

# Justice Select Committee | Children and Young Adults in the Secure Estate | Written evidence submitted by Action for Race Equality

## About Action for Race Equality

1. Action for Race Equality (ARE) has worked in the Criminal Justice System (CJS) for over 15 years, acting as a critical friend to services including the MoJ, HMPPS, Home Office, the Met, YJB and VRU. We co-ordinate the [National Independent Advisory Group](#), comprised of civil society, academic, and third sector representatives, to challenge policy and practice that disproportionately impacts Black, Asian, and Mixed Heritage people in the CJS. We also produce research and briefings on racial disproportionality in the CJS.
2. At ARE, we believe custody should be the last resort, especially for Black, Asian and Mixed Heritage children and young adults who remain disproportionately overrepresented in youth justice – currently over half ([51% of children in custody despite being 6% of the population](#)). Evidence consistently indicates racially minoritised children experience the worst outcomes at almost every stage of the CJS, highlighting the urgent need for systemic change. We welcome this important inquiry by the Justice Select Committee, and urge committee members
3. This submission was produced by Bowale Fadare, Policy and Research Officer. ARE would be happy to contribute further if needed. For further information, please contact ARE's Head of Policy [meka@actionforraceequality.org.uk](mailto:meka@actionforraceequality.org.uk)

## **The appropriateness and suitability of the youth estate for children and young adults**

### **Question 1. To what extent is the current mix and number of custodial settings (YOIs, STCs, SCHs and Secure School) fit for purpose in meeting the complex needs and welfare requirements of children and young adults in secure settings?**

4. SCHs are regarded as the standard for care, while STCs and YOIs consistently fail to reach the same level. Despite this, children are more likely to be in YOIs. [The Youth Justice Board \(2026\) found](#) 63% of children were held in YOIs, 22% in SCHs and 15% in STCs. [The MOJ's 'A modern youth justice system: Foundations fit for the future' briefing \(2026\)](#) notes YOIs do not deliver the complex therapeutic interventions required to successfully support children.
5. ARE is concerned about the decision-making process around which children get sent to which establishments, and the lack of transparency in how these decisions are made. [ARE co-produced research in 2023](#) with Dr Kitty Lymperopoulou revealed Black and Caribbean young males were more likely to receive custodial sentences compared to males from all other ethnic groups; they are [disproportionately held in YOIs](#) rather than SCHs.

### **Question 2. Are children and young people currently able to access purposeful activity, education and healthcare (particularly mental health services) as required whilst in custody?**

6. The [Young Review \(2014\)](#), found opportunities for purposeful activity were not equally distributed across ethnicities. [Spark Inside \(2023\)](#) similarly found Black, Asian, and Mixed Heritage people report poor access to purposeful activities and lower expectations of rehabilitation and support for release.
7. [HMIP Children in custody report \(2025\)](#), found staff separated children, leaving them locked up for significant periods of time. Only 61% of children had more than two hours

out of their cell on weekdays, dropping to 45% at weekends. [The Howard League for Penal Reform \(2026\)](#) notes children should receive a minimum of 15 hours of education per week, yet secure settings consistently fail to reach this standard. [HMIP \(2025\)](#) found no YOIs provided suitable education, and purposeful activity was among the weakest outcomes.

8. [HMIP notes](#) 46% of children in custody have health problems. The [Committee's own evidence](#) suggests mental health services are insufficient, corroborated by [The Children's Commissioner's concern](#) about the [lack of integrated care](#) in YOIs, long waiting lists and high thresholds. These structural barriers reflect a system failing to grasp that unmet mental health needs are a precursor to offending and should be prioritised.
9. The health needs of Black, Asian and Mixed Heritage children and young people are often invisible. [The Lammy Review \(2017\)](#) highlighted they were less likely to be recorded as having health, educational or mental health issues. [The Traveller Movement has also stated](#) Gypsy, Roma, and Traveller people in custody face disproportionately high rates of mental ill-health.

**Question 3. Is the placement of children as young as 10–12 years old in custody appropriate, and how are their specific rights, such as access to education, being upheld?**

10. Holding children in custody settings is wholly inappropriate. Depriving a child of their liberty at this stage inflicts trauma with negative impacts lasting well into adulthood. For this reason, the [UN Convention on the Rights of the Child \(UNCRC\)](#) mandates custody should be used as a last resort.
11. [HMIP \(2025\)](#) identified 43% of children in custody felt unsafe. Bullying, violence, verbal abuse, and physical assault were common experiences. Whilst most children in custody are [aged 15 and over](#), there have been cases of younger children being placed in these settings. Currently, 62% of children [remanded](#) do not receive a custodial sentence. A considerable proportion of children are held in custody as a temporary stopgap, contrary to their rights under international law.
12. These unsafe conditions disrupt children's right to access education. HMIP note only [69% of children were encouraged to attend education, training or work](#), and this varied across institutions. This lack of consistency and absence of a child-focused approach means outcomes are dependent on where children are placed and not by needs. Consequently, custody is systematically reproducing a cohort of reoffenders.

**Question 4. How does the ability of children in custody to maintain regular, meaningful contact with their families impact their rehabilitation and long-term outcomes?**

13. The structural barriers identified above hinder children's ability to maintain regular and meaningful contact with their families. This is a critical failure as personal relationships are a key desistance principle. This is particularly pertinent when children are placed in custodial settings far away from their homes.
14. [HMIP \(2025\)](#) observed the secure estate has become more fragmented as establishments close or become adult prisons. According to the [PRT Bromley Factfile \(2026\)](#), only 40% of children said it was quite or very easy for family or friends to visit.

15. [The Children's Commissioner \(2023\)](#) uncovered 44% of children in YOIs did not receive an in-person visit, and 83% did not receive a video call between October to November 2022. However, in smaller settings, children had more positive experiences, highlighting a discrepancy between establishments.
16. The ability to connect with family can inspire children to change behaviour. However, children placed away from their surroundings cannot access emotional and psychological support. YOIs, where Black and Mixed Heritage children are disproportionately placed, are the settings where contact with family is the most difficult. This raises concern about the rehabilitation and long-term outcomes for racially minoritised children.

**Question 6. How effectively are the specific and complex needs of neurodivergent children (e.g. those with ADHD, autism or learning disabilities) and children who have experienced significant trauma being identified, assessed, and met through tailored provision in custody?**

17. There is a large intersect between the overrepresentation of Black, Asian, and Mixed Heritage children and children with neurodivergent needs and trauma in custody. According to the [Michael Sieff Foundation \(2025\)](#), 80% of children in the justice system have SEND or neurodivergence. [Day et al \(2024\)](#) observed that three quarters of children in the justice system with speech, language and communication needs were not previously identified. This fundamental gap means the custodial setting is overwhelmed by intersecting, and often complex needs.
18. Black and Mixed Heritage, Gypsy, Roma, and Traveller children face additional barriers to having their needs supported. [The Youth Justice Board \(2025\)](#) recorded 9.1% of Asian children, 11.7% of Black children, and 13.6% of Mixed ethnicity children have a recognised SEN, compared to 15.4% of White children. Crucially, the Michael Sieff Foundation notes racially minoritised children are more likely to be [associated with behavioural issues](#) rather than receiving support for underlying SEND.
19. The system creates entrenched disadvantage wherein additional needs are misidentified. The system fails more than once; first by funnelling them into custody, and then by denying them the necessary support that might enable rehabilitation.

**Violence, safety, and disorder**

**Question 8. What are the key drivers of the high levels of violence, self-harm, and the use of restraint/force in the children and young adults secure estate and what immediate and long-term actions are required to ensure a safe environment?**

Violence

20. Custodial settings are synonymous with violence – placing children with high levels of need, likely experiences of trauma, and offering little to no consistent regime in regards to consistent educational opportunities and other support services, and having that environment staffed by a staff force with inadequate training and high levels of turnover is contributing to high levels of violence.
21. [HMIP Children in Custody report \(2025\)](#) revealed 61% of children reported bullying, violence, or victimisation from other children. The inspectorate found that staff did not

consistently challenge or address this, and only 34% of children felt incentive schemes encouraged them to behave well.

22. When staff fail to intervene early or encourage 'good behaviour,' children learn their wellbeing and safety is not prioritised. This failure, combined with prolonged isolation and the absence of purposeful activity, create an environment akin to a tinderbox. Violence becomes inevitable and children are desensitised.

### Self-harm

23. A sizeable proportion of children in custody have mental health issues, and these needs are not identified or addressed. Latent mental health challenges are exacerbated by the estate's inconsistent regime, leaving children frustrated, anxious and unable to cope.
24. [HMIP \(2025\)](#) found 45% of children experienced victimisation from staff, and just 27% would report bullying or victimisation by other children to staff. Children in custody are exposed to negative stimuli that exploit their vulnerabilities, yet there are no trusted adults. With no one to confide in and no constructive outlet, children are left to wrestle with negative thoughts and feelings that worsen pre-existing mental health issues.

### Restraint and force

25. The use of restraint and force signals a breakdown in relationships between children and staff. It reflects poor communication, a lack of de-escalation and limited understanding of what works to safely manage behaviour.
26. [HMPPS's report on the use of force in prisons \(2025\)](#) explained assault and fighting were the primary drivers of force. Black and Mixed Heritage young people and those with learning disabilities were more likely to have force used against them. [HMIP \(2021\)](#) also found Black, and minority ethnic young adults were three times more likely to be physically restrained. For racialised young people with intersecting needs, custody is doubly dangerous.
27. Despite this, in 2025 the government announced its plans to introduce PAVA spray into the youth estate. In a [joint statement led by the Alliance for Youth Justice \(AYJ\)](#), Action for Race Equality along with 36 other organisations condemned this move as entrenching disproportionality. The government's own [Child Rights Impact Assessment \(2025\)](#) confirmed these concerns, identifying Black boys, neurodivergent children and Muslim children as more likely to be affected.
28. The YJB champions trauma-informed care, and positive reinforcement to assist children in managing their emotions. [Thomas et al \(2025\)](#) similarly proposed relational security to replace restraint. This model emphasises consistency, empathy, and open communication to create safety through connection rather than control.

### **Question 9. How effective are the mechanisms for collecting and analysing data on the use of restraint, particularly in identifying and addressing disproportionality in application?**

29. [The Joint Committee on Human Rights \(2019\)](#) reported data collection across youth custody was incomplete. Systemic barriers such as inconsistent definitions prevented the ability to compare information or identify patterns. [HMIP's thematic review \(2021\)](#) found that while data in YOIs revealed disproportionate outcomes, this evidence did not prompt

remedial action. The perceptions of Black and minority ethnic young people were also ignored, despite them being more likely to have restraint used against them.

30. The lack of transparent, robust evidence and cohesive data sharing means the secure estate cannot effectively address disproportionality. More concerning, the ignorance of racially minoritised young people's experience allows disproportionality to worsen.
31. Action for Race Equality have sought to question data collection practices within the Youth Custodial Service and Ministry of Justice on several occasions, including inviting relevant civil service colleagues to meet with our National Independent Advisory Group, but we have not been successful in these endeavours.

**Question 10. Is the current staff training adequate to ensure staff are competent in de-escalation and only use restraint as a last resort, for the minimum duration and without excessive force?**

32. Staff training is currently inadequate. Research shows that brief and structured training in conflict resolution and de-escalation can meaningfully reduce conflict in secure settings. Yet, [Thomas et al \(2025\) observed](#) that staff effectiveness is obstructed by a lack of psychological input, inadequate training and poor alignment between staff expertise and children's needs. Inconsistent delivery of training in behavioural techniques and neuropsychiatric care prevents staff from applying their knowledge in practice.
33. Where training is inadequate and pressure mounts, restraint becomes the preferred option. The disproportionate use of force against Black and Mixed Heritage children reveals deeper failures: if staff cannot recognise and respond to the nuanced experiences of racialised children, custody is extremely dangerous.

**Question 11. How effective are safeguarding and complaints mechanisms in the secure estate?**

34. Children are frequently failed due to a lack of cohesive care plans. Safeguarding varies by establishment, with those in YOIs are less protected. Furthermore, Black, Asian and Mixed Heritage children and those with disabilities report poorer experiences in the complaints process.
35. A joint [HMPPS and YCS report \(2019\) found](#), SCHs have a good understanding of children's needs, with positive staff-child relationships aiding effective safeguarding. Conversely, YOIs and STCs were less able to offer sustainable support. Safeguarding leadership was critically flawed. The remit expanded, meaning it was not explicitly reported or monitored. High turnover in the Head of Safeguarding role, failure to utilise social workers despite young people valuing them as a trusted resource, exacerbated these weaknesses.
36. More recently, the [Independent Restraint Review Panel \(2024\) found](#) children had limited confidence in their rights being upheld and little faith their complaints would be taken seriously. This disjointed strategy to safeguarding exemplifies the persistent systemic barriers raised throughout. Children in YOIs are less protected than those in SCHs, raising raises significant concerns about inconsistency across the estate.

**Staffing**

**Question 12. Is the current staffing model (including staff-to-child ratios) adequate across all types of secure provision and what is the impact on child-to-staff relationships, staff retention, and support on the quality of care and safety?**

37. Staffing levels fluctuate by establishment. Concerningly, staff lack the requisite skill to lead rehabilitative programmes such as education, directly affecting children's outcomes. High turnover is also contributing to a diminishing quality of care and safety.
38. SCHs [have the highest staff-to-child ratios](#), followed by STCs, while YOIs have the lowest—as low as 1:10. [Anne-Marie Day's research \(2025\) indicates](#) where staffing ratios are higher, children report better relationships. Even within YOIs, a vulnerable children's unit with higher ratios created a more caring culture than the main prison population. The [Children in Custody Report \(2025\)](#) noted severe staff shortages in education departments and staff lacked sufficient expertise to meet the needs of children with SEND.
39. The lower ratio in YOIs is particularly concerning given the disproportionate number of Black and Mixed Heritage children placed there. Compounding this, inadequate staff training means the quality of support to children with SEND is low. These failures sabotage children's futures—specifically for racialised children and those with neurodivergent needs.

**Question 13. How effective are the oversight and scrutiny arrangements (including HM Inspectorate of Prisons, Ofsted, and the Care Quality Commission) for the secure estate and are there sufficient mechanisms to trigger timely intervention in failing institutions?**

40. Though the secure estate is routinely scrutinised, the mandate for change is weak. Inspectors continue to find prominent levels of violence, self-harm, poor time out of cell and inadequate education. This failure suggests oversight and scrutiny arrangements are not effectively prompting systemic change.
41. Between 2019 and 2025, [HMIP raised six Urgent Notifications](#) across STCs and YOIs. Yet HMIP's [Children in Custody report \(2025\)](#) reflected that concerns raised in the previous year had little to no improvement. [HM Chief Inspector of Prisons annual report \(2025\)](#) [noted](#) that even after Independent Review Progress (IRP) visits, key issues either persisted or showed only mixed progress.
42. The government must act on commitments made in its [February 2026 strategy](#) on the youth justice system to create a new performance oversight board, set a statutory minimum for time out of cells, and improve education delivery.

**Education**

**Question 14. What is the relationship between inadequate education provision and poor rehabilitative outcomes?**

43. [HMIP's Children in custody report 2023–24 found](#) children were often allocated to courses they did not need or had already done, leading to a lack of enthusiasm, and poor attendance and behaviour. Only 12% of unsentenced children participated in any interventions. Children on remand were not allocated to long-term courses due to uncertainty about release. Only 47% reported learning anything that would help them.

44. Access to education is further prohibited by keep-apart orders. Minority ethnic groups are more likely to be involved in violence and less likely to feel safe. [The YEF Racial Disproportionality Report \(2025\)](#) notes that in the year ending March 2023, assailant or fighter involvements per 100 children was 640; for Black children it was 880.
45. In mainstream education, [Black, Asian, and Mixed Heritage children experience disproportionate outcomes](#), and these are likely exacerbated in custody.
46. The Inspectorate has also criticised equality and diversity provision at YOIs. Leaders were reportedly unable to identify effectively or address potential discrimination. In 2022–2023, only HMP/YOI Feltham had made reasonable progress in ensuring children with protected characteristics were treated fairly, despite their prevalence within YOIs.

**Question 15. What specific challenges do education providers face in recruiting and retaining appropriately skilled and motivated teaching staff in youth custody settings?**

47. Chronic staff shortages of prison officers and teaching staff cause children to spend extended periods in their cells, unable to access adequate education. It is unsurprising that [less than half of children reported feeling cared for by staff](#), and a third did not have a single trusted adult.
48. The Penguin Lit in Colour project identified a lack of representative teachers as a key barrier to Black, Asian and Mixed Heritage pupils' engagement and attainment. [The majority of teachers in England are White British](#). In 2019, 46% of schools had no Black, Asian, or minority ethnic teachers. This lack of representation is likely to persist in custody.
49. The [Revolving Doors report \(2024\)](#) highlights several solutions and staff training models addressing racism, adultification, trauma, and child-first principles.

**Transitions to adult custody**

**Question 16. How effective is the planning and support for the transition of young people (aged 18+) into the adult prison system and are their complex needs adequately transferred and maintained?**

50. [The Alliance for Youth Justice \(2025\) note](#) insufficient planning, poor information sharing, and a lack of awareness about neurodivergence as significant issues with transition. Placements are based on geography, not need, putting young adults at risk of harm and further away from their families. [His Majesty's Inspectorate of Probation \(2023\)](#) highlights mental health services in the adult estate have higher thresholds, leaving young people without support at the peak age of reoffending.
51. The transition is often described as a cliff edge. Support in the youth estate does not translate into adult custody. Establishments are larger, staffing ratios shrink, and violence is widespread. While YOIs are guided by Child-First, this principle is absent — jeopardising any progress made in the youth estate.

**Question 19. To what extent is the current adult prison population environment suitable for addressing the welfare, safety, and rehabilitative needs of young adults (18-25)?**

52. As the capacity crisis worsens, prison conditions have deteriorated due to additional pressure on staff, resources, and services. Adult prisons have become increasingly unsafe

environments, illustrating an estate on the brink of collapse, barely managing its own inhabitants, let alone suitable to address the distinct needs of young adults.

53. In its [Bromley Briefings Prison Factfile \(2026\)](#), the Prison Reform Trust (PRT) notes assaults rose by 7% in the year to June 2025. The use of force also increased by over 40%, and in 2024, PAVA spray increased by 47%. PAVA was disproportionately used against Black people: 38% of PAVA deployments were against Black people, despite accounting for 12% of the prison population. Mixed Heritage and Gypsy, Roma and Traveller men were also significantly more likely to have force used against them. Use of force is not an appropriate management technique – it worsens welfare, undermines safety, and prevents rehabilitation.
54. The [Alliance for Youth Justice \(2025\)](#) states young adults may experience different supervision and increased use of restraint and force. Access to services such as substance abuse or mental health is not standardised. Sentence lengths have also increased over the last decade, meaning young adults may spend longer in custody —prolonging exposure to trauma and undermining successful resettlement.
55. Many of the structural failures identified in the youth estate are mirrored in the adult estate. The discrimination Black, Mixed Heritage, Gypsy, Roma, and Traveller children face is similarly inflicted on adults from the same backgrounds. The disproportionate use of PAVA against Black adults is an extension of the disproportionality in the restraint and force against young adults in the youth estate.
56. These findings underscore the need to depart from punitive measures against children and young adults. Neither estate consistently delivers support that aids rehabilitation. On the contrary, young adults are more likely to worsen in the adult environment. The use of custody must be reimaged. Community centred and trauma informed approaches have a greater chance of helping young adults desist from crime and develop positive identities.