDO has been primarily designed as a counter terrorism tool, and may not be applicable in most VFI cases. T170178he YDO may be an example of the threat management system for terrorism from which lessons might be learnt for the management of VFIs.

Assessment of legal powers in identifying VFIs or those at risk of becoming VFIs

262. Operational responsibility for YOTs sits locally with the relevant local authority and statutory partners. The YJB currently oversees the operation of the youth justice system in England and Wales, including monitoring YOT performance and supporting system improvement (noting that, as set out at paragraph 21, these functions are expected to be transferred to MoJ from April 2027). As such, MoJ are not best placed to provide an assessment of those at risk of becoming VFIs within YOTs, or the efficacy of their available interventions.

263. Furthermore, VFIs are too-recently defined a cohort to confidently and fully assess the efficacy of YOTs' management of VFIs. However, from the engagement mentioned at paragraph 86, YOTs' confidence and efficacy in working with VFIs varies. This engagement was across too small a sample size from which to draw confident conclusions.

IMPROVEMENTS

264. The Chair may wish to consider whether the current restrictions which apply to Referral Orders should remain. As discussed at paragraph 176, the Government is considering reforming existing restrictions placed on youth courts which sentence a child in receipt of their first conviction, and who pled guilty. Some practitioners have reported that this restriction is outdated and is no longer appropriate given the sentenced cohort of children consists of offenders with more serious and/or entrenched offending patterns.

265. The YJPU has started to explore, with a small sample of youth justice services, whether greater clarity of the role and responsibility of youth justice services and other services with regard to VFIs, whether or not they have yet committed any offence (whether violent or otherwise) would be beneficial. Consideration of what these roles and responsibilities between partners should be is under active cross-government consideration.

266. The YJPU is aware that there are a cohort of children who may be exhibiting concerning behaviours, but who have not yet met the threshold for intervention, and for whom there is currently no clear referral pathway to appropriate support services. The MoJ is actively engaging with other government departments to explore what earlier intervention and service involvement could look like for these children, with a particular focus on risk-management arrangements.

267. The MoJ is a full participant in cross-departmental work coordinated by the Home Office, exploring what earlier intervention and service involvement could look like specifically for VFIs. As at paragraph 87, this work was commissioned following a decision between the Home Office and the Cabinet Office. The MoJ has fed insights from previous engagement undertaken with frontline services (see paragraph 268-273) into policy development via officials' attendance at monthly Home Office-led NIEV (non-ideological extreme violence) early intervention working group meetings, which report to the NIEV strategic delivery board (occurs every two months) and the quarterly steering board, both attended by senior civil servants from the MoJ and other relevant departments.

268. The MoJ undertook engagement with frontline organisations (youth justice services and counter terror policing) in May 2025. The purpose of this was to explore their views on the management of VFIs and current gaps to inform policy development. Following
EC/58 - MOJ000155 this engagement, the then-Minister with responsibility for youth justice wrote to all YJS asking them to prioritise work with VFIs. Engagement took place via video call conversations and over email with 11 YJS.

269. Gaps were identified by both CTP and YJS stakeholders, namely that such cases were often managed through Prevent/Channel processes, despite behaviour having no ideological driver, because there were no obvious alternative pathway(s). There were also examples of cases not meeting MAPPA thresholds because no offence had been committed. Both gaps mean that VFIs may not receive support at an early stage, because they do not fit existing intervention pathways. YJS stakeholders also identified information sharing as an issue, whilst both CTP and YJS stakeholders highlighted challenges relating to access to specialist mental health services and children's exposure to harmful online content.

270. A range of possible approaches were identified through this engagement. These included earlier intervention (whilst recognising the need to avoid 'net widening'), involvement of YJS prior to charge, development of multi-agency risk-management arrangements, improved access to mental health expertise, and mentoring and relationship-based support. YJS stakeholders felt that YJS hold the skills that could be valuable in working with this cohort, particularly where the intervention is relationship-based, as well as having experience in managing children who pose a risk to others. The MoJ agrees with this position and has identified a number of ways in which the department might support YJS to work more effectively with VFIs, through the evolving continuous improvement function of the YJB. This includes supporting YJS' effective participation in any multiagency arrangement seeking to identify and manage the risk posed by VFI children (including consideration of how such arrangements might look in a devolved context, as in paragraph 164); supporting YJS to identify and prioritise VFIs within their caseloads; and working with the CTP and YJB regional leads to share good practice advice on partnership working between CTP and YJS.

271. In parallel, the Home Office is considering through their work on NIEVs whether a single agency should be responsible for 'holding the risk' in VFI cases (recognising that any effective response must involve a range of partners). MoJ officials will reflect findings from this engagement into this ongoing work, via the NIEV early intervention working group, including that YJS could be a suitable agency for this role, alongside potential limitations, as set out in the paragraph below.

272. However, the possible role for YJS as a suitable lead agency for VFIs faces fundamental limitations. YJS currently tend to work only with children who have committed an offence, i.e. VFIs would need to have been referred to the YJS through an existing pathway. Were YJS to work with VFIs who have not yet offended, they would need (1) a formalised, newly expanded, responsibility within a multi-agency arrangement; and (2) funding to deliver this expanded responsibility. Without a statutory mechanism requiring participation (as in the case of YDOs), engagement by children who had not committed an offence would be voluntary. Whether such an approach is ultimately pursued will depend on, firstly, the conclusions of the NIEV working group and if there is cross-government agreement that YJS are the suitable agency for this role, and secondly, the availability of funding. The MoJ like all government departments needs to prioritise spending carefully within the budgets allocated at spending reviews. Other factors, such as the capacity of YJS, will need to be assessed.

273. The MoJ and the Home Office are also considering the role of Home Office Young Futures Panels. Panels, which aim to identify and intervene earlier with those children who are at risk of committing a crime, are currently being piloted. Children are referred via the police, after having been named as a suspect in multiple incidents in the last 12 months; as the panels develop, they plan to take discretionary referrals of children identified as displaying an increase in vulnerability of being drawn into crime. While not specifically developed for this cohort, panels have the potential to play an important role in identifying and intervening earlier in VFI cases, before the management of that case is then passed on to a specific agency.

274. The MoJ is also undertaking cross-government work with the Home Office and Department for Education, looking at how the early intervention and crime prevention

landscape can be rationalised and improved, allowing for clear ownership and management of risk. This work has a broader remit, exploring all children rather than solely VFIs, but will nevertheless have learnings for this particular cohort. We anticipate that this work will commence in early September, with a planned Ministerial roundtable, attended by experts from the health, education and crime prevention sectors, and senior officials in strategic authorities who will advise on policy development throughout. The roundtable, and subsequent work, will look at the early intervention landscape through the lens of devolution, considering the barriers that can result in children falling through gaps in support and oversight, and the role that strategic authorities could play in bringing services together locally and improving the identification and management of risk. The direction and priorities for the programme of work will be informed by discussions at the roundtable. Following the roundtable, MoJ, Home Office and Department for Education officials will take forward a programme of policy development considering the issues identified. We are ensuring this work is joined up with the Home Office-led work on NIEVs. I exhibit the minutes and emails from engagement with YJSs and CTP, **EC/45 – MOJ000106** and **EC/46 - MOJ000107** and **EC/47 – MOJ000103** and **EC/48 – MOJ000110** and **EC/49 – MOJ000101** and **EC/50 – MOJ000113** and **EC/51 – MOJ000109** and **EC/52 – MOJ000112** and **EC/53 – MOJ000104** and **EC/54 – MOJ000102** and **EC/55 – MOJ000111** and **EC/56 – MOJ000105** and **EC/57 – MOJ000108**

275. In prisons, once a definition of VFIs has been confirmed, we would consider our policy position on CSIP referrals for any prisoner who is identified as a VFI prior to, or within, custody. Based on the working definition, we do not have any evidence at this stage that a specific mechanism for managing VFIs in prisons would be required.

276. In relation to MAPPA, MoJ think the structure is sound and well understood. Recent increased focus on different offender cohorts, such as terrorism and domestic abuse, has led to updates to statutory MAPPA guidance and practice tools. We would suggest a similar approach as we learn more about VFIs.

STATEMENT OF TRUTH

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

Signed: **SIGNATURE**

Dated: 8 September 2026

APPENDIX 1: INDEX OF EXHIBITS

EC/01 – **MOJ000024**	PDF of *'A Modern Youth Justice System: Foundations Fit for the Future'* policy statement regarding fundamental reforms to the Youth Justice System. Available online.
EC/02 – **MOJ000018**	PDF of the Youth Justice White Paper *'Cutting Youth Crime, Changing Young Lives'* regarding the Youth Justice System reform and delivery plan. Available online.
EC/03 – **MOJ000019**	*'MAPPA guidance'* from 2024
EC/04 – **MOJ000008**	PDF of the Sentencing Council's General Guideline: Overarching Principles, available online.
EC/05 – **MOJ000006**	PDF of the Sentencing Council's General Guideline: Children and Young People, available online.
EC/06 – **MOJ000023**	PDF of 'About us – Youth Custody Service – GOV.UK', available online.
EC/07 – **MOJ000043**	PDF of HMPPS Prison Public Protection Policy Framework, available online.
EC/08 – **CAB000024**	**T1D*** paper on Violence Fixated Individuals, analysis update and next steps.
EC/09 – **MOJ000044**	Email 'RE: Papers for Monday's Southport/VFIs Meeting.msg' confirming HMPPS's Chief Operating Officer for Prisons attended a Cabinet Office meeting on Southport/VFIs on behalf of the then Interim Permanent Secretary.

*** Cabinet Office Body**

EC/10 – **MOJ000030**	PDF of the Parole Board's *'Risk Assessment Guidance'* of the structure of a risk assessment, context of risk – environmental influences and treatment inferring factors, current risk assessment tools, terrorism risk considerations and tools, available online.
EC/11 – **MOJ000017**	PDF of the *'Guide to Safety in Custody Statistics'*, available online.
EC/12 – **MOJ000001**	PDF of the *'Prison Safety Policy Framework'*, available online.
EC/13 – **MOJ000040**	PDF of the *'Young Justice Application Framework (YJAF)'* description from the Youth Justice Resource Hub, available online.
EC/14 **YJB000101**	PDF of the YJB's guidance *'Case Management Guidance'* which is used by Youth Justice practitioners, available online.
EC/15 – **MOJ000002**	PDF of GOV.UK *'Predicting harm among incels (involuntary celibates): the roles of mental health, ideological belief and social networking'*, available online.
EC/16 – **MOJ000032**	PDF of the *'HMPPS Information Sharing Policy Framework'* which sets out the requirement for information sharing to be done in accordance with the provisions of the Data Protection Act 2018 and the UK General Data Protection Regulation, available online.

EC/17 – **MOJ000042**	PDF of the *'HMPPS Child Safeguarding Policy Framework',* available online.
EC/18 – **DFE000262**	PDF of a guide to multi-agency working to help, protect and promote the welfare of children named *'Working Together to Safeguard Children',* available online.
EC/19 – **MOJ000037**	PDF of the *'Psychology Risk Assessment'* Policy Framework which YCS Psychology Services draw on, available online.
EC/20 – **MOJ000011**	PDF of the *'Risk of Serious Harm Guidance 2020'* which supports practitioners to apply the levels consistently and accurately, available online.
EC/21 – **MOJ000020**	PDF of the *'AssetPlus framework'* used by YOTs as the statutory assessment and intervention planning tool, available online.
EC/22 – **MOJ000003**	PDF of the *'Standards for children in youth justice'*. These standards for children in the youth justice system define the minimum expectation for all agencies that provide statutory services to ensure good outcomes for children in the youth justice system. They are set by the Secretary of State for Justice on the advice of the Youth Justice Board (YJB). Available online.
EC/23 – **MOJ000009**	PDF of MAPPA guidance *'11. Risk Assessment (updated 2018)'*, available online.

EC/24 – **MOJ000036**	PDF of MAPPA guidance *'7. Levels of Management (updated 2023)'*, available online.
EC/25 – **MOJ000033**	PDF of the *'The Power to Detain Dangerous Prisoners Serving Determinate Sentence Policy Framework'* which sets out the purpose, eligibility criteria and panel consideration process, available online.
EC/26 – **MOJ000016**	PDF of the *'Licence Conditions Policy Framework'*, available online.
EC/27 – **MOJ000038**	PDF of the as *'Licence Conditions and Notice of Supervision Requirements guidance'*, available online.
EC/28 – **MOJ000100**	PDF of the *'Inspection Framework 2025',* available online.
EC/29 – **MOJ000114**	PDF of the *'HMI Probation Annual Report 2026',* available online.
EC/30 – **MOJ000115**	PDF of the *'Oversight and funding of youth justice services'*, available online.
EC/31 – **MOJ000117**	PDF of the *'London Accommodation Pathfinder ("LAP") Evaluation'*, available online.
EC/32 – **MOJ000116**	PDF of the *'Evaluation of the Greater Manchester Remand Pilot – Centre for Crime and Youth Justice Research'*, available online.
EC/33 – **MOJ000004**	PDF of *'Types of sentences for children and young people', available online.*
EC/34 – **MOJ000041**	PDF of a recent publication of the *'Impact of sentencing on proven reoffending for young offenders'*, available online.

EC/35 – **MOJ000099**	PDF of the *'Impact of sentencing on proven reoffending for young offenders in England and Wales, 2012 to 2014'*, available online.
EC/36 – **MOJ000010**	PDF of the *'National MAPPA Research Briefing'*. Research by the Policing Institute for the Eastern Region at Anglia Ruskin University ("ARU"), available online.
EC/37 – **MOJ000021**	PDF of the *'A-joint-thematic-inspection-of-Multi-Agency-Public-Protection-Arrangements'*. Research by the Criminal Justice Joint Inspection, available online.
EC/38 – **MOJ000007**	PDF of the *'Counter Terrorism Joint Inspection – National Security Division and multi-agency arrangements for the management of terrorist offenders in the wake of terrorist attacks – HM Inspectorate of Probation'*, available online.
EC/39 – **ILT000147**	PDF of the *'Terrorist Offenders: Independent Review of Statutory Multi-Agency Public Protection Arrangements'*, available online.
EC/40 – **ILT000100**	PDF of Jonathan Hall KC, the Independent Reviewer of Terrorism Legislation ("IRTL") report of the *'Classification of Extreme Violence Used in Southport Attack on 29 July 2024'.* Available online.

EC/41 – **MOJ000039**	PDF of Written Statements from the Minister for Security, Dan Jarvis, who set out the Government's response to the IRTL. Available online.
EC/42 – **MOJ000031**	PDF of the debate in the House of Commons following the publication of the Inquiry's Phase 1 Report, the Government confirmed that legislation to address this gap would be brought forward in the current session of Parliament. Available online.
EC/43 – **MOJ000025**	Email correspondence of the MoJ working alongside the Home Office in the development of Knife Crime Prevention Orders in 2023 *'RE: Knife Crime Prevention Orders - youth justice view'*.
EC/44 – **MOJ000022**	PDF of the 'Code of Practice for Youth Conditional Cautions', available online.
EC/45 – **MOJ000106**	Readout of call with Luton YCS manager
EC/46 – **MOJ000107**	Notes from call with Chief Inspector CTP
EC/47 – **MOJ000103**	Email correspondence with Gwynedd YJS
EC/48 – **MOJ000110**	Readout of learning meeting with Essex YJS
EC/49 – **MOJ000101**	Readout of call with Devon YJS manager
EC/50 – **MOJ000113**	Notes from call with Devon YOT
EC/51 – **MOJ000109**	Readout from a learning meeting in Suffolk YJS
EC/52 – **MOJ000112**	Readout from a learning meeting in Hackney YJS
EC/53 – **MOJ000104**	Readout of a call with Tameside and Liverpool YJS manager
EC/54 – **MOJ000102**	Deep-dive project questions for Youth Justice Services from YJPU on how they

	engage with children at risk of becoming involved in extreme violence.
EC/55 – **MOJ000111**	Readout from call with David Webb, Head of Service, Dorset Youth Justice Service
EC/56 – **MOJ000105**	Readout from call with Wilf Fearon, Nottingham YJS Manager
EC/57 – **MOJ000108**	Notes from meeting with Cheshire YJS, meeting with Tom Dooks Head of Service
EC/58 - MOJ000155	**Letter from Sir Nic Dakin MP and Keith Fraser to YJB Colleagues RE Prioritising 'Violence Fixated' Children**