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What do we know about children from England and Wales in secure care in Scotland?



Nuffield
Family Justice
Observatory

Report summary

Debate over the use of cross-border placements of children in secure accommodation has grown in recent years as English and Welsh local authorities continue to place children in secure care centres in Scotland. However, the circumstances of the children who enter secure care on this basis have received little attention. This summary aims to highlight the main findings of a study exploring the prevalence of various adversities and challenges during these children's lives and during the year prior to their admission into secure care.

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The full report is also available from the above link.

Disclaimer

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This summary and the full report were written in partnership with:



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Introduction

Over recent years concern has been raised about the increasing number of children in England and Wales for whom a placement in a secure children's home is sought but cannot be found. As a result, a number of children from England and Wales are placed in secure care in Scotland instead. This summary highlights the main findings of a report by the Children and Young People's Centre for Justice (CYCJ) that aims to provide a better understanding of the profile and experiences of children placed in Scottish secure care centres by English and Welsh local authorities. It looks at:

- the children's characteristics – age, gender and ethnicity
- why they were admitted to secure accommodation
- the prevalence and types of adversity they had faced since they were born and in the year prior to admission
- the support and services they had received in the year prior to admission
- their social care histories.

About the data

In 2018 and 2019, CYCJ undertook a census of every child residing in secure care in Scotland on a set day with the aim of understanding their characteristics, risk factors and life experiences. Findings relating to these children were published in: ACEs, Places and Status: Results from the 2018 Scottish Secure Care Census (Gibson 2020); and ACEs, Distance and Sources of Resilience (Gibson 2021).

The current study focuses on 59 of the 165 children – 32 in 2018 (37% of the 2018 sample) and 27 in 2019 (37% of the 2019 sample) – who had been placed in the five secure centres in Scotland by local authorities in England and Wales.

As the sample size is relatively small, and as data was gathered through the gateway of staff completing an online survey rather than interviews with children, caution must be exercised in the interpretation of data.

Key concepts

What is secure accommodation?

Children from England and Wales can be placed in a secure children's home under section 25 of the Children Act 1989 and section 119 of the Social Services and Well-being (Wales) Act 2014. Secure children's homes are specialist residential homes that are authorised to restrict children's liberty.

The acts set out the 'welfare' criteria that must be met before a child can be placed in secure accommodation:

- the child has a history of absconding and is likely to abscond from any other description of accommodation
- the child is likely to suffer significant harm if they abscond
- the child is likely to injure themselves or others if they are kept in any other type of accommodation.

Section 10 of the Children and Social Work Act 2017 authorises local authorities in England and Wales to place children in secure accommodation in Scotland.

Secure accommodation in Scotland

There are 5 secure care centres in Scotland that accommodate 84 children at any one time, with an additional 6 emergency placements available. Children can be placed in secure accommodation for welfare or youth justice reasons.

Secure care in Scotland is provided by four independent charities and one local authority.

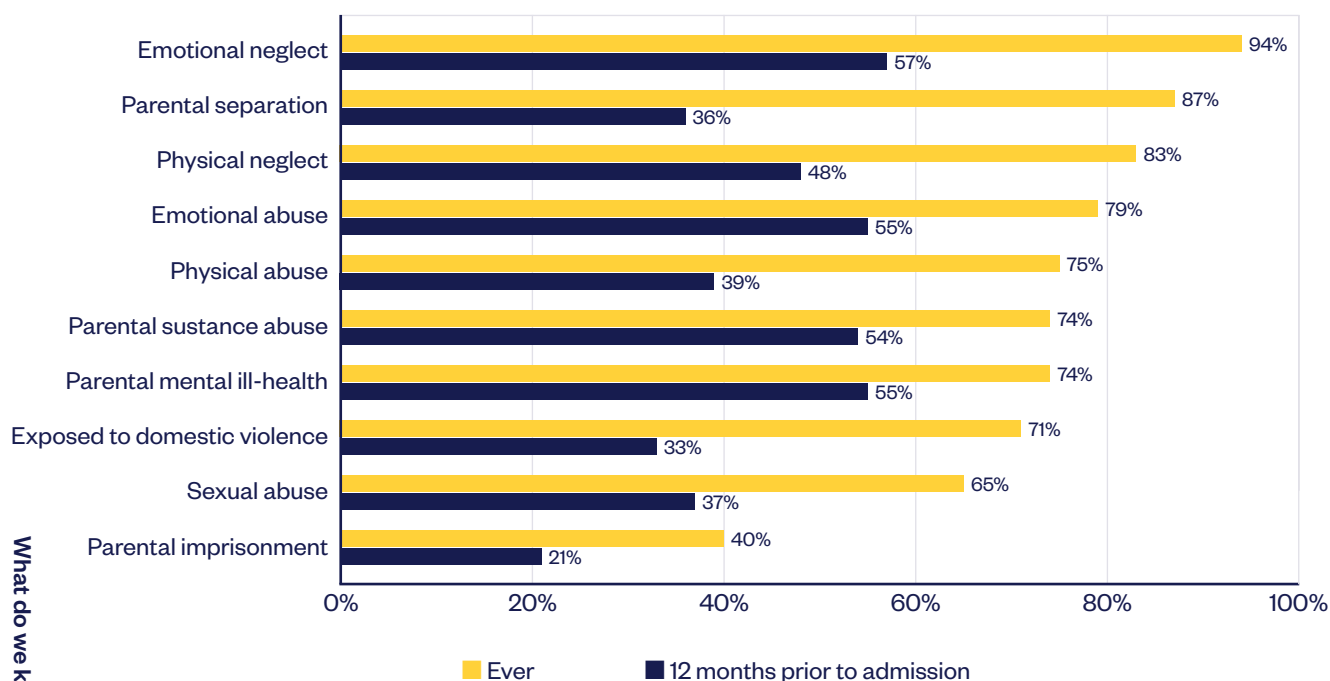
Key findings

- The majority of the 59 children (64%) in secure homes in Scotland who had been placed there by English and Welsh local authorities were aged 15 years or older – this is similar to the proportion of children in this age bracket in secure homes in England and Wales.
- Most of the children in the group (66%, 39) were girls. 32% (19) were boys and 2% (1) were transgender.
- Most of the children (75%, 44) were White British – however, children of mixed and multiple ethnicities, and Black, African, Caribbean or Black British children were overrepresented in the cohort compared to the general population.¹ In the study, 17% of children were of mixed ethnicity, compared to 5% of children in the general population; and 7% of children in the study were Black, African, Caribbean or Black British compared to 5% in the general population. This ethnicity profile reflects the overrepresentation of children from these groups who are referred for a place in secure children’s homes in England and Wales (Roe 2022).
- The three most commonly cited primary reasons for admission to the secure unit were the children’s risk to themselves (53%), absconding (49%), and risk to others (34%). Other reasons included sexual exploitation (23%) and self-harm (21%).
- The children placed in Scottish secure care by English and Welsh local authorities came from families experiencing relative poverty and living in the most deprived areas of the country.

¹ Ethnicity categories are based on Office for National Statistics categories.

- Children's experiences of a range of adverse childhood experiences, from birth and in the year prior to admission to secure care, was striking.² Over 70% had experienced emotional neglect, parental separation, physical neglect, emotional abuse, physical abuse, parental mental ill-health, parental substance abuse or exposure to domestic violence at some point in their lives. The children's exposure to each of the adverse childhood experiences in the 12 months prior to admission surpasses what some research would expect to find in most children's entire childhoods (Bellis et al. 2014, 2015; Ford et al. 2019).
 - The children had experienced an average of 5.8 adverse childhood experiences and 77% of children had experienced 4 or more of these experiences.
 - Children in this study had experienced more adverse childhood experiences than children in a comparable study who were living in a secure children's home in England (Martin et al. 2021), suggesting that the most vulnerable children are being sent to Scotland.
 - This cohort are not children who experienced significant difficulties in their early years only to experience a more stable environment later in life. Rather, the data suggests that they are children for whom intra-familial abuse and risk feature regularly. Their situation in secure accommodation is likely to have been caused by the incremental and persistent effects of year-on-year exposure to adversity and risk.
- 2 The adverse childhood experiences approach seeks to measure an individual's exposure to 10 life circumstances that are known to correlate with adverse outcomes in later life: emotional neglect; parental separation; physical neglect; emotional abuse; physical abuse; parental substance abuse; parental mental ill-health; exposure to domestic violence; sexual abuse; and parental imprisonment.

Figure 1: Prevalence of adverse childhood experiences



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- Children had also experienced a range of other adversities and risks including mental ill-health, emotional difficulties, substance misuse problems, violence to parents and staff, school exclusion, youth justice involvement and sexual exploitation. Again, the high prevalence of these experiences in the year prior to children being admitted to the secure unit was particularly striking.
- Over a third of the children (34%, 10) were known to social services before the age of 3 – and half of these children were known from or before birth.³ A further 34% of children (10) came to the attention of social services aged between 12 and 15. Instances of first contact were slightly less common in children aged between 4 and 11 (31%, 9). Despite the involvement of children's services in their lives, it was notable that children's exposure to risks and adverse childhood experiences persisted.

3 The term 'social services' has been used here but the term used in Scotland, and in the survey, was 'social work'.

- Prior to entering secure care, children had experienced significant instability in arrangements made for their care, including multiple placement breakdowns and placement moves. In the year prior to admission, 95% of children had experienced a placement breakdown, with an average of 2.8 placement moves during that period.
- Almost half (45%) had moved at least 6 times and over a quarter (26%) had moved more than 10 times since birth. One child had experienced 36 different placements.
- Prior to admission into secure care, the majority of children (71%) had been living in a residential home.
- A quarter (25%) of the children had had a previous placement in a secure children's home.
- Our study found that children from local authorities in England and Wales residing in secure care in Scotland in 2018 and 2019 were an average of 353 miles away from their homes. This is considerably further than the average 141 mile distance in England and Wales reported by Downie and Twomey 2021 (based on distance from prior placement).

Data gaps and limitations

The study draws on data gathered by CYCJ as part of a census of children in Scotland's five secure accommodation centres in Scotland in 2018 and 2019. Findings relating to all 165 children concerned were published in: ACEs, Places and Status: Results from the 2018 Scottish Secure Care Census (Gibson 2020); and ACEs, Distance and Sources of Resilience (Gibson 2021). The current study focuses on 59 children who had been placed there by a local authority in England and Wales.

- The data presented in the report is descriptive rather than definitive, providing a snapshot of aspects of children's lives at two distinct points in time. It may not be consistent with the life experiences of children across a longer period of time. Caution must be exercised in the interpretation of data given the relatively small sample size. In instances where the answer to a particular query was not known, the data relating to that question was omitted from the analysis. As such, responses were not always available for all 59 children.
- Data was gathered through the gateway of secure centre staff rather than through direct interviews with the children. The data therefore relies on the information, perspectives and opinions of those completing the census and their knowledge of the child in question. While a briefing and guide were provided to each secure care centre to assist in their recording – and to achieve a greater degree of consistency – subjectivity will play a role in their submissions. In addition, data relating to adversity is likely to underestimate the form and extent of abuse experienced given likely issues around disclosure.
- Information regarding the frequency of each behaviour was not recorded, meaning that a single episode of harm would be recorded in a similar manner to a pattern. This study is therefore unable to fully describe a pattern of escalating concerns.

Reflections

- This study highlights the range and complex dynamic of adversities and risk factors experienced by children from England and Wales who are placed in secure care in Scotland. Most of the children in this study had experienced emotional and physical neglect and abuse, sexual abuse, exposure to parental substance misuse and domestic abuse – with these issues often overlapping. Alongside this, children displayed complex mental health problems, including self-harm, and behaviours that are difficult to manage such as violence and aggression. In addition, they were at risk from a range of factors outside the home, including bullying, school exclusion, and criminal and sexual exploitation. These are some of the most vulnerable children in society, who had experienced more adversity in one year than most children will experience in their entire childhood.
- It is clear that the systems in England and Wales are struggling to respond to this group of children's needs. Children sent to secure care in Scotland are often living hundreds of miles from their homes, and from their family and friends, most likely because an alternative placement that can keep them safe or meet their needs cannot be found any closer to home. In addition, almost all the children had experienced significant disruption and breakdowns in previous arrangements made for their care.
- Within Scotland, it is possible that new legislation will come into place – potentially as soon as 2023 – that will ban or significantly reduce the number of placements that are available in Scottish secure care centres to English and Welsh local authorities. This will mean the 25+ children placed in secure care in Scotland at any one time need to be accommodated elsewhere. Given existing pressure on secure children's homes in England and Wales, there is an urgent need to consider alternative types of local provision for this group of children that can meet their needs identified in the report.

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Nuffield Family Justice Observatory

Nuffield Family Justice Observatory (Nuffield FJO) aims to support the best possible decisions for children by improving the use of data and research evidence in the family justice system in England and Wales. Covering both public and private law, Nuffield FJO provides accessible analysis and research for professionals working in the family courts.

Nuffield FJO was established by the Nuffield Foundation, an independent charitable trust with a mission to advance social well-being. The Foundation funds research that informs social policy, primarily in education, welfare, and justice. It also funds student programmes for young people to develop skills and confidence in quantitative and scientific methods. The Nuffield Foundation is the founder and co-funder of the Ada Lovelace Institute and the Nuffield Council on Bioethics.

Children and Young People's Centre for Justice

The Children's and Young People's Centre for Justice (CYCJ) works towards ensuring that Scotland's approach to children and young people in conflict with the law is rights-respecting, contributing to better outcomes for our children, young people and communities.

CYCJ produces robust internationally ground-breaking work, bringing together children and young people's contributions through participation and engagement, research evidence, practice wisdom and system know-how to operate as a leader for child and youth justice thinking in Scotland and beyond. CYCJ works closely with other organisations and individuals to ensure that children's rights are upheld and respected throughout the justice process, and that children are deprived of their liberty only when this cannot be avoided, and for the shortest time possible.

CYCJ is primarily funded by the Scottish government and based at the University of Strathclyde.



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