

SECTION
3

Self audit checklist three: Life in custody



The check points in this section should help you to work within the proper framework, ensure that young people have all opportunities to be involved in decision making and protect their rights throughout their stay in the secure estate.

Legislation, rules and standards

Powers of Criminal Courts (Sentencing) Act 2000.

Criminal Justice Act 2003.

Crime and Disorder Act 1998.

Children Act 1989.

Children Act 2004.

Children (Leaving Care) Act 2000.

Children and Young Persons Act 1969.

Human Rights Act 1998.

Prison Act 1952.

Prison Service Order (no 4950).

Local Authority Circular LAC (2004) 26 Safeguarding and promoting the welfare of children and young people in custody.

National Standards for Youth Justice Services.

Young Offender Institution Rules 2000.

Child Protection and Safeguard Review 2003.

Admission

- Are all admission processes carried out in a manner and environment that allows and encourages the child to ask questions and to contribute confidently and privately?
- Are children given sufficient information in a way that they can take in and understand?
- Are children able to say what their immediate needs are, and if they have any concerns or fears? If so, are they treated as participants in deciding how to meet needs or respond to concerns?
- Is a check made that children know about personal officers and how to speak with them privately?
- Are children encouraged to say, and have recorded, who are the important people in their lives and who they need to communicate with?

- In making assessments (including as to vulnerability), do staff ensure that potentially sensitive or psychologically harmful issues are addressed with care, and in a way that allows children to be confident in their responses?
- Are children treated as individuals, with care taken to recognise their diverse backgrounds, communication styles or abilities and varied levels of capacity to understand and participate?
- Do staff ensure that sufficient information has been received about individual children? Amongst other things, is the information checked to identify what problems and decisions might be improved by talking with the child?
- Are records made over and above the essential elements regarding special needs and the wishes of individual children?
- Are satisfaction rates monitored and taken into account regarding admission procedures?

Throughcare

- Do managers and staff work towards a child-centred culture that encourages children's participation in decisions and planning in all aspects?
- Do routines and social structures allow children to speak privately and safely with staff?
- Do policies allow for sufficient privacy and time to speak with important others (parents, siblings, social workers, friends etc)? Are important others made sufficiently aware of how to speak with staff about any concerns or positive ideas?
- Are children provided with sufficient further information about opportunities and procedures (including complaints) in a way that they can understand and act upon?
- Are opportunities provided to allow children to identify and pursue hobbies and interests? Do these opportunities allow for play, including in private?
- Are facilities and specialist staff or outside professionals provided to enhance communication as necessary (including where there may be unresolved safeguarding or loss issues)?

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- Do managers systematically monitor children's comments (including through consultative processes where necessary) in developing policies, practices and regimes?
 - Are individual comments acted upon as far as is possible (such as those relating to day to day life and needs)?
 - Do children make anticipated levels of use of independent advocates and other specialist persons for example, social worker or chaplain?
 - Do staff ensure that issues arising from talking with children are appropriately communicated to relevant people for example, youth offending teams, social workers, family and friends?
 - Are all relevant people encouraged to attend and contribute to planning and review meetings?
 - Are meetings conducted in an environment and manner that encourages and allows children to understand what is happening and contribute properly?
 - Are all plans and activities devised in a manner that takes account of and gives maximum possible weight to the wishes and contribution of children?
 - Are plans and activities dynamic in nature, allowing children to feedback on whether they are working and how they might be amended to achieve maximum success?
 - Are staff trained and supervised in a way that includes issues relevant to a participative approach with children?

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- Pre-release preparation**
- Are children encouraged to say what will work best when they are released, including not only aspirations, but also to meet needs and alleviate fears?
 - Are children's ideas about what, and who, will be important for them acted upon so far as is possible?
 - Are children allowed and enabled, in advance, to contact and meet with relevant people who will play a part in their lives on release (including social aspects of their lives as far as is possible)?
 - Are final reviews conducted to gather and monitor children's comments and are these used in policy and practice development?