

Review of Greenfields Secure Care Unit

May 2019

Final version

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Executive summary

Introduction

This review was commissioned by the Government of Jersey in October 2018. The Group Director of Children's Services appointed independent reviewer Stephen Ashley to conduct a review of Greenfields children's secure unit. The review was conducted following a number of other reports and inquires in to aspects of the care system in Jersey; in particular the review of the Jersey youth justice system that was published in October 2018 and the Independent Jersey Care Inquiry 2017, both of which made reference to Greenfields.

Terms of reference for the review were agreed and state that the purpose of the review is:

To ensure that the current service model is reviewed with the following considerations:

- *Does Jersey require secure care and accommodation for children?*
- *Outline the appropriate context and other services which will reduce the need for secure care and ensure there are community services in Jersey which provide a direct alternative to secure care*
- *Consider how to ensure flexibility in working with children/young people in secure care (making the walls 'flexible')*
- *Recommendations and action plan*

The review considered the provisions of the United Nations Convention on the Rights of the Child (UNCRC), 1989 and the recommendations contained within the Youth Justice Review and the Independent Jersey Care Inquiry.

Overview

Greenfields was built in 2006. It was designed as a secure unit to house children and young people detained under the youth justice system and those requiring secure welfare placements. At this time, it was anticipated that at least 8 secure bedrooms would be required.

Since 2006 and particularly in more recent years there has been a change in the ethos of youth justice in the States of Jersey. The numbers of young people being detained in secure accommodation through the youth justice system has sharply declined. As a result, the norm is that only one young person is detained under the criminal justice system at any one time, and the unit is often empty.

The unit is also used for children cared for on Secure Accommodation Orders (SAO). However, this number is also very low with only 6 children detained on an order over the last three years. As a result of this change of ethos, Greenfields is no longer seen by professionals solely as a youth detention facility, but as a secure children's home.

The purpose of Greenfields has become confused. The current size of the unit is no longer required.

Greenfields is now used for secure care on an exceptional basis and consequently young people may experience suffer from social isolation as they could be the only person living in the unit. It can be a challenge to provide education, training and rehabilitation for the one or two residents, on a 'step up/step down' basis.

The unit is managed and run by well-motivated staff who are caring and passionate about their roles. They appreciate the difficulties caused by the small number of residents but do their best to support residents in making their stay comfortable. More recently staff have been working to a more obvious child centred, social care ethos rather than to a youth detention model. This has caused some confusion about operating procedures with a lack of clarity around how this change fits with the previously established processes and regime.

The unit is in relatively good condition but would benefit from some refurbishment to ensure a more child focussed approach, and environment, rather than one modelled on criminal justice approaches. There are a number of issues raised in this report that require attention, but despite this the unit remains fit for purpose given the current generous (two to one) staffing ratios.

The unit would, in the opinion of the reviewer, be considered as broadly compliant with the United Nations Convention on the Rights of the Child (UNCRC), 1989.

There are a number of options that might be considered regarding the future of the unit. There was a consensus during the review that change was required, and the unit should not be maintained in its current state. Senior officers involved in the review considered that the present site and structure should be upgraded to provide a residential unit with some secure provision but with the service, building and environment being developed to meet local demand.

There is no evidence to suggest the number of children requiring secure accommodation will increase in coming years. Given the development of community based alternative support, there should be a reduction in the current secure provision, and it is likely that there will only be only a requirement for two secure rooms.

An opportunity now exists to develop the Greenfields site to provide a forward looking, state of the art unit that provides intensive therapeutic care and rehabilitation in a secure and safe environment.

Key points

The review established the following key points:

- The purpose of Greenfields has become confused. Many professionals have commented that people are unsure of how it should be regarded within the child care system. Whilst a number of these professionals were relatively new to working in Jersey there is now an opportunity develop a clear, strategic statement of purpose.
- Greenfields is safe for residents and staff as long as two to one staffing ratios are maintained when there are young people in residence.
- The site would benefit from some refurbishment to make it more child friendly and less foreboding.
- The building should be subject to an inspection by the Care Commission which will ensure a range of standards including health and safety standards are met.
- Staff are well motivated and have a child centred focus on residents.
- A number of policies, procedures and guidance require updating, particularly if the unit is to be re-designed and the purpose changed. Current procedures are out of date and cause confusion amongst staff.
- There needs to be a better understanding of identifying, understanding and managing risk and greater clarity on how it is reduced.
- Lack of a clearly understood regime could increase risks to residents and staff. Developing and implementing standard operating procedures is fundamental to the

effective and safe running of the unit. For example, there is currently a lack of clear policy on searching and the retention of personal items by residents.

- Staff training is adequate, but there are opportunities to increase specialist training in dealing with young people with specific needs.
- The educational package for 16 and 17 year olds is not sufficient. Professionals should develop a clear pathway to provide education and clear lines of escalation to resolve disputes over provision.
- Rehabilitation of offenders can be improved.
- There is no evidence to suggest that the number of children being placed in Greenfields will increase in coming years.
- Over the last three years there has been, on average, one child or young person in residence per month and the unit has been empty for 15 months. There remains a requirement for some secure accommodation. This would involve a maximum of two secure rooms.
- Professionals believe that children and young people requiring secure accommodation should stay on Jersey wherever possible.
- The use of Greenfields should be developed to respond to need on the island and to support the strategy of keeping children and young people in their local community. There are a number of options that might be considered, including its use as a therapeutic centre or a centre for children on the 'edge of care'.
- Stakeholders including senior managers from the Department for Children and Young People's Education and Skills should be consulted on their future engagement with the unit.

Potential operating model

It is a policy matter, based on the analysis of need which will determine the strategic and operating future of Greenfields. This review is clear in recommending that secure care is required in Jersey. The service and building will require some investment, and this should be considered in the context of the improved outcomes possible for children and young people. The financial investment in the unit is another determining factor on future use.

A potential operating model is described in the report. It is one of a number of options that should provide a catalyst for further discussion.

The Greenfields model should be re-designed and would benefit from some refurbishment. There are options described in this report that would suggest a re-designed unit combining secure and open accommodation.

Greenfields should be developed as a centre of excellence for children to move through secure and open accommodation according to need, and to receive bespoke intensive packages of care and support. There is sufficient space to provide high quality education and training as well as rooms to be developed for therapeutic work.

The Alternative Curriculum facility, located on the same site as Greenfields, could become a service delivery partner and be able to share facilities and gain access to specialist care. There is an opportunity for education services to become a more equal partner in the provision of services at Greenfields.

A Jersey secure unit strategic board should be formed. This would provide oversight of the site and provide assurance to both partners and the Government that the unit was effective and providing value for money. This board could be a sub group of the new Children's Strategic Partnership Board. There would be representatives from across relevant partners. It might be chaired by a government minister and would require representation from partners

and from across government departments. This Board would be responsible for the development of a clear statement of purpose and strategic vision. It would provide a governance role and would oversee the development of a working framework including clear policies and guidance.

This model requires a significant investment in terms of refurbishment and re-design including the interface with enhanced specialist services. However, it would resolve a number of issues currently faced by young people and professionals in Jersey and would, in the longer term, provide value for money and improved outcomes for children.

1. Introduction

This review was commissioned by the Government of Jersey in October 2018. The Group Director of Children's services appointed Independent Consultant Stephen Ashley to conduct a service review in to the Greenfields secure unit. The review was commissioned following a number of other reviews and enquires in to aspects of the care system in Jersey; in particular the Independent Jersey Care Inquiry 2017 and a review of the Jersey youth justice system that was published in October 2018.

The purpose of this review is set out in the terms of reference. They state that the purpose of the review is:

To ensure that the current service model is reviewed with the following considerations:

- *Does Jersey require secure care and accommodation for children?*
- *Future purpose of secure provision in Jersey*
- *Identify the future need and demand for secure care*
- *Consider future models of practice (operating model) for secure care based on international research and best practice and research and including staffing establishment and model*
- *Outline the appropriate context and other services which will reduce the need for secure care and ensure there are community services in Jersey which provide a direct alternative to secure care*
- *Consider how to ensure flexibility in working with children/young people in secure care (making the walls 'flexible')*
- *Recommendations and action plan*

Greenfields is the only secure accommodation for children and young people remanded in custody or sentenced to custody through the youth justice system within Jersey. It is also used for those children and young people subject to Secure Accommodation Orders¹, so its use in that context is also explored. Children and young people are made subject of an order when they are frequently absconding, at risk of injuring themselves or others

The review considers how Greenfields sits within both the youth justice system and in child care provision. It considers potential options and makes recommendations for future provision.

It is not the intention of this review to consider the history of secure accommodation in Jersey, a number of reviews have already taken place in to the historical issues and have been well rehearsed in the public domain. Previous reports were considered to provide context for the current circumstances.

2. Methodology

An independent reviewer was appointed. Stephen Ashley has significant experience in compiling high level reports on child and adult safeguarding and is independent of any services provided by the Government of Jersey.

In order to conduct the review a document review was undertaken. Interviews took place with key individuals (details at appendix two). The reviewer visited Jersey and the Greenfields site on a number of occasions to observe practice. Young people were also interviewed to determine their view of the current service and their experience. There was a desktop review

¹ Secure accommodation orders - <https://www.jerseylaw.je/laws/revision/Pages/12.200.80.aspx>

of practice and relevant reviews across Europe. Stakeholder meetings and focus groups took place with Greenfields staff and social workers.

The first part of the report provides background to Greenfields and the legislation under which it functions. The report goes on to describe the unit and analyses the significant issues that should be considered in future planning. There is a summary of relevant research from across Europe.

The final part of the report describes some options for future use and makes recommendations. There is a proposed action plan at appendix one.

3. Background

3.1 Recent reviews

Reviews have been conducted in to a number of aspects of the way in which children and young people are cared for in Jersey. This review has considered the following documents:

- The Government of Jersey Placement Sufficiency for Children in Care 2018
- Making a Difference; Driving Improvement - Jersey Care Commission, September 2018
- United Nations Convention on the Rights of the Child (UNCRC), 1989
- Jersey Youth Justice Review 2018
- Jersey Independent Care Inquiry 2017; and the Government response
- Howard League Review 2008
- Placements in Secure Accommodation 2013
- Jersey Children's Services Improvement Plan November 2018 – March 2019
- Relevant legislation

3.2 History of Greenfields

Following an enquiry in 2004, the Les Chênes secure unit was re-named as the Greenfields Centre. The old Les Chênes premises was then demolished and replaced with the new Greenfields Centre, a purpose built secure centre built in 2006.

The new unit was first managed by a senior manager who had worked for in the prison system. The new Greenfields Centre was considered as: *".....one of the best of its kind in Britain"* by Andrew Williamson in 2009 who had written the "The Williamson Report" in June 2008 (an inquiry into child protection services in Jersey) and was subsequently employed by the Government to implement the recommendations.

Despite the view described by Andrew Williamson, a Howard League Review in 2008 had highlighted difficulties in the system. It stated: *"There is far too high a level of custody, and we believe that measures should be taken to eliminate it"*. They also identified that if there was a reduction in the number of children detained then: *"there will be a greatly reduced use for the Greenfields Centre as a secure Children's Home, although it is likely that there will be a continuing need for "welfare" cases to be held there. But in any event, it is likely that thought needs to be given to a more flexible use of Greenfields and a great reduction in its use as a secure facility"*.

The Independent Jersey Care Inquiry also formed a view: *"The Panel visited Greenfields Centre in 2015. We were concerned about the prison-like nature of the facility and by the regime, as described to us at the time of our visit. We felt that the ethos was one of control"*

and containment. We deprecated the seeming absence of a welfare-based approach. We consider that greater clarity is needed on the purpose of such a facility, which should accommodate only children on remand for the gravest offences. Secure accommodation should be an option rarely used, and then for the least necessary time, when there is no other way of minimising the risk of harm that a young person poses to others. Secure accommodation should never be used as a punishment.”

There is also a positive story to tell. The previous high numbers of children in secure accommodation has reduced considerably since 2010 to very low levels. By 2016 those numbers had reduced to one or two children in secure accommodation at any one time and periods when it was empty. This fact was noted in the Youth Justice Review. That review is clear that historical issues around the high number of children detained in secure accommodation have now been dealt with and states: *“The use of custody in Jersey is laudably low and appears to represent a measure of last resort in line with the UNCRC and other international guidelines.”*

The concerns in the Howard League review have now been dealt with and numbers of residents has been significantly reduced. Now is the opportunity to move Greenfields forward in the next stage of its evolution.

3.3 Legislative framework

There are a number of areas of legislation that directly impact on Greenfields. In the first instance, children and young people are placed in Greenfields by two routes. They are remanded in custody or sentenced through the youth justice system or placed in secure accommodation, on welfare grounds, through a Secure Accommodation Order. These orders are granted by the Royal Court and are the subject of clear time limits and review processes. The Minister also has a power to place looked after children in secure care for a period of up to 72 hours in exceptional circumstances in line with legislative powers.

In addition, there is legislation that deals with the standard of care that should be in place within the unit. The United Nations Convention on the Rights of the Child (UNCRC) 1989 has now been ratified and extended to the Bailiwick of Jersey. Recent legislation in terms of the regulation of care will be used to monitor the standards of care in the unit. The Children’s Commissioner was appointed a year ago and is likely to have significant powers of intervention.

This section lays out the legislative framework under which children are placed in Greenfields and the legislative powers that exist to enforce standards of care.

3.3.1 Secure accommodation through the youth justice system

Locking up children, young persons and young adults should always be a last resort. However, it is inevitable that a very small number of young persons and young adults will need to be deprived of their liberty and their wellbeing is of primary importance. The legislation relating to the detention of children and young people is contained in Criminal Justice (Young Offenders) (Jersey) Law 2014 (as amended).

The terms ‘child’, ‘young person’ and ‘young adult’ are all defined in the interpretation article of the Law. A ‘child’ is a person who has reached the age of 10 but has not yet reached the age of 15. No reference is made throughout this Law to any child under the age of 10 as 10 is the age of criminal responsibility in Jersey. A ‘young person’ is a person who has reached the age of 15 but has not reached the age of 18; and a ‘young adult’ is a person who has reached the age of 18 but is under 21.

Children of compulsory school age may be remanded in custody by the court or may be given a custodial sentence.

It is intended that the most suitable location for a young person should be determined by the Young Person's Placement Panel ('the Panel') established under Part 4 of the Law. Under Article 18(a), a Placement Panel determines where young people who have been remanded or sentenced will be placed. The Panel makes the decision as to whether they should go to Greenfields or La Moye (but cannot revoke the decision to remand in custody). It is not intended that the courts should be involved in deciding where a young person is ultimately located.

The functions of the Placement Panel are set out in Article 18 and include determining the appropriate place of custody for young persons remanded or sentenced to a period of youth detention.

Under Article 19 the Panel should exercise its functions having decided what is in the best interests of the young person, and indeed of any other young person detained in the same place. For example, taking into account all the factors in Article 19, the Panel could place a vulnerable 17 year old young person, who has been convicted, in Greenfields; or, alternatively, place a disruptive or violent male child or young person of school age into the Young Offender Institution at La Moye. When making the decision on placement of a child or young person the Panel is required to take regard of the 'mix' of children and young persons in any location (Article 19(b)). Therefore, if there were a 12 year old child in Greenfields it may not be appropriate for a 17 year old young person, even if they are vulnerable, to be in Greenfields at the same time. The Panel can also move a young person from Greenfields to La Moye, and vice-versa, if it was felt that this was the most suitable course of action; without having to refer the decision to the courts (Article 18(b)).

It is of note that no child or young person has been placed in La Moye since the Placement Panel was formed.

The Panel ensures that the needs of the young person were best met by placing them in the most suitable location for them.

In terms of where young persons would be placed, it is envisaged that the system would function on the basis that young persons of 18 years of age would ordinarily be accommodated at Greenfields (although male young persons may also be sent to the Young Offenders Institution), whilst those young persons over the age of school age would ordinarily be sent to La Moye. In practice, La Moye does not house any person under 18 years old but the legislation to do so remains in place.

There has been a recognition in Government that through the Act, when dealing with children and young people, there may need to be pragmatic and accommodate children who are detained for welfare reasons together with those on remand or following conviction (as is the case in England and Wales as well as the Isle of Man).

Consideration has also taken place of the Human Rights legislation. The mixture of both accused (remanded) and convicted persons raises an issue regarding compliance with the obligation in Article 10(2)(a) of the International Covenant on Civil and Political Rights ("ICCPR"), which provides that:

"Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as un-convicted persons".

However, the accommodation of accused and convicted children together, in the circumstances permitted by the Law, may properly be viewed as falling within the qualification on this obligation that permits accused and convicted persons to be detained together in “*exceptional circumstances*”. In this regard it is relevant that Jersey’s population and resources mean there may be no other practical solution to the accommodation needs of these young persons. Also, that the placement decision in each case will be made by the Young Persons Placement Panel (“the Panel”), which provides some assurance as to the propriety of the placement decision from a welfare perspective.

It is perhaps relevant to note that in both the United Kingdom and the Isle of Man, secure accommodation is used for the detention of young persons who have been convicted of offences and young persons who are detained on remand or for their welfare.

At present, female children over school leaving age, (in practice those over 18 years old) who are remanded or sentenced to a period of youth detention, would be detained in the adult prison. This is because the number detained is insufficient to make the establishment of a female young offender institution viable. The detention of female children together with adults in the prison raises issues with regard to compliance with a number of international obligations, including those found in the UN Convention on the Rights of the Child (UNCRC), the International Covenant on Civil and Political Rights (ICCPR) and Articles 3 (inhumane and degrading treatment) and 5 (right to liberty) of the European Convention on Human Rights (ECHR).

However, there are ‘reservations’ [in effect this is a statement of intent added to the legislation and forms part of the statutory obligation] in place in respect of the obligations agreed under the protocol which states that:

“Where at any time there is a lack of suitable prison facilities or where the mixing of adults and juveniles is deemed to be mutually beneficial, the Government of the United Kingdom reserve the right not to apply article 10(2)(b) and 10(3), so far as those provisions require juveniles who are detained to be accommodated separately from adults”.

The Jersey Law addresses the risk of breaching these international obligations by ensuring that the appropriate place of custody for a female young person remanded or sentenced to youth detention will be secure accommodation rather than the prison. Under the Law, the detention of a female young person in the prison will only occur exceptionally. Under Articles 10(3) (temporary transfer to prison) and 16(3)(b) (remand pending a decision of the Panel) a female young person will only be detained in the adult prison where that is in the best interests of the young person or another person with whom they may be accommodated, or where a place in secure accommodation is not available.

Further, there are important safeguards in place before a female young person could be accommodated in prison. A transfer to the prison will only take place with the agreement of the Panel and the Panel must conduct regular reviews under Article 18(c) of the draft Law following any such transfer. Those reviews will be conducted with a view to transferring the female young person to secure accommodation as soon as that becomes appropriate. The temporary remand of a female young person in the prison will only occur where the court, or any person who orders that the person be remanded, having regard to all the circumstances relevant at the time, considers that the prison is more suitable for meeting her particular needs or that there is no suitable secure accommodation available.

By limiting the powers to detain female young persons in the prison, as the Law does, the risk of any circumstances arising where an individual is detained in breach of the applicable international obligations and the reservations applying to them is minimised and managed so

far as is practicable in Jersey. The Law should then be viewed as compatible with the ECHR and the other relevant international obligations referred to above.

On occasions, when it is not possible for the Panel to convene in time to consider a placement, Article 16(3) provides a solution in that it states: “*the person who orders the person to be remanded in custody*” would be the duty Jurat. However, it is intended that the duty Jurat would have to consult with designated officers from the Children’s Service and the Prison to be able to place in either establishment given the presenting assessments for the young person and which took into account the needs of the other residents in each establishment. The Attorney General has provided guidance in this regard.

The Jersey Prison Service, which is the responsibility of the Minister for Home Affairs, is able to accommodate remanded offenders who are over the age of compulsory schooling and sentenced young offenders from the age of 15 however they no longer accommodate young people under 18 years old.

The maximum period for which the court may authorise a child who has been remanded to be kept in secure accommodation shall not exceed 28 days on any occasion without further court authorisation.

The Law provides, in the Schedule, for changes to be made to the Children (Jersey) Law 2002 (the “2002 Law”). The effect of these changes is that all children and young people who are detained, whether in Greenfields, La Moye or the YOI , will be Looked After Children (‘LAC’), and will fall under the care of the Minister for Health and Social Services and subject to LAC reviews and corporate parenting systems with all of the attendant safeguards and provisions including support for care leavers.

This decision represents a shift in policy, whereby the key focus is on the needs rather than the deeds, of the child or young person.

The effect of the No.2 Law is that the definition of LAC is amended so that it can include those who are detained on remand or following sentence.

3.3.2 Secure accommodation through a secure accommodation order

A child or young person may be placed in Greenfields under a Secure Accommodation Order under the Children (Jersey) Law 2002, if it is felt necessary to prevent them from injuring themselves or others; or if they have a history of absconding and, if they do abscond, are likely to suffer significant harm.

A Secure Accommodation Order is a civil (permissive) order made by the Royal Court following an application by the Minister for Health and Social Services. It is important to note that any child or young person subject to a Secure Accommodation Order would only ever be accommodated in Greenfields.

The maximum period beyond which a looked after child may not be kept in secure accommodation, without the authority of the court, is an aggregate of 72 hours (whether or not consecutive) in any period of 28 consecutive days (this is with the delegated authority of the Group Director on behalf of the Minister). The Minister has no power to place a child who is not looked after into secure care.

The maximum period for which the court may authorise a child to be kept in secure accommodation is 3 months.

The court may authorise a child to be kept in secure accommodation for a further period not exceeding 6 months at any one time.

Applications to the court under Article 22 of the Law can be made only by the Minister.

A review of the placement is required after one month and every three months thereafter.

The Act takes full account of the voice of the child and requires that at the prescribed intervals a review takes place. The three persons who undertake the review are appointed by the Minister and are required to follow the following criteria:

“The persons appointed under Article 9 to review the keeping of a child in secure accommodation shall satisfy themselves as to whether or not –

- (a) the criteria for keeping the child in secure accommodation continue to apply;*
- (b) the placement in such accommodation continues to be necessary; and*
- (c) any other description of accommodation would be appropriate for the child,*

and in doing so shall have regard to the welfare of the child whose case is being reviewed.”

3.3.3 The United Nations United on the Rights of the Child (UNCRC) 1989

The United Nations Convention on the Rights of the Child (UNCRC), 1989 have now been ratified and extended to the Bailiwick of Jersey. As a result, the Government of Jersey is now required to implement and follow the UNCRC and related conventions.

To determine compliance with these provisions, a specialist lawyer would have to consider whether Greenfields, both in its design and the manner in which it is managed, complies with the provisions of the Convention. The only area of real doubt around compliance would appear to be the provision of an education as defined in Article 28. This issue is dealt with under section 5.4.

3.3.4 The Regulations of Care (Standards and Requirements) (Jersey) Regulations 2018

The Jersey Care Commission was first established in shadow form in May 2017 and formally became the regulator for health and social care on 1 January 2019. The Commission has developed care standards which will form the basis of future inspections.

A regulation officer has already undertaken a preliminary visit to Greenfields.

3.3.5 The Children’s commissioner

The Children’s Commissioner has significant powers. The Commissioner for Children and Young People Jersey Law 2019 was ratified in February 2019.

The law states that the Commissioner will:

“a) Keep under review the adequacy and effectiveness of law, policy and practice relating to the rights of children and young people with a view to assessing the adequacy and effectiveness of such law, policy and practice.

b) Keep under review the adequacy and effectiveness of services provided for children and young people by relevant authorities.

- c) *Bring any matter relating to the rights, views and interests of children and young people to the attention of the States Assembly or any relevant authority.*
- d) *Promote awareness and understanding of the rights of children and young people*
- e) *Provide human rights education for relevant authorities, organisations and institutions that focus on children.*
- f) *Provide advice and recommendations on the rights, views and interests of children and young people.*
- g) *Promote harmonisation of legislation and policy with the UNCRC.*
- h) *Monitor the implementation in Jersey of the United Nations Convention on the Rights of the Child.*
- i) *Report on the government's implementation and monitoring of children's rights.*
- j) *Look into or investigate any matter relating to the rights or interests of children and young people (NB: in practice this would include investigating violations of children's rights.) (see paragraphs 49-63 below)*
- k) *Bring, intervene in, or assist in relation to, legal proceedings or complaints against relevant authorities (see paragraphs 67-77 below)*
- l) *Publish a report on any matter considered or investigated by the Children's Commissioner."*

In order to achieve these tasks the Commissioner is expected to have significant legal powers including powers relating to:

- Access to premises
- Duties to provide information to the Children's Commissioner
- Investigations
- Offences relating to obstruction of provision of evidence
- Power to bring, intervene in, or provide assistance in relation to complaints against relevant authorities
- Power to commence, intervene, and/or assist in legal proceeding

The Children's Commissioner should be consulted on her views around compliance with legislation.

In addition, a Children's Rights Officer and will meet any child or young person in Greenfields within 24 hours of their arrival and if possible in advance of entry to the unit. This officer is employed by the government specifically to look after the rights of looked after children.

4. Review of the Greenfields site

4.1 Layout

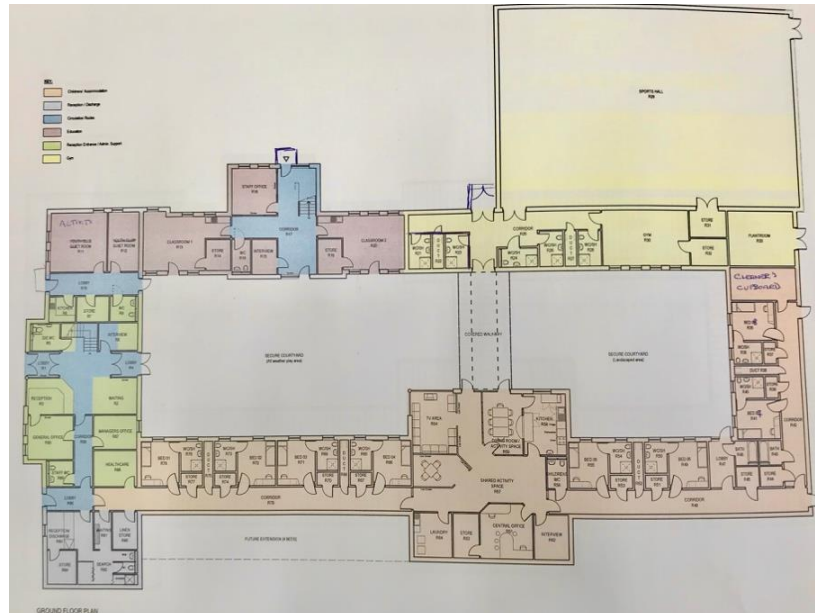


Figure 1
Layout of Unit

Greenfields is located outside of St Helier. The extended site on which it is located also has a separate semi-independent residential unit, Field View and the two roomed Maple House building. The key stage 4 La Sente alternative education curriculum provision is also located on the site.

Figure 1 shows a plan of the site. The Greenfields building has four entrances. A visitor's entrance at the front of the premises; a 'secure yard' enabling entry by a vehicle into an enclosed yard, this is the entrance for new residents; a third entrance provides an entry point for those family and friends visiting residents and a separate entrance for those going to the gymnasium. These two entrances are controlled by staff as and when required.

On entering through the front of the premises it is immediately apparent that it is a secure unit. All internal doors are locked, and staff are careful to follow locking regimes that ensure the premises' security is maintained. There is CCTV in public areas. Efforts have been made to 'soften' the environment with pictures on the wall, but it remains a very functional environment.

The current manager of the Greenfields is relatively new in post and has no previous experience of running a secure facility. The manager walked the reviewer through the arrival procedure for new residents. All new arrivals are brought in to the rear 'secure' yard (figure 2) and are 'booked in' and their paperwork is checked to ensure they are being lawfully detained. The new resident is 'talked through' what will happen. This procedure takes place in the office pictured at figure 3.



Figure 2
The rear 'secure' yard

Figure 3
Booking in office showing entrance from yard. The young person stands/sits in the position the photo is taken from.



The young person is then taken to a sterile area where, if it is required, the young person is searched. At this point they are encouraged to take a shower and are then measured and weighed. There was some confusion as to the procedure that should be followed at this point. One staff member was able to explain that a 'pat down' is all that is usually required if the young person has come from a police or court site. However, another staff member stated that the need for a search was considered following a risk assessment. The shower is optional but is considered when the young person needs to: "*freshen up*". No young person is forced to shower. The young person is weighed and measured. It was explained to the reviewer that there had previously been concerns that some young people had arrived at the unit suffering from malnutrition and in these cases their weight would be monitored.

This takes place in the sterile area shown in figures 4 and 5.



Figure 4
Changing area adjacent to booking in room

Figure 5
Shower are adjacent to booking in area



It is essential that a better system is adopted for new residents. The booking in procedure is in itself a necessary requirement but the environment could be improved so that (especially in the case of those arriving under a Secure Accommodation Order) the atmosphere is less intimidating. Ideally an early health assessment should be conducted by a nurse or doctor and there should be coordination with the designated Looked After Children nurse. There should be no need for new residents to shower at the entrance point given they have en suite facilities in the rooms. If it is believed that a child or young person is suffering from malnutrition, they should be seen by a doctor. There is no valid reason to weigh and measure new arrivals. Searching is a difficult area and is required, but staff should be given clear guidelines on the type and extent of a search.

Accommodation is provided in three wings. The first wing contains four bedrooms and wings two and three contain two in each.



Figure 6
Bedroom corridor

Bedrooms are functional with a small single bed and an en suite toilet and shower room.

Figure 7
Standard bedroom



Figure 8
Standard bedroom

Figure 9
Ensuite showroom and toilet



Residents are able to access a television and radio for their room on a risk assessed basis. Resident are allowed to retain some personal belongings. The walls are bare, but residents are permitted to put their own pictures on the walls. The rooms have been designed to be free from ligature points. However, there were some clear ligature points available (for instance on the cell door) and a brief examination of an occupied room revealed a rolled up ball of ribbon and plastic bin liners. There was also an issue with personal items that could easily be used as a weapon or to self-harm. The fact is rooms, whilst designed to be safe, are still a risk to a determined person wishing to self-harm or cause injury. Two rooms have CCTV to enable observation if the resident is a potentially high risk. These CCTV cameras have been disabled.

Each room has a standard metal 'cell' door. The door has a viewing panel. Whilst these rooms fulfil their function, they are not a welcoming environment and are cells rather than a child or young person's bedroom. Of particular note is the use of metal cell doors. These are heavy and have to be slammed shut. When standing inside and having the door closed it is intimidating. A child or young person could be concerned and fearful in that environment.

The three bedroom corridors lead to a central hub. This is of an unusual design. There is a television area with comfortable chairs and settees. There is a small kitchen with a dining room table and a laundry with washing machines and tumble driers. There is also a staff office. These various elements are separated by glass walls which makes for a rather strange environment. It is however functional.



Figure 10
Office looking out in to residents lounge and dining/kitchen area

Figure 11
Dining area and kitchen pictured from the resident's lounge area



Figure 12
The resident's lounge

The unit has a range of leisure facilities. There is a gym with a variety of exercise machines. Whilst these looked to be past their prime, they appeared usable. There is a multi-functional gymnasium which is an excellent facility and is the size of two badminton courts. Half of the gym is taken up with gymnastic equipment that belongs to a local charity organisation. As a result, the gym is not currently usable by residents. Approval was given by senior managers for this use but only on the proviso it did not adversely affect residents.



Figure 13
Exercise room

Figure 14
Gymnasium



Figure 15
Gymnasium area reserved for use
by a local charity

There is an outdoor area which is formed as a quadrangle. There is a small fenced football area. This area is potentially useful but is a little tired and would benefit from being re-designed.

Figure 16
Outdoor 'quadrangle'



Figure 17
The 'quadrangle showing football area

In the recreational wing there is also a room with a pool table and a comfortable visitor's room.



Figure 18
Resident's pool room

Figure 19
Visiting room with separate
entrance



There are classroom areas and an art room.



Figure 20
Classroom

Figure 21
Art room



This unit was built at a time when it was considered that it would be subject to 'Prison Rules'. It was also required to provide secure accommodation for children and young people secured under other legislation. It fulfils the purpose that it was built for. It is secure, safe and warm. It is not a particularly welcoming environment and is somewhat stark, bare and functional. It requires more imaginative use of colours and changes to doors, lighting and furniture. The outdoor areas should be landscaped and provided with suitable outdoor furniture.

4.2 Staffing

The unit has a manager and a deputy manager. There is a room for one member of staff to sleep. There are currently a minimum of two staff members on duty per resident. It is unclear whether there is always a minimum of two staff members per resident or whether this is just the minimum staff that can be deployed when there is one resident. There are 10 permanent members of staff as well as the deputy manager and manager. There is a 'bank' of temporary staff who are utilised to fill shortages in the shift rota.

When the unit is empty, staff are redeployed to other facilities. This reduces the cost of maintaining the unit and is an efficient use of resources.

On night shifts one staff member remains on duty and a second person is resident in the unit and sleeps in a staff bedroom.

All staff have undertaken relevant training. In particular in the following areas:

- Understanding trauma
- Suicide awareness
- Maybo
- Safeguarding children
- Manual/safe handling
- First aid
- Fire safety
- Corporate induction
- Food hygiene

Maybo training is a system for dealing with children and young people with challenging behaviour. There is a practice guidance document provided to staff as part of the training package.

Training does not extend to suicide response or anything more than a basic level in dealing with trauma or mental health issues.

All training is recorded and planned. Training is at an appropriate level for the current ethos of the unit.

The reviewer spoke to seven members of staff. They were passionate about their roles and attentive to the needs of residents. They were experienced and many had worked in residential units for a number of years. They were clearly child focussed and had a caring disposition. There was clear evidence that staff were willing to support residents in a variety of ways. For example, supporting a young person to cook for family.

Staff clearly consider that they are working in a children's home that is secure, rather than a detention centre. Whilst the new manager and his senior managers have instilled this ethos there remains some confusion around the regime that should be followed. In essence the ethos of staff is correct but there needs to be greater clarity around policy and procedure and new standard operating procedures.

4.3 Number of residents

The below table shows admissions over time and by type of order. The legislation that allows the placement of children and young people in secure accommodation is dealt with in section 3.

	J	F	M	A	M	J	J	A	S	O	N	D
2016												
Remand												
Custody	1											
SAO		1										
Minister 72 hours		1			1							

2017

Remand				1		1	1	2	1	1	1	3
Custody	1							1				
SAO												1
Minister 72 hours												

2018

Remand	1	1	1		1						1	
		1	1								1	
SAO					1			1	2	1		
Minister 72 hours					1			1		1		

Over the last three years the unit has been empty for 15 months. The maximum numbers of children and young people detained was 4 in one month. On average over the last three years there is one person detained at any one time.

5. Significant Issues.

5.1 Statement of purpose – understanding identity

Greenfields was built at a time when it was anticipated that up to eight children and young people would be either remanded in custody or sentenced to a custodial sentence. As such, and given the previous history of Les Chênes, it was sensible to design a purpose-built secure facility for juveniles. At that time the design of Greenfields would have been considered as a 'state of the art' secure facility for children and young people and similar to and in many cases more modern than facilities elsewhere across Europe. Whilst it remains in reasonable condition it needs to be updated, and 13 years after being built it requires refurbishment.

Since 2006 circumstances and attitudes have changed. The youth justice system in Jersey was examined in a review published in October 2018. Discussion with the Youth Court Magistrate and two of her panel members confirmed that the youth justice system in Jersey was now concentrating on keeping young people out of custody and this had been the case for a number of years. The Magistrate clearly articulated the child centred approach would continue. This positive approach to youth justice has been highlighted in a number of reports and in particular the report commissioned by the States of Jersey; *Youth Justice: Options for Change, 2010*. It is clear that the Parish Hall Inquiry system works well in terms of diverting children out of the youth justice system to more appropriate disposals for minor offending. For instance, there are good examples of this system being used for restorative justice and community sentencing. In addition, an interview with the manager of the Youth Service revealed progressive work with young people that had clearly diverted them from crime.

Custody in terms of remanding young people to the secure unit, or sentencing them to custodial sentences, is seen as a last resort. Since 2010 there has been a steady decline in the number of children and young people requiring a secure placement. The use of Greenfields as a secure unit is shown above at paragraph 4.5. The Jersey Youth Justice Review 2018 highlighted areas where work could be undertaken to ensure there were sufficient options available to the legal system to avoid detention.

To reflect the change of approach towards young people entering secure accommodation, the person managing the unit now has a significant child care background and experience. Staff all have experience of dealing with children in residential settings who have been subject to trauma and challenging circumstances in their lives.

The Group Director for Children Services summarised the views of senior managers across the system: *"I am not running a prison, it should be a safe and secure environment for those children and young people who need secure care, one that is child centred and able to provide intensive reparative care and rehabilitation"*.

In some regard it already achieves this. The Ofsted inspection report from September 2018 makes the point that: *"Secure provision is utilised on both welfare and remand grounds, and for some children it was evident that this had provided them with an environment in which they could stabilise their situation and make positive steps forward."*

This is the correct approach given that many children and young people entering the unit through the youth justice system will have also been subject to a range of care and protection issues at an earlier stage of their lives.

The unit is also used for those young people subject to a Secure Accommodation Order. These children have experienced a range of issues and a variety of traumatic experiences. It should be emphasised that they are not convicted and not involved in the youth justice system.

There are examples of jurisdictions with secure units that have a mixture of children and young people detained within the youth justice system and those receiving therapeutic services. This can be managed, but there needs to be clarity for staff about the boundaries that need to be in place and the type of risk assessments undertaken. There was no evidence that staff had been trained or understood the implications of this mixed use.

The premises does not readily avail itself to separating children when they are out of their rooms. As a result, staff allow children to share facilities under supervision or remain in their room. It is a reasonable and pragmatic approach to allow young people to mix when engaged in activities as long as that position has been properly risk assessed. It can be a difficult decision because often the young people know each other from their lives outside the unit. In a small area such as Jersey it is not surprising that young people may have met socially or at

school. It requires a considered assessment that should be documented if this is to occur. There was no evidence that this type of risk assessment takes place.

This highlights the current dilemma the unit has. It is a secure unit and needs to provide a caring and safe environment for young people with a range of issues.

Greenfields is the only secure environment for children and young people available on Jersey, but it is now too big for the number of children and young people who require secure care. As a result, it houses a mix of young people who require secure care, or at times is left empty.

A number of professionals interviewed during the review commented on the fact that Greenfields was now struggling to understand its purpose and identity. It is designed and used as youth justice facility as well as secure accommodation on welfare grounds, but it is often either empty or maintained for one person. A statement of purpose should clarify the purpose and function of the unit.

There needs to be a better understanding of the risks posed by and to children. Whilst it is entirely understandable that professionals want children and young people to be treated in the most caring way possible, the very low numbers accommodated demonstrates that these children are of a high risk to themselves or others. The current ethos does not explicitly proactively deal with this high level of risk.

The reduction in the number of children detained in this secure unit must be seen as a success for the Government of Jersey, but it has contributed to a confusion in identity for the Greenfields unit. There is an immediate requirement for the strategic vision for Greenfields to be articulated, supported by a statement of purpose that provides staff and children and young people with a clear and unambiguous statement of the way in which Greenfields fits in to the continuum of responses to very high vulnerability and risk.

Summary: The identity and understanding of Greenfields has become confused as the ethos of the unit has moved to a child centred, secure children's home. There needs to be clarity around its purpose which should include a review of the statement of purpose, internal design of the premises and the procedures and guidance that staff are working to. Staff should be trained and briefed to an appropriate standard.

5.2 Isolation

Given the small numbers in residence in Greenfields at any one time, there is a real risk that young people will feel isolated. Over the last three years the majority of the young people have been accommodated in the unit by themselves.

The Jersey Youth Justice Review 2018 stated: *"when there is only one child in residence there is a risk this could be experienced as de facto isolation"*. This is stating the obvious. It is not helpful or healthy for young people to be isolated. That is exacerbated by a lack of education and training in some cases. One young person was quite happy with the situation saying *"I like my own company and the people in here are alright, I like them"*. This however does not absolve the government from ensuring steps to avoid isolation are taken.

The reviewer was impressed that the staff saw it as a significant part of their role to provide some form of company to the young people in their care. For example, play ballgames engage in exercise with residents along with supporting interests and skills such as cooking. They would try to provide mental stimulation, including some low-level training. Regular visits with family and friends take place in the purpose built visitor's area.

However, when a child or young person is detained it cannot be considered healthy that they are isolated (possibly for months) from people of their own age. A psychologist (working on behalf of the court) spoken to as part of the review agreed that it was not healthy for a child or young person to spend long periods isolated from his peers. The arrangements for children who are 'looked after' include the requirement to make contact arrangements. These arrangements are not currently being properly considered or progressed in the looked after review arrangements.

A solution should be sought to deal with this issue. Whilst being in secure accommodation speaks for itself there would seem to be no reason that supervised access to environments where there are other children and young people should be promoted. For instance, if following a risk assessment, staff could provide escorted visits to other youth facilities on the Island, this could be authorised by a senior manager on the delegated authority of the Minister. Given the available gym and workshop facilities there are also opportunities for youth groups to use those facilities and the residents to be involved within parameters and assessment of risk.

Staff did not believe it was possible to take young people who were remanded in custody or sentenced out of the unit. This is not the case. The prison governor was clear that it is possible, under current arrangements, to remove a young person from the unit to undertake work, training or education. This is dependent on a properly conducted risk assessment being undertaken.

In fact, Prison (Jersey) Rules 2007 (as amended) section 63 states:

- “The Minister may temporarily release a prisoner serving a sentence of imprisonment, for such time or times and subject to such conditions as the Minister may determine, either –*
- (a) for the purpose of the prisoner engaging in employment or receiving instruction or training; or*
 - (b) in such other circumstances as may be approved by the Minister.”*

A scheme of delegation needs to be developed and implemented to avoid confusion between the different lines of responsibility. For example, the Home Affairs minister is responsible for children and young people secured through the youth justice system but the Minister for Health and Social Services is responsible for Looked After Children.

Children detained under a secure accommodation order are potentially in an even more vulnerable position. These children are in a secure care environment and often require some form of therapeutic care (as do many of those detained under the criminal justice system). Any degree of isolation for these young people is likely to exacerbate their issues.

Isolation will remain a significant issue whilst the secure unit is maintained in its current structure and staff work to their interpretation of current policies and procedures.

Summary: The low level of usage within the unit results in young people becoming isolated. Consideration should be given to ensuring that those in the unit are able to have contact with their peers and there should be a more imaginative approach taken to allowing a risk assessed system of interaction to take place outside of the unit.

5.3 Mixed use

As explained in previous sections, the unit is used for detention of children and young people, of both genders, detained under the youth justice system and those that are subject to a SAO.

Whilst sleeping accommodation can be easily segregated across two accommodation wings the issues around recreation are more difficult. Shared meal and leisure times will be inevitable unless there is a need for enforced separation because of an adverse risk assessment.

The staff were aware of the risks when children and young people are associating together and appreciated that there needed to be close supervision when children were together. Mixing children who are within a youth justice system and those that are in need of therapeutic care will always need to be properly assessed and should be supported by clear policy guidelines and an appropriate risk assessment.

Staff also need to appreciate the difference in caring for children detained under different circumstances. Whilst the unit might run on a basic set of principles, there are differences around the 'rules' that apply to those detained under a SAO and those detained under the youth justice system. There are also different rules to be applied to those remanded in custody and those that have been sentenced. A policy decision (reinforced by legislation) was made that those children entering secure accommodation through the youth justice system are defined as 'looked after'. However, the risks associated with these children and young people are often different.

The issue around policy, procedure and regime are dealt with in the next sections. Staff did not appear to treat young people differently or understand the need to consider this. Each child requires an outcome focussed care plan and full assessment, including an assessment of risk. This situation needs to be addressed. One example was the booking in procedure. It seems all young people entering the unit are booked in under the same system. There is a lack of clarity around what personal items young people might keep. This will change according to a risk assessment but also will differ depending on the system under which they are being detained.

As described in section 3.3 there are Human Rights considerations when housing children and young people together when they have been placed in that accommodation under different circumstances. However, the accommodation of accused and convicted children together, may properly be viewed as falling within the qualification on this obligation that permits accused and convicted persons to be detained together in: "*exceptional circumstances*".

It is perhaps worth reiterating that in both the United Kingdom and the Isle of Man, secure accommodation units are often of mixed use, with the detention of young persons who have been convicted of offences and young persons who are detained on remand or for their welfare being accommodated together. In this regard Jersey is not an outlier and this is considered a more appropriate option for children than being placed in a penal establishment.

Summary: The unit is currently used for both youth justice and welfare secure cases. There is a need for staff to better understand the circumstances under which young people can be accommodated together. In practice staff do not differentiate between those detained under the youth justice system and those secured on welfare grounds. Policy, procedure and guidance needs to be developed and a set of standard operating procedures introduced to assist staff. Risk assessment processes should also be clarified and used.

5.4 Education and rehabilitation

A child under school leaving age who is detained in the secure unit is legally entitled to receive education. This is provided by La Sente Alternative Curriculum. The headmaster and his

deputy at La Sente explained how they provided education according to need. On a number of occasions, they were actually teaching children who had fallen within their remit prior to their move in to Greenfields. On other occasions, they rely heavily on the child to inform them of where they had reached within mainstream education. This requires further work. Each child and young person should have their own educational plan produced as part of their care plan which is a requirement in cases involving Looked After Children.

It is not possible to maintain a permanent teaching presence within the unit because, for much of time, there is a maximum of one child in the unit, so the volume of children does not support a permanent education offer.

It is often the case due to the urgent nature of using secure accommodation that the school only receive notice of the arrival of a child on the day they arrive. Education officers are represented on the Placement Panel and there needs to be better communication between the Panel and front-line practitioners. The current position causes considerable logistical problems for the school and affects the children in their substantive classes. The inconsistent and unpredictable nature of the requirement to teach children in Greenfields has meant that there is insufficient 'backfill' available to maintain usual teaching ratios in the substantive classes. Both the deputy and headmaster expressed concern that on some occasions they were required to teach a child incarcerated through the youth justice system with a child on a short-term SAO. This is possible but there needs to be a clear risk assessment in place. There was no concern around the classroom facilities within Greenfields except to say that they might be developed further for vocational work; for instance cookery, art and woodwork. Professionals at this facility believe that Greenfields could provide opportunities to enhance the facilities for their pupils.

There is no legal requirement on Jersey to provide education to 16 to 18 year olds. Whilst there had been some attempts previously, through Highlands College, this had fallen through and so there is currently scant provision. This appears to be a resourcing issue. No one was clear who would pay for the educational input or who would provide it. It is a corporate parenting issue and agreement on financing needs to be agreed through that process.

The Probation Service do provide some level of education through a charity who provide tutors to teach basic "words and numbers" education to those children on remand or sentenced. Several professionals commented on the fact that adult prisoners at La Moye prison did receive an educational input. There is a perception from some young people that they might be better placed at La Moye as they perceive they could receive education and training in a trade. It is an anomaly that the legal requirement to educate stops at 16 years old but resumes for young offenders detained at the prison at 18 years old. This break in the continuity of education could have a devastating effect on a young person's education.

The unit has a workshop and classrooms that could easily be utilised to provide further education and training. It is a missed opportunity not to provide a more intensive education/training programme to all residents, especially those sentenced or remanded in custody. There is a real chance, given the small numbers, to provide high quality rehabilitation over a medium term.

The headmaster at La Sente gave an example of a young person who had been educated through the alternative curriculum programme but was then remanded into Greenfields. They took the opportunity to educate on a one to one basis and saw immense benefits, commenting that they achieved more in 3 months than they had in the previous 18 months. This demonstrates that while children and young people resident at Greenfields there is an opportunity to provide intensive education and fill any apparent gaps in learning.

The Prison (Jersey) Rules 2007 (as amended) contain two sections that are relevant to the current position. Section 57 states:

- “(1) The Governor shall arrange a programme of education that, so far as is reasonably practicable, provides prisoners with opportunities to pursue their interests and further their rehabilitation.*
- “(2) In particular, the Governor shall ensure that the programme of education for young prisoners meets their learning needs and assists them in developing their potential.”*

Whilst the Governor is not in charge of Greenfields these Prison Rules demonstrate what is possible in a criminal justice setting. Clearly there are ways in which education could be arranged where detainees are released on a risk assessed, temporary basis.

Agencies responsible for the education and vocational training in Greenfields should agree how they will provide an appropriate education package.

There are also considerations that should be addressed under the United Nations Convention on the Rights of the Child (UNCRC), 1989 provisions. In particular, the following Articles state:

- *“**Article 28** (right to education) - Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children’s dignity and their rights. Richer countries must help poorer countries achieve this.”*
- ***Article 29** (goals of education) - Education must develop every child’s personality, talents and abilities to the full. It must encourage the child’s respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.*
- ***Article 31** (leisure, play and culture) - Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.”*

Specialist legal advice would be required to determine if these Articles had been breached although it is not thought this is the case with the current statutory school age. The fact is that some residents do not receive a full educational package, and often in the case of those who are 16 and 17 years old, this is at a basic level. This may be open to challenge by the Children’s Commissioner. At the time of review the level of leisure, play and culture was of an appropriate manner and level. Senior managers should be aware that these are issues that should be considered in future decision making.

The findings of this review regarding training and education support a finding detailed in section 4.5 of the Jersey Youth Justice Review 2018: *“in 2010 there was an issue with young people accessing education, training and meaningful opportunities. This problem remains in 2018; particularly for those aged 16 and above.”*

Summary: There are clear gaps in education and training provision for residents at Greenfields. There is an opportunity to provide intensive and specialised care that would enhance the likelihood of rehabilitation and provide young people with improved life chances.

5.5 Condition and design of the unit

The unit is well maintained. It is clean and tidy and the temperature at the time of visit was as it should have been. Efforts have been made to brighten things up and residents can bring their own possessions in to the unit. Some equipment (especially exercise equipment) looks

past its best but everything appeared functional. There is sufficient cooking equipment and staff cook all meals from fresh food. There is a laundry. Residents can have a television or radio in their room. In the main recreation area, there is a large screen TV and a good selection of age appropriate DVDs.

The design of the unit could be changed to reflect the change in ethos. The bedroom corridors and the use of metal cell doors is of concern. There are better alternatives that would still provide security without being so intimidating. The booking in area is stark and unwelcoming. It needs to be redesigned. The recreational area is of an unusual design and is somewhat unsettling. It is clearly based on a prison design. This makes it less suitable for the residents who are subject to SAOs.

The outdoor area is not in top condition but with very little work could prove to be a pleasant environment.

The exercise room and gymnasium are potentially an excellent facility which is under used. The gymnasium is used by a local charity for gymnastics and this means that half of that area is out of use. There are classrooms and workshops which again are under used.

The unit would benefit from a refurbishment but in comparison with similar units in other countries Greenfields is of a reasonable standard. The pictures below relate to secure accommodation in sites in the United Kingdom considered to be of a high standard by Ofsted, but (as these photographs demonstrate) are not hugely different from the current conditions in Greenfield. With relatively little investment there could be significant improvement in conditions, without major structural work being required. In fact, changes would be relatively cosmetic. Depending on the future use of the unit there may need to be some structural re-design.





The Regulations of Care (Standards and Requirements) (Jersey) Regulations 2018 are now in force. Staff were unaware of these new regulations. An early inspection of Greenfields under the new regulations might provide staff with a useful measure of where improvements might be made.

Given current staff ratios are set at two to one it is safe for residents and staff. Whilst it can be improved in several areas, there is no suggestion that it should be closed or is intrinsically unsafe.

Summary: The unit is now nearly 13 years old and it is not a particularly pleasant environment for residents; especially for those who are placed in Greenfields under a Secure Accommodation Order.

There are some concerns highlighted in the report about potential risks to residents and staff caused by design flaws and a lack of clear guidance. Examples of this include searching regimes; retention of personal items; potential ligature points; resident access to the staff office and kitchen. The fact that there is a two to one staff to resident ratio, provides some mitigation of this risk. An early inspection under recent regulations could provide a useful benchmark for staff.

5.6 Cost

The low volume of residents means that Greenfields is extremely expensive to maintain.

In 2017/18 £690,544.39² was budgeted for the service delivered at Greenfields. When Greenfields was empty staff were redeployed to other residential provision to ensure resources were used as efficiently as possible.

If the unit had a full quota of 4 children permanently in residence this would equate to £3319.92 per week per child based on 2018/19 spend (which is a much lower cost than comparable units in the UK).

The average cost of secure accommodation 'off island' is £5500 per week per child.

The fact is that based on the last three years there have been an average of fewer than 2 children in the unit. Based on 2 residents the cost per child would be £6639.85 per week per child (again on based on last year's spend).

² Greenfields cost figures have been obtained from the "States of Jersey Council Placement Sufficiency for Children in Care 2018 Demand, Placement and Provision Analysis" document.

These figures should be treated with a degree of caution, given they are based on children being present every week and using the spend from last year. There may be further opportunities to reduce these average costs.

Summary: In 2017/2018 over £690,000 was budgeted for the unit, which equates to a unit cost for the children placed at £1658 per child per week (if eight children resident). Occupation has been much less. However, it should be noted that expenditure on Greenfields was reduced by deploying resources to other residential provision when there were no residents at Greenfields. However, the unit would not provide good value for money kept in its current format.

5.7 Policies, procedures and guidance

Section 3.3 dealt with the legislation in place that is relevant to Greenfields. There is a comprehensive legislative package that ensures children and young people in Jersey, who are placed in secure accommodation, are protected.

In terms of the policies, procedures and guidance used to manage the unit on a day to day basis there were some concerns. As earlier sections of the report have described, the ethos for secure detention has changed. When built in 2006 the unit ran under a strict 'Prison Rules' system. A system of reward and punishment was in place called the "Grand Prix" system. This ethos has been severely criticised in a number of recent reports. The "Grand Prix" system is no longer in place and has not been for some time.

The manager and staff were under the impression that Greenfields was still run according to 'Prison Rules'. This refers to the Prison (Jersey) Rules 2007 (as amended). These rules are not easily adapted to the current ethos. They are not currently being followed at Greenfields and staff did not know where they could obtain them.

The issue is further complicated by the fact that the unit is also used for children on Secure Accommodation Orders. Those children should certainly not be subject to 'Prison Rules'.

The manager of the unit provided the "Employee's Guide" which has been produced for staff members. It covers, in general terms, all of the issues that would be expected in a guidance document for staff. It is unclear what status the document has, it lacks detail and is designed to be a document that covers all of the residents and is not specific to those on SAOs or those entering through the youth justice system. The document is a useful guide to employees, but nothing more. There is also a practice guidance document in place regarding managing challenging behaviour and aggression that was produced in 2018. Whilst this is provided at the Maybo training, staff did not refer to it when asked about policy. There needs to be clarity for staff around what policies and procedures are to be followed and the status (if any) of 'Prison Rules' for children and young people in youth detention.

There are areas that require far more specific guidance. For example, the policy on searching upon arrival in the unit and the use of personal items by residents. These should form part of comprehensive standard operating procedures.

The lack of understanding by staff of the policies and procedures under which they work is worrying. All staff are required to sign the employee guide under a final paragraph that states:

"This Employee Guide cannot give information to cover every eventuality. Please consult with your Supervisor or Line Manager on any matter not covered in the Guide, and upon which you are uncertain or unsure as to how to proceed."

The changes that have seen Greenfields develop from a youth detention type centre to a secure residential unit has left a gap in policy and procedure. The “Employee’s Guide” does not replace the ‘Prison Rules’ and whilst it might be useful it is not a clear procedures manual.

Each resident receives a placement plan which details the work that is to be undertaken whilst they are at Greenfields. These were, in some cases, detailed and had clear outcomes for the young person. In other cases, they lacked detail. There needs to be a more consistent approach to these documents. They should include an education and training plan and be of sufficient detail to satisfy the corporate parenting panel. Ultimately, every child and young person that becomes a resident at Greenfields should have had an assessment of their need completed and this should contain clear expectations around outcomes and should be time specific with clear lines of accountability.

Risk assessments had been conducted and carried out in relation to residents. There appeared to be an element of ‘cut and paste’ to them with similar phrases often being repeated. Consideration should be given to reviewing the risk assessment process and providing additional training in this area. There was evidence that the risk assessment was not always followed.

The daily log is maintained to a high standard and contains detailed accounts of resident’s activities. It was also clear that the ‘handover’ between shifts was of a good standard.

Any incidents involving the use of force are well documented through a computer programme, as are health and safety issues and accidents.

It is policy that all staff carry a radio within the unit which identifies where staff are located and contains an alarm in case of emergency and informs the holder in the case of a fire alarm. There was clear evidence that these were not routinely used by staff.

Summary: The law and procedures relating to the process by which children and young people are detained is comprehensive. Legislation relating to the way in which care standards are maintained and enforced is also comprehensive.

The management of the unit requires clear policy and guidance. Staff currently rely on an “Employee’s Guide” and the application of ‘Prison Rules’. There is confusion amongst staff as to what policies, procedures and guidance should be followed. There is a requirement for a detailed manual and standard operating procedures to be developed which will provide the clarity required.

The move from a strict ‘Prison Rules’ system to the secure residential approach has caused confusion and it appears that no clear policies are in place for the management of the unit.

5.8 Regime

The only document that provides any detail as to a daily regime for the unit applies to those young people receiving education who receive a timetable of their day. This appears to be in place primarily so that staff know when residents need to be escorted to the classrooms. There was no evidence that residents were subject to a timetable and observations of the reviewer were that the resident determined his own daily regime. There is no guidance to staff as to the regime residents should follow.

The reviewer was able to review an example of the circumstances of a young person who was detained as a means of assessing the way the unit functioned. Staff were clearly able to demonstrate that they had built a strong relationship with the young person but were unclear about the regime that should be followed. For instance, there was no evidence of a daily timetable and residents have been able to determine their sleeping periods and activities. As has been reported there is confusion about which personal belongings are retained. For example, a young person was able to retain a media stick/dongle allowing unsupervised access to films and TV through the internet. There is no way of monitoring the content, which may have been inappropriate.

There were also examples of residents determining that they would watch TV instead of exercising. Staff spend considerable time 'entertaining' residents but there appeared to be no limits placed on the amount of time they watched television.

It is understandable when there is only one resident, there will be some flexibility and pragmatism in the daily regime. However, the unit should be managed under a regime and timetable that provides clarity to staff and residents.

It may be that criticism of previous regimes in the Independent Care Inquiry, that highlighted the strict nature of the unit, has caused staff to take a more flexible and less risk averse approach to the regime within the unit. Whatever the reason, the culture of the unit needs to shift to a regular, predictable regime and staff need to better understand the high risk that children and young people in these circumstances might pose to themselves and others. That cultural shift needs to take place in the context of an improved and clearer operational framework.

Staff deal most regularly with only one young person, who is supervised on a two to one basis to minimise risk. The approach taken by staff is on occasion could be considered naïve in relation to youth detention residents and this needs to be addressed through training.

Therefore, there must be some concern that staff would find it difficult to adapt to a situation where more children and young people were present in the unit without proactive risk assessments and routines to support the children and assist in the safe and effective running of the unit.

Summary: The unit lacks a clear regime/routine for residents (understandable given the low numbers of children and young people placed). The current approach does not take sufficient account of risk or the importance of young people understanding the regime and rules which support them. Staff training and the opportunity to visit/shadow in similar establishments elsewhere would assist staff in putting in place an appropriate regime/routine.

5.9 Staff training

Staff receive a range of training courses. These cover the areas that would be expected. Training is up to date and there are plans to fill any gaps in that training. Some staff members have received extra, specialist training following a Health and Safety improvement notice.

There is a gap that currently exists in the understanding of the purpose of the unit and the procedures that should be followed. The current manager and two other staff members have recently visited a secure unit in the United Kingdom and this will be of significance moving forward and may provide future information and practice sharing opportunities.

Once a more comprehensive guidance manual and standard operating procedures have been agreed, staff need to undertake further internal training in the form of a staff seminar to improve in this area.

Summary: Staff are well trained and have attended appropriate courses. A staff seminar to discuss the ethos of the unit and guidance on the regime to be followed at the unit would be useful.

5.10 Future need

The report has highlighted the reduction in numbers of children requiring secure accommodation. This reduction has been brought about by a combination of factors. In the first instance there has been a change of ethos. By 2010 there was an understanding amongst many professionals that locking up children should be seen as a last resort.

The judiciary, in particular the Magistrate in the Youth Court, have played a huge part in this. The Parish Hall inquiry system also provides ways of keeping children and young people out of the youth justice system. Likewise, senior managers considered placing children in secure care in a way informed by children's rights, a rigorous approach to risk assessment and what is in the best interests of the child.

The Youth Service are providing diversionary activities and working with the Police in preventative activity.

There is further work that might be considered to maintain this approach. The Jersey Youth Justice Review 2018 highlighted some areas. In addition, there should be consideration of specialist foster placements, the use of curfews and electronic monitoring and supervision.

Summary: The review concludes that there is no likelihood that the numbers of children and young people being held in secure accommodation is likely to increase in the near future.

6. International research

As part of this review research has been conducted in to other jurisdictions, across Europe, and the way in which they deal with children and young people in secure accommodation.

There are difficulties in applying the work undertaken elsewhere with the circumstances in Jersey. The volume of children and young people requiring secure accommodation in Jersey is so low that direct comparisons with other jurisdictions is difficult. The one exception to this is the Isle of Man which has a similar demographic.

This report provides a summary of some of the best practice found elsewhere. Whilst direct comparisons are difficult, this section provides a summary of the best practice principles that are evident. In each section there is a summary of the key learning points.

6.1 Isle of Man – St Christopher's

This unit is managed by a charitable organisation. St Christopher's is a charity that states that it is creating brighter futures for children and young people in care.

Cronk Sollysh, is St Christopher's secure care home on the Isle of Man. It challenges historical attitudes to secure accommodation. It takes a social pedagogic approach and empowers staff to keep young people at the centre of their practice, grow their self-belief, and prepare them to reintegrate with the community.

The home is an option for young people aged 12-18 years old who can be accommodated on welfare, remand or custodial grounds. Though it maintains high levels of security and safety, it is designed to feel like a home, not an institution. Young people take up opportunities to consider their actions and reflect on the consequences, so they are ready to move forward when they leave the home.

A range of services is provided. This includes high quality care, education and therapeutic work, all of which positively impact on young people's lives. The education services involve an education team working with young people in the secure unit. The team find creative ways to engage young people with learning so that they leave care with qualifications and a plan for the future.

Therapeutic support is offered through the multi-skilled 'wraparound' team who deliver a range of therapeutic interventions to children and young people. Using a holistic and systemic approach, the team work with the child and their caregivers to ensure their emotional and mental health needs are met.

In November 2018 St Christopher's were inspected by the Isle of Man Government and it awarded a customer service excellence award. The final reported noted that:

- *“Looked after children’s views are fully integrated into the consultative process both for practical actions at individual sites and for strategic decisions at corporate level.*
- *Interactions between looked after children and St Christopher’s staff demonstrated mutual respect and a quality of relationship which was clearly the result of lengthy building of mutual trust.*
- *Staff feedback indicates that the quality of training is held in high regard.”*
- *The Safe Steps Programme has been awarded the rare “Outstanding” grade by Ofsted, a level achieved by only 6% of children’s homes.*
- *Several impressive examples of service improvement through analysis of young people’s observations in the annual consultation. These included significant changes to the way moving on from one particular home is now marked by a goodbye party, shopping for the first few days (for those moving to a semi-independent home) and when they would be visited by preferred workers.*
- *Partnerships or “co-production” provide the underlying theme of all major developments.*
- *To set and maintain high standards of customer satisfaction, St Christopher’s have modified the APEX inspections to meet the same standards as Ofsted and will now be graded in the same way.*
- *Staff were consulted in the formation of St Christopher’s strategy for the next 5 years.”*

Key points:

- The Isle of Man was the only jurisdiction that closely resembled the position in Jersey.
- The unit appears to be a model that could be applied in Jersey.
- Closer contacts could be built with the unit.

6.2 Secure Care in Sweden

This information for this section came from a report that was completed by the Scottish Centre for Youth and Criminal Justice in 2017. It undertook a case study of the secure care system in Sweden.

The Swedes have a Government agency that is responsible for all secure accommodation. Children are placed in secure accommodation having committed serious criminal offences or under a compulsory care order granted in cases where children and young people have psychosocial problems, substance misuse issues and/or involvement in offending behaviour. It is considered as a last resort.

On arrival in to a secure unit, children are assessed as to their needs. They tend not to be able to leave the unit whilst being assessed. After a couple of weeks, it is common for children to be taken on supervised visits in to the community. This may include time at home or in their previous school. Over time all children slowly transition to more open facilities where they have increased access to the community.

However, the statistical data collected by the agency in Sweden is shocking. There is a 75% recidivism rate for those children who entered secure accommodation under the youth justice system. This compares with a 35% rate for those who stay in the community and receive intensive supervision and electronic monitoring.

In fact, the secure system in Sweden has a number of elements that are very restrictive. This includes the strip searching of residents and the use of segregation as a punishment.

There were very few positive lessons from Sweden with the exception of the statistical data relating to recidivism rates.

Key points:

- The system for securing children and young people is broadly similar
- There is a more relaxed approach to community contact
- Swedish systems do not have any innovative approaches
- Recidivism is lower when community sentences are applied rather than detention

6.4 “Life in Secure Care” – a report by the Children’s Rights Director for England

This report was published in 2014 but none the less provides a comprehensive view from children and young people about what it is like to be in a secure unit in the United Kingdom and what should be done to improve secure accommodation. There are a number of key areas that would have relevance moving forward.

Key Points:

- There should be more use of supervised trips out of the unit
- They should have more space inside, with all the rooms being bigger than they are in many existing secure units
- Heating should be easier to control in each room, and the building, especially bedrooms, should not be so hot
- There should be less restriction on moving around inside a future secure unit

- Future secure units should be more local to where young people come from
- A new unit should have just as many, and possibly more, cameras because having what happened recorded on camera would be the main way of proving your innocence
- There should be more risk assessment to decide what could, and could not, be safely allowed
- There should be more education, which should offer good teaching and practical work skills, but should be fun, not be too much and not be too boring. The other was spare time activities, where there would need to be a wide range and good choice.
- The question of mixing 'welfare' people (placed in security for their own welfare by their local council) and 'criminal' people (placed in security through the Youth Justice Board after committing a serious offence) was raised by the young people in many of the discussions. Generally, young people thought that in future there should be separate units for these two different sorts of placement, because their welfare needs and intervention needs were different.
- Young people wanted staff to treat them as individuals, fairly and to the same rules, but not to treat everyone the same way, because people were at different stages and had different problems
- Entering a secure unit for the first time can be a scary experience. It was suggested that it would be better if young people could get to know some staff members first, before joining the group of young people already in the unit, especially if they had arrived in an emotional state

6.5 “Secure settings for young people: a national scoping exercise” 2018

This report was produced by the National Health Service in England. This report undertook an analysis of all secure units in England to determine if there were any common factors in their size and location and the way in which they were designed and staffed. The report has little relevance to the circumstances in Jersey with the exception of the key points described below. However, the issues relating to specialist care highlight the difficulties in trying to provide services across a range of issues. This is exacerbated in Jersey with the comparatively low numbers of children.

Key points:

- There is no single model of best practice
- There is a paucity of secure accommodation
- Units had a huge range in terms of size
- Secure care is provided by both the independent sector, local authorities and health providers
- There is a lack of secure care for children with neurodevelopmental disorders
- There is a lack of specialist care for children with learning disabilities
- All units offer some form of psychiatry, psychology, and nursing or care work, to enable assessment, supportive care, medication, and psychological therapy. Education is also offered by all units, but vocational training is only available in 77% (38/49) of units
- Welfare settings tended to have a higher ratio of staff to young people than did Youth Justice Board settings
- Young people were locked in their rooms at night (and therefore not able to leave their room by choice) in all cases except hospitals
- In most units, young people did have access to internet, including all hospitals, but detail was not consistently given about where or when
- No hospital and only a few (2/7, 29%) welfare placements confined young people to their rooms if they refused education. Conversely, all youth justice placements

reported that young people were confined to their room if they refused education or training

6.6 “Secure care in Scotland: Looking Ahead” – 2016

This report was produced by the Scottish Centre for Youth and Criminal Justice. Scotland has been a country that has seen particularly innovative responses to youth justice. This report was written in 2016. The report notes that professionals had dramatically different views about the purpose and quality of secure care in Scotland. They concluded that there was a lack of a national strategic and standards framework applied across the range of secure care establishments.

Key points:

- Secure accommodation would be required for the foreseeable future for a very small number of children who presented the very greatest of risks to themselves or others
- There is a lack of shared understanding between and across agencies and no collective vision of the future place, purpose and function of secure care, or of how to meet extreme needs and manage extreme risks without it
- For those who are there on sentence or remand, there is a growing body of evidence which shows that young people who offend are almost always young people who have experienced multiple difficulties, hurt, neglect, trauma, bereavement and abuse
- The key findings of the project called for:
 - Strategic vision, direction and leadership from all stakeholders responsible for making decisions about young people who are in, and on the edges of, secure care
 - An explicit statement on the place of secure care in the continuum of responses to very high vulnerability and risk
 - Further exploration of the complex interface between secure care and the Children’s Hearings System; adult justice and custody; looked after children’s services
 - A National Standards Framework which includes a care pathway for young people on the edges of, and in, secure care that clearly articulates: the preparation, information and support young people should be offered before and during admission, and with day to day living in a restrictive care setting; advocacy and participation arrangements and expectations and resourcing of this; a health care pathway, including mental and emotional health and wellbeing; and revisiting and strengthening guidance in relation to transition support and aftercare.
 - A Secure Care National Strategic Board to provide leadership and direction, giving voice to care experienced young people and involving them in driving a long term programme of transformation for secure care and approaches to young people on the edges of secure care in Scotland. The strategic board should lead and co-ordinate the work required to develop and realise the national strategy and standards framework and a strategic partnership approach to engage all responsible corporate parents in the review of commissioning and resourcing arrangements for secure care.

6.7 “Secure Care in Scotland: Young People’s Voices” - 2017

This report was also produced by the Scottish Centre for Youth and Criminal Justice. It built on the previous report and combined it with the views of children and young people. There are a number of key points that are applicable to any future model put in place in Jersey.

Key points:

- **Support for vulnerable young people where there is high risk of significant harm to self and or others**

There should however be more consistent, compassionate and psychologically containing continuity of care on offer through foster care and children's homes addressing all children's needs and helping them make sense of the hurts they have experienced. Secure care or close support should be considered for some young people at an *earlier* point to stabilise those who are at risk of significant harm and to prevent numerous placement breakdowns.
- **The impact of admission**

Young people should always be informed and prepared for a secure care placement. They should be given information about their rights, and about what to expect on arrival, by their social worker or carers *before* they are taken to a secure care centre. Arriving in secure care can be an upsetting and stressful experience and all the involved professionals should ensure young people are sensitively supported through this. Each centre should make sure that they don't apply a 'one size fits all' approach to how they approach admission and particularly risk assessment processes.
- **Settling in and day to day living and learning**

Secure care centres should think carefully about the mix of ages and needs so that the group living environment and activity programme is appropriate for all children and young people there. Buddying schemes and access to peer support is helpful and more could be done to promote this. Every secure care centre should have a wide range of programmes such as holistic therapies, cognitive behavioural therapy (CBT), education and vocational qualifications, and community based opportunities like college and work placements to prepare young people for the future.

Workers and agencies should always think about the impact of language and in particular what they choose to put in reports and the words they use; as verbal and written reports too often emphasise the past and the negatives, rather than focusing on the young person's achievements, strengths and goals. More needs to be done to ensure that young people's views and opinions are always sought and taken into account when secure care centres are reviewing policies and general approaches to practice standards and day to day 'rules', and every young person should have access to children's rights services and information.
- **Keeping in touch**

There should be better information and consistent support for families including practical help to visit young people whilst in secure care. Young people should not be placed in secure care (especially for long term placements) out with their home area unless absolutely necessary or unavoidable. Young people have a right to keep in touch and have contact with relatives and friends and should never be made to feel that this contact is dependent on the young person's behaviour.
- **Participation and decision making**

Panel members should listen to young people's views and opinions and not pre-judge the situation and there should be more training for panel members on how to listen to young people and look beyond the reports to the young person in front of them. Young people should not have to attend frequent children's hearings so there should be a review of timescales and orders, and how young people are informed about their rights at children's hearings.

Young people in secure care should be contacted and visited by their social worker regularly. They should not experience multiple social workers. Wherever possible the same worker should support the young person with moving on and transition from secure care to their next placement, independent living or return home. Social workers and others in decision making roles should be open and honest with young people and involve them centrally in all the care planning processes. All report writers should

ensure that they share children's hearings reports at the earliest stage and no young person should be shocked or surprised by the content of a report; the young person should be contributing, and the author should be consulting with the young person throughout.

The lived experienced people could inform national and local policy and practice developments, and improve approaches to staff recruitment, staff training and understanding of secure care centre teams, social workers, panel members and other professionals in relation to young people's experiences.

- **Help and support with moving on**

Throughcare plans should be taken at the young person's pace. It is important that young people are fully prepared to make the transition from secure care into an open setting and then on to appropriate independent living arrangements. Throughcare preparation should be multi-agency and should help and support young people with practical day to day living skills such as managing money, cooking, washing, preparation for work as well as psychological readiness. Decision makers should listen to and have more faith in young people's self-assessments in relation to risks and young people's readiness for moving on. Every secure service should have integrated throughcare and aftercare supports including return space so that there is continuity of relationships.

This research demonstrates a number of key learning points to consider when looking at the future development of Greenfields. It is also clear that there is not a 'one size fits all' solution to secure accommodation. Jersey does not find itself 'out of kilter' with jurisdictions across Europe. The key learning points from this research should be considered when making future decisions.

7. Options

7.1 Introduction

There are a number of options described below. In determining whether they may be appropriate the option was considered against the following criteria:

- **The voice of the child or young person**
 - Ensuring children are not isolated
 - Ensuring children have peer support
 - Keeping children on the island within their communities
- **Provision of education and training**
- **An education plan for all residents**
- **Making use of training facilities**
- **Reducing risk of harm to children and young people**
- **Provision of suitable secure accommodation for children at risk of injuring themselves or suffering significant harm**
- **Provide suitable accommodation for children and young people remanded in custody or sentenced to secure accommodation**

- **Provide suitable rehabilitation**
- **Provide value for money and the efficient use of resources**

Section 7.2 to 7.5 consider the available options.

7.2 Increase number of residents

There is an option to increase the number of residents secured in Greenfields. It is NOT suggested that the Government of Jersey should increase the number of children it places in secure accommodation.

The option could be to offer Greenfields as a secure site to other jurisdictions. This option was previously considered but was discounted because it would require significant changes to the legal framework. Under current legislation this is not an option that could be used.

In addition, whilst this might ensure the unit became more cost efficient, the risks and legal requirements are unlikely to be worth the financial gain.

Not recommended.

7.3 Retain Greenfields as it is currently established

The first option moving forward is to maintain Greenfields as a secure unit in its current layout.

This is possible given that with some minor changes, Greenfields is fit for purpose and can continue to be used solely as secure accommodation.

The fact is, the number of children and young people that require secure accommodation is so low that it is currently not providing value for money for the one or two children that are likely to be housed there each year. The unit is simply too big for current demand and it is likely that only two secure rooms will ever be used.

If it were to be retained there should be some expenditure to make Greenfields into a more 'child friendly' site and to ensure that the unit remains safe for residents and staff. This would include a refurbishment of rooms to make them more child friendly; better use of exercise and gym facilities; refurbishment of outdoor areas; improvement in workshops and training rooms.

Issues around education, training and isolation need to be addressed. Procedures and guidance to staff need to be strengthened.

None of the professionals interviewed as part of this review felt that maintaining Greenfields under the current arrangements was viable.

Not recommended.

7.4 Outsource secure accommodation (off island)

This option is to outsource the secure provision for the Government of Jersey. Given the small numbers this is a viable option from a financial perspective. If (as has been the case over the last 3 years) two children is the maximum number of children requiring secure

accommodation, the cost to send children 'off island' would be nearly half of that of maintaining Greenfields.

There are other considerations. In relation to young people who have been sentenced the Placement Panel is authorised to determine the appropriate place of custody. In accordance with Article 18(e) of the Criminal Justice (Young Offenders) (Jersey) Law 2014 (the 2014 Law), the Placement Panel has the power to consult with the Secretary of State as to whether a child or young person sentenced to youth detention should spend all or part of their sentence outside Jersey under the Crime Sentences Act 1997 of the United Kingdom.

The 2014 Law does not provide the same provision for young people on remand. This means that those young people would be placed in HMP La Moye.

In relation to children who are subject to a Secure Accommodation Order under the Children (Jersey) Law 2002 (the 2002 Law), there are no reciprocal arrangements between Jersey or any part of the United Kingdom, therefore a secure accommodation made in Jersey is not enforceable outside this jurisdiction. Likewise, a similar order made in any part of the UK is not enforceable in the jurisdiction of Jersey.

The forcible removal of children from the Island would almost certainly contravene UNCRC. If, for whatever reason, a child or young person could not be removed 'off island' then they would have to be secured in either police cells or HMP La Moye. This would be wholly inappropriate.

There could be an option for children detained under a SAO to be placed in some form of secure foster accommodation but this would involve considerable investment and would not resolve the issue of those children and young people being secured through the youth justice system.

There would also have to be consideration of the desirability of young people who are involved in the criminal justice system moving to an 'off island' site and creating links with young people involved in the criminal justice system in other countries.

Moving children and young people off Jersey would see the fracturing of relationships with families and friends.

Not recommended.

7.5 Redeveloped and redesigned flexible service, incorporating reduced secure care capacity

There is an option to redesign the Greenfields site, expand its use and make it a centre for different types of care and support. This is the option favoured by professionals that were interviewed during this review although there were different views expressed about in how the site could be used.

Redevelopment could fulfil some of the issues raised by the recent sufficiency strategy. It would keep children and young people in their local communities and avoid, or at least reduce, the current need to send children 'off island' for specialist care.

The unit has the potential to provide good quality facilities for education, sports and leisure. The current design means that it has a residential element to it. Given the fact that it is expensive to run Greenfields for one or two young people, the cost of redevelopment might be considered cost effective.

There was agreement between a number of professionals that it was both desirable and cost effective to maintain some form of secure accommodation for children and young people who are the subject of a SAO, sentenced to youth detention or require to be remanded in custody pending a trial. It was considered by professionals and in light of the recent usage that two secure rooms should be retained.

The design of Greenfields would accommodate the secure residential element but potentially with other residential options. Suggestions that were proposed were:

1. Retain rooms for children and young people requiring secure accommodation. In addition, have rooms and facilities to enable Greenfields to become a residential therapeutic centre for children suffering from a range of issues requiring therapeutic care.
2. Retain secure rooms, but to also use Greenfields as a residential unit for children on 'the edge of care', providing intensive support, education and training.
3. Combine Greenfields with the current alternative curriculum provision next door to create a facility for those children and young people but also retaining a secure residential element.

All of these would require a level of investment to make the site fit for those purposes. There are clearly arguments that would support any of these proposals.

There is no doubt that if Greenfields was refurbished and redesigned and its use was extended for other children and young people, the problems of isolation, education and training could be alleviated for those children requiring secure accommodation.

It is not within the terms of the review to promote a favoured option from the three above. The first step if this option was supported would be for stakeholders including the range of professionals and appropriate ministers to have a debate about the options, which should include consideration of cost, and reach an agreement on the most suitable use for Greenfields moving forward.

Recommended option.

These options need to be appraised, tested and costed before a final decision is made. The first step could be for stakeholders to hold a seminar to agree further provision. There needs to be a clear strategy for future provision of secure services including the impact on children and young people and future provision of specialist services.

This will include discussion around the number of secure rooms that would be required. On current figures this would appear to be no more than two secure rooms. It is perfectly feasible to mix those children and young people entering the unit as part of the youth justice system with others who need specialist support or are detained on welfare grounds.

8. Potential operating model

It is for professionals on Jersey working with politicians and young people to determine the future role of Greenfields. This review is clear in recommending that Greenfields remains open and continues to maintain a secure element. The use of the facility needs to be extended. The financial investment in the unit is another determining factor on future use.

The building needs to be developed according to decisions made about future service provision. The needs of children and young people should drive further development, not the design and structure of the building.

For these reasons the model described below is what might be described as a 'starter for ten'. It is intended to stimulate debate and provide some basic principles about the ideal scenario moving forward. It should not be seen as a recommendation set in stone.

Greenfields should be re-designed and refurbished. It should contain one residential corridor consisting of two secure rooms that will be used for those children and young people requiring secure accommodation, at a standard required for those detained through the youth justice system. This area should be designed so that it is child friendly and could be put to use for children and young people who become resident for other reasons. This would mean that the rooms are multi-functional and still available when no young people are on remand or sentenced.

A second corridor of four rooms should be refurbished for use by those children who are resident as a result of a SAO. These rooms would also be multi-functional and arguably may not require the same levels of security as the 'secure justice' wing. All of these rooms should comply with health and safety standards.

A number of professionals felt Greenfields could be developed as a centre of excellence for those children on the 'Edge of Care' or 'close support unit'. It has sufficient space to provide high quality education and training as well as sufficient rooms to be developed for therapeutic work. There could be some limited accommodation for children on short term stays if that was considered appropriate and required.

There is scope to develop improved learning and training outcomes and the Alternative Curriculum facility, located on the same site as Greenfields, could become a partner organisation and be able to share facilities and gain access to specialist care.

The principles contained in this report at section 6.7 would provide the basis for the development of the unit.

A Jersey Secure Unit Strategic Board should be formed, with clear terms of reference, as part of the work being conducted by the new children's strategic partnership. There would be representatives from across relevant partners. This Board would be responsible for the development of a clear statement of purpose and strategic vision. It would provide a governance role and would oversee the development of a working framework including clear policies and guidance.

This model requires significant investment. However, it would resolve a number of issues currently faced by young people and professionals in Jersey and would, in the longer term, provide value for money.

9. Recommendations

1. An education and training strategy for all children and young people resident within Greenfields should be developed and implemented. In particular, the gap in education that exists for young people aged 16 and 17 years should be addressed as a matter of urgency.

2. Work should take place to determine how children and young people resident in Greenfields might be permitted risk assessed access to education, work and opportunities to constructively socialise with their peers out of and inside the unit.
3. A scheme of delegation should be developed between the Minister for Home Affairs and the Minister for Health and Social Services to resolve the potential conflicts regarding Looked After Children who are remanded in custody or have been sentenced.
4. A legal review of compliance with the United Nations Convention and Human Rights Act should be undertaken to ensure compliance and provide confidence to elected members, the public and professionals.
5. An assessment of physical conditions at Greenfields should take place to identify any security and safety issues. The assessment should include information for staff as to any required mitigations to reduce risks.
6. Any future development of the building should take place using international best practice standards for secure care for children.
7. Jersey should consider developing a partnership arrangement with another jurisdiction to provide support and mentoring to improve processes. The Isle of Man could be considered a suitable partner.
8. An inspection of Greenfields under the Regulations of Care (Standards and Requirements) (Jersey) regulations 2018 would provide a good baseline for future development.
9. There should be an urgent review of policy, procedures and guidance followed at Greenfields. In particular staff should be advised of the status of 'Prison Rules'. A comprehensive guidance manual and standard operating procedures should be developed and implemented in the unit.
10. A new statement of purpose should be developed. This should contain a clear strategic statement about the role of Greenfields in the spectrum of high risk and vulnerable children and young people.
11. The findings of this review should be considered by all relevant stakeholders and agreement reached to determine the future model of service for Greenfields.

10. Conclusion

This review has considered the current position at Greenfields and its future potential.

The review concludes that:

- The purpose of Greenfields has become confused. Many professionals have commented that people are unsure of how it should be regarded within the child care system. There needs to be a clear statement of purpose.
- Greenfields is safe as long as two to one staffing ratios are maintained.
- The site would benefit from some cosmetic refurbishment; to make it more child friendly.

- The building should be subject to an inspection by the Care Commission (with the assistance of a safety officer from La Moye prison) to ensure health and safety standards are being met.
- Staff are well motivated and have a child centred focus on residents.
- Policies, procedures and guidance to staff are out of date and can cause confusion amongst staff.
- There needs to be a better understanding of risk and greater clarity on how it is reduced and managed.
- The lack of a clear regime could increase risks to residents and staff. For example, a lack of procedure on searching and the retention of personal items.
- Staff training is adequate but greater clarity of role is required.
- Risk assessments and recording practices by staff should be improved.
- The educational package for 16 and 17 year olds is not sufficient and professionals need to agree future processes to provide a better package.
- Rehabilitation for offenders can be improved.
- There is no evidence that the number of children being placed in Greenfields is expected to increase in the coming years.
- There remains a requirement for some secure accommodation. This would involve a maximum of two secure rooms.
- Professionals believed that children and young people requiring secure accommodation should stay on Jersey wherever possible.
- The use of Greenfields should be extended. There are a number of options that might be considered, including its use as a therapeutic centre or a centre for children on the 'edge of care'.
- Alternative Curriculum professionals should be consulted on their future engagement with the unit.

Appendix – list of those persons consulted during the review

Role	Organisation
Group Director Children's Services	Department for Children, Young People, Education and Skills
Assistant Director Children's Services	Department for Children, Young People, Education and Skills
Independent Chair Improvement (Operations) Board	
The Children's Commissioner	
Chief Magistrate – Youth Court	Judicial Greffe
2 x Panel members – Youth Court	Judicial Greffe
Designated Safeguarding Doctor	
Group Director Justice and Home Affairs	Government of Jersey
Governor La Moye Prison	Government of Jersey
Deputy Governor La Moye prison	Government of Jersey
Clinical psychologist (working for criminal justice system)	
Service lead for residential short breaks	Department for Children, Young People, Education and Skills
Head of Service for Specialist Services (interim)	Department for Children, Young People, Education and Skills
Service lead for residential services (temporary)	Department for Children, Young People, Education and Skills
Head of Service – Children in Need	Department for Children, Young People, Education and Skills
Head of Service - Safeguarding	Department for Children, Young People, Education and Skills
Head of Service for Quality	Department for Children, Young People, Education and Skills
Director of Inclusion	Department for Children, Young People, Education and Skill
Principal Youth Officer	Jersey Youth Service
Head Teacher	Alternative Curriculum
Deputy Head Teacher	Alternative Curriculum
Head of Youth Service	Department for Children, Young People, Education and Skills
Superintendent	States of Jersey Police
Detective Chief Inspector - Serious Crime	States of Jersey Police
Detective Inspector – Public Protection Unit	States of Jersey Police
Manager of Greenfields	Department for Children, Young People, Education and Skills
Deputy Manager of Greenfields	Department for Children, Young People, Education and Skills
Former Deputy Manager of Greenfields	Department for Children, Young People, Education and Skills
8 x staff members of Greenfields	Department for Children, Young People, Education and Skills
Children's Rights Officer	Department for Children, Young People, Education and Skills

3 x Social workers	Department for Children, Young People, Education and Skills
Director of the Civil Division	Law officer's department
CAHMS Lead	
Assistant Chief Probation Officer	Probation and After Care service
Probation Team Leader	Probation and After Care service
Probation officer	Probation and After Care service
Regulation Officer / Inspector	Jersey Care Commission