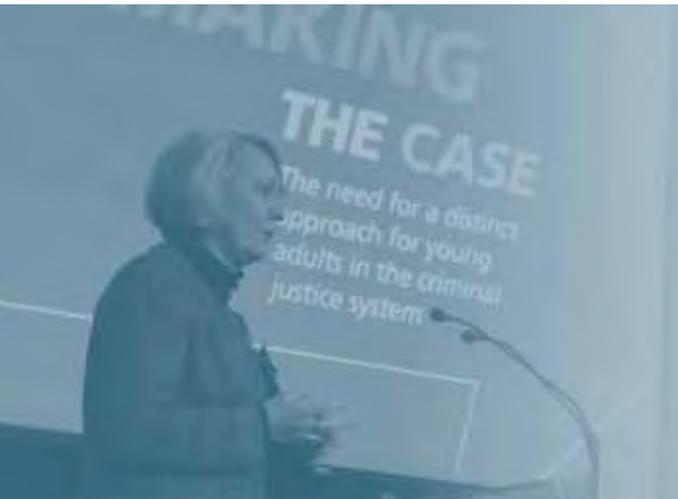




PATHWAYS FROM CRIME

*Ten steps to a
more effective
approach for
young adults in
the criminal
justice process*





Foreword

Dame Anne Owers

In 2001, as I became Chief Inspector of Prisons, the Labour government entered its second term with a manifesto promise to extend to young adult offenders the focused and specialised attention that it had tried to provide for juveniles during its first term. But this never happened. As a result, as I said in my last Annual Report as Chief Inspector of Prisons, they have remained 'a neglected and under-resourced age group': with a high likelihood of reoffending and a low level of specific and targeted investment.

That is why the work of the T2A Alliance is so essential and so timely. Moving on from an analysis of the problem in 'Lost in Transition', the Barrow Cadbury Trust has worked with a range of practitioners, academics and policy groups to develop and support the kind of practical interventions that work. In three main pilot projects, multi-disciplinary teams have developed models of support relevant to different kinds of young adult offenders, from those who have committed more serious and persistent offences to those whose offending is less entrenched and less serious.

The Alliance has also done valuable work on the concept of maturity, which is self-evidently not the same as biological age. Blowing out the candles on an 18th birthday cake does not magically transform anyone into a fully functioning and mature adult – even without the life disadvantages many young people in criminal justice have experienced. It is welcome that lack of maturity is now one of the mitigating factors that sentencers need to take account of: but it is only one factor, and sentencers may not have, or may not know of, relevant and effective sentencing options for this group.

The greatest frustration, for those working in the system as well as victims and young offenders, is that we know what does not work, but carry on doing it. Short prison sentences, followed by minimal post-

release support, or conventional community sentences with limited engagement from an overworked probation service, cannot be expected to provide the support or challenge that young adults need, as they emerge from the protections – however limited – that they could rely on as juveniles.

There are no simple equations to turn round already damaged lives; and the latest work on desistance – why people stop offending – reminds us that this is a journey, not an event. But the provision of rigorous, individualised and focused support and mentoring – walking alongside young people as they try to change the narrative of their lives – does work. It has been described as a 'probation plus' model. Recent evaluations of the T2A pilots have shown that, of 34 young adults tracked, many with prolific offending histories, only three had offended within six months, and none violently. Even allowing for the halo effect of small, enthusiastically led pilots, these are remarkable findings.

From those pilots, and the other research and policy work carried out over the last three years, T2A has developed a strong evidence base from which it has distilled ten Pathways from Crime. They are set out in this report, and provide a road-map for politicians, policy-makers and practitioners. They do not require legislative change, but they do require a change of approach and focus. That is an investment well worth making. This is not just an age-group with high levels of recidivism, but one where there is also the greatest opportunity to divert someone from a criminal career: studies have shown that 18 is also the peak age for desistance from crime. There is much good practice here, which if replicated and reinforced would significantly benefit victims and potential victims, young adult offenders themselves, and wider society.

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THE T2A PATHWAY: *Executive Summary*

The T2A Alliance

The Transition to Adulthood (T2A) Alliance is a broad coalition of organisations, that evidences and promotes 'the need for a distinct and radically different approach to young adults in the criminal justice system; an approach that is proportionate to their maturity and responsive to their specific needs'.

T2A is a coalition of 12 leading criminal justice, health and youth organisations: Addaction, Catch22, the Centre for Crime and Justice Studies, Clinks, the Criminal Justice Alliance, the Howard League for Penal Reform, Nacro, the Prince's Trust, the Prison Reform Trust, the Revolving Doors Agency, the Young Foundation, and YoungMinds. It is convened by the Barrow Cadbury Trust, an independent charitable foundation with a long-standing commitment to penal reform.

The T2A Alliance was born from the Barrow Cadbury Trust's 'Commission on Young Adults in the Criminal Justice System', published in 2005, which recommended systemic change including the establishment of 'young adult teams' in each locality to directly address and support the points of transition faced by young people as they approach maturity and full adulthood.

Though three pilot projects running since 2009, the T2A approach has been shown to enable desistance through a reduction in offending behaviour, an increase in compliance with court orders, improvements to employment and accommodation outcomes, better family relationships and healthier lives (see next page).

The T2A Pathway identifies ten points in the criminal justice process where a more rigorous and effective approach for young adults and young people in the transition to adulthood (16-24) can be delivered.

The audience for this report is broad, but it should be of particular interest to commissioners, practitioners and policy-makers who work to support the criminal justice process. It is hoped that professionals at all levels and across multiple sectors will act on this body of evidence to adapt and adopt the T2A pathway to ensure that all areas deliver an effective approach for young adults throughout the criminal justice process.

The authors would like to thank the services who agreed to be featured as case studies in the report and the many experts who contributed to the report's content. The individual names used in case studies have been changed. Unless otherwise stated, facts and figures used are sourced from the Prison Reform Trust's Bromley Briefing. Images of young people in this report are stills from the T2A film, produced by Panda Media in 2011, available to watch at www.t2a.org.uk (where all T2A publications are available for download).

Photographs: pp3/36 Peter Smith, pp21/30 Andrew Aitchison
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THE T2A PATHWAY

This diagram illustrates ten points in the criminal justice process at which professionals can deliver a more effective approach for young people in the transition to adulthood.



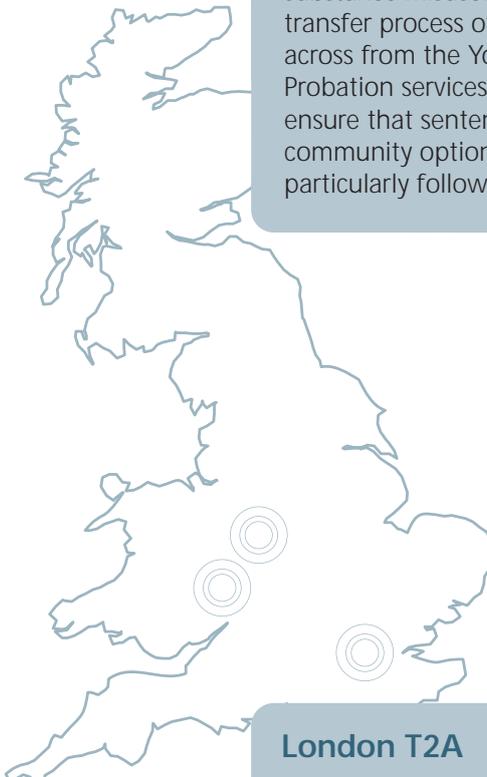
Inside this report

Pages 6-8 outline the work and impact of the three T2A pilot projects since they began in 2009, the social environment faced by young adults today, and the importance of focussing on young adults within a criminal justice context. Pages 9-11 outline the key recommendations for criminal justice professionals and policy-makers at each stage of the process.

A detailed chapter focussed on each stage follows, outlining the evidence base for the T2A approach, with examples of best practice, and case studies demonstrating how the approach is already making a real difference to young adults and their wider communities. A full bibliography can be found at the end of the report.

The T2A Alliance projects

Since it was established in 2008, T2A has produced more than 40 reports and, since 2009, three T2A pilots projects have tested the T2A approach in different locations and with different cohorts of young people: In West Mercia, Birmingham and London, delivered by Youth Support Services (YSS), Staffordshire and West Midlands Probation Trust, and the St Giles Trust respectively.



Birmingham T2A

Delivered by the Staffordshire and West Midlands Probation Trust, the project is aimed at young adults aged 17-24 identified as posing a medium risk of reoffending. The project enables interventions to be tailored to the maturity and needs of the individual young adult and offers mentoring, as well as specific help with accommodation, employment, relationships and substance misuse. The project manages the transfer process of all young people moving across from the Youth Offending Service to adult Probation services, and works in the courts to ensure that sentencers are kept informed about community options and alternatives to custody, particularly following breach of an order.

West Mercia T2A

Run by YSS, the project works in the community with young adult offenders with high needs. The project offers a flexible, community based, one-to-one support and mentoring service. YSS has established a multi-agency T2A steering group with senior management representation from across the criminal justice sector, and the T2A project encourages regular discourse between the West Mercia Probation Trust and the Youth Offending Team. Keyworkers are regular visitors at statutory agency team meetings and will often meet up to discuss T2A referrals. The project operates across the West Mercia region, in Worcestershire, Herefordshire, Shropshire and Telford local authority areas.

London T2A

Led by the St Giles Trust the project works with young adults in the community and in prison before and after their release. It provides intensive support to divert young adults away from offending and enables them to build a new life for themselves. Support offered includes help with housing, accessing training and employment, as well as emotional support with issues such as relationships, behaviour, self-esteem and self-perception. The service is delivered by trained keyworkers who are all ex-offenders, which ensures a level of trust and credibility. The London T2A project works alongside local police, youth offending teams and probation service, who make direct referrals.

Evaluation, impact and the economic case

The T2A pilots have been subject to three forms of evaluation. A formative evaluation by the University of Oxford's Centre for Criminology (published in 2011) identified promising early results and highlighted the projects' success in engaging young adults in actions which will help them towards better lives.

A break-even analysis by Matrix Evidence found that, using the most conservative estimate, the pilots would have to reduce offending by only 28% over two years to break even (i.e. 72% of young people could reoffend and the pilots would still break even in terms of the amount saved to the public purse by having prevented reoffending by the remainder).

A summative evaluation by Catch22 published in 2012 found that, based on a random sample of 34 young adults from across the three T2A pilots tracked over a 6 month period:

- **Only three were reconvicted of a new offence (all non-violent)**
- **Only three breached the terms of their community order or licence;**
- **The number in employment trebled; and**
- **The number classified NEET halved**

In a comparison with young adults who only received probation support, those from the T2A cohort had more positive outcomes. The reconviction rates are significantly lower than the national average, strongly indicating that the pilots are not only breaking even, but providing a significant cost-benefit.

The challenge facing young adults today

Young adults in the UK today are facing some of the most challenging circumstances faced by this age group for generations and the signs are that this is set to get even more difficult. Over 22.2% of young adults are not in education, employment or training (NEET), and 1.04 million young people (16-24) are unemployed, the highest since records begin in 1992 (ONS 2012).

The abolition of the Education Maintenance Allowance, increased tuition fees for further education, massive cuts to youth services and further caps on housing benefit will disproportionately affect young adults.

In these challenging economic times, every penny of public funds should be spent on what is effective. The rationale for a focus on young adults is clear, and the evidence for what works with this age group is irrefutable.

Supporting the transition to adulthood and the importance of getting it right

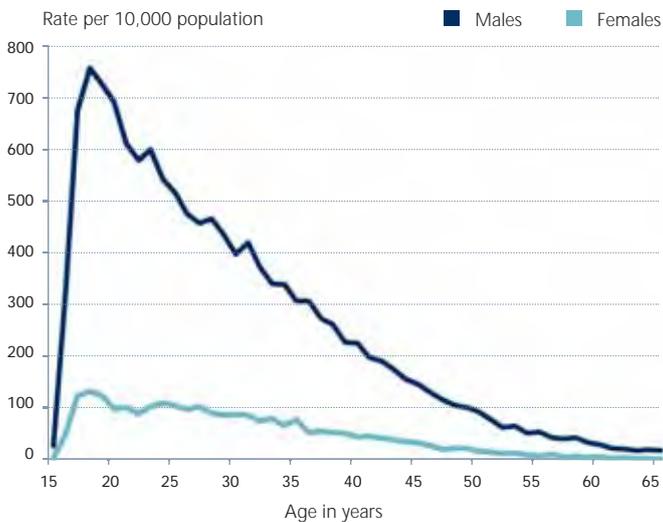
Young people face multiple transitions into adulthood (such as leaving education, finding a job, living independently, or becoming a parent), and these transitions are happening later in life than ever before. In addition, research on brain development shows that 'young adulthood' is a particular stage and that the adult brain is not fully developed until at least the mid-20s.

Young adults with complex problems often face the additional challenge of multiple transitions between services and systems. Often these young people fall between the gaps, when they lose the very support or intervention that might help them make a smooth transition to adulthood and, perhaps as a consequence, this is also the time when young people are most likely to come into contact with the criminal justice process.

Young adults and the criminal justice process

Young adults and young people in the transition to adulthood (16-24) are the most likely age group to commit a criminal offence, but, with the right intervention and support, are also the most likely to desist from offending and 'grow out of crime'

Figure: The age-crime curve



(Source: McVie 2009, p. 40; for other discussions on the age-crime curve, see also Sampson and Laub 2003; Maruna 2000).

Young adults make up less than 10% of the British population, but account for more than one-third of those commencing a community sentence, one-third of the probation service's caseload and almost one-third of those sentenced to prison every year. Three out of four young adults leaving prison are reconvicted of a crime within two years, and two out of three are reconvicted within two years of serving a community sentence. A non-specific approach for young adults is clearly not effective.

The right intervention can facilitate desistance, while the wrong intervention can increase offending and extend the period that a young adult is engaged with criminal justice agencies. It is during this point of maximum vulnerability and at the peak age for offending that most youth services stop and young people who were engaged have to change agencies or lose their support altogether.

The independent Riots, Communities and Victims Panel, commissioned by the Prime Minister in 2011 to investigate that summer's civil disturbances, noted in its final report that:

Justice is a particularly pronounced example of where the nature and type of interventions provided shift quickly at 18, whereas the specific needs of the individual follow a more complex and extended path'.

(Riots, Communities and Victims Panel 2012 p. 91)

The criminal justice process does not recognise the specific needs of young adults; a missed opportunity and a waste of resources. There are inter-generational consequences – a quarter of those in Young Offender Institutions are, or are shortly to become, fathers and some 60% of women in custody are mothers¹.

The issue has been recognised before, including in a report by the Advisory Council on the Penal System, which recommended that:

A special concentration of public effort upon this group of young adults, who are in danger of going on to long and costly criminal careers, is a sensible investment by society at a time when resources, both human and material, are too scarce to allow a similar degree of attention to be paid to all age groups'.

That was in 1974. Four decades on, action is now both urgent and long overdue.

The T2A Pathway outlines ways that criminal justice professionals can make interventions with young adults more effective. The T2A Pathway is achievable now, within the existing legislative framework. It is time to fully recognise that young people in the transition to adulthood require specific, tailored support through this process of change, and not an arbitrary cut-off from services at the time of greatest need.

1. Unless otherwise stated, statistics presented throughout this report are taken from Prison Reform Trust (2011), 'Bromley Briefings Prison Factfile', December 2011, London: PRT

The T2A Pathway

1

Policing and arrest

➤ **Recommendation:** The police should receive specific training for managing contact with young adults, particularly in relation to stop and search and, where possible, should seek to divert young adults into appropriate services away from the criminal justice process.

Young adults are disproportionately likely to come into contact with the police and an arrest and criminal record can have a very detrimental impact on a young person's future, particularly employment. Conditional cautions and restorative justice interventions can be an appropriate alternative to an arrest in many circumstances.

Diversion

➤ **Recommendation:** Drug, alcohol and mental health services should support young adults in the criminal justice process and have arrangements in place for managing the transition between child and adult services. Appropriate young adult diversion services should be commissioned in partnership with the police.

Many young adult offenders have particular needs in relation to alcohol, drug and mental health problems, and a poor transition between services at 18 can increase offending behaviour. Diversion into appropriate treatment can take place throughout the criminal justice process.

2

3

Restorative justice

➤ **Recommendation:** Restorative justice should be considered for all young adult offenders at all stages of the criminal justice process, including pre-arrest, pre-sentence, and as part of a sentence.

Restorative justice has a solid research base showing high levels of victim satisfaction and a good impact on reducing reoffending. Restorative justice can be as effective an intervention for young adult offenders as it is for those who are under 18.

Prosecution

➤ **Recommendation:** As part of the decision-making process on arrest, charge and prosecution, the police and the Crown Prosecution Service should consider the 'lack of maturity' of a young adult offender, alongside current considerations of 'youthfulness', among the factors tending against prosecution, in line with similar considerations by probation and sentencers later in the process.

The CPS must use the public interest test when deciding to charge an offender following an arrest and has the opportunity to work with the police and the probation service to discontinue a prosecution at any time where appropriate.

4



5

Sentencing

➔ **Recommendation:** More should be done centrally and at a local level to develop the approach to identifying and responding to varying developmental maturity of young adults in the criminal justice process. Criminal justice professionals should support the sentencing process by ensuring that lack of maturity is identified. Pre-sentence reports by the probation service should consider the maturity of all young adult offenders, and clearly recommend and advocate to the court an effective response and, where appropriate, a robust community-based intervention.

The concept of maturity has been found in a criminal justice context in Britain for more than a century, and there are a number of international examples of how young adults' maturity can be taken into account. Considering the maturity of a young adult offender in the sentencing process is supported by research, by the public and by MPs. Since 2011, 'lack of maturity' has been a mitigating factor in the Sentencing Guidelines for adult offenders, across a range of offences.

Community sentences

6

➔ **Recommendation:** The few existing examples of young adult specific community interventions that exist across the country should be replicated nationally, and similar effective interventions should be available to all sentencers when sentencing a young adult. More should be done to develop the scope of the Attendance Centre requirement, as well as tailoring other available community sentence options to the specific needs of young adults.

Young adults represent a third of the probation service's caseload, and have one of the highest rates of reoffending, so should be seen as a priority. Only one community sentence requirement is specifically for young adults (the Attendance Centre requirement), and it is rarely used.

Managing the transfer process

➔ **Recommendation:** All Youth Offending Services and Probation Trusts should develop arrangements to manage the transfer process to ensure that young adults receive the support they need to comply with their sentence or licence.

Despite strong evidence that the transition to adulthood is a process, not a moment in time, criminal justice agencies abruptly change their response to young offenders the moment they turn 18. The case transfer process between Youth Offending Services and adult probation is crucial, but is often poorly managed, which can exacerbate offending.

7





Custody

➔ **Recommendation:** Lessons should be learned by the young adult YOI estate from the reduction in numbers of children in custody, which has enabled some degree of justice reinvestment from acute services to prevention. Every effort should be made to keep non-violent young adults out of custody, particularly remand, and enable the courts to issue an intensive community sentence. Specific attention should be given to young adult women who require a distinct approach, and to the over-representation of black and ethnic minority young adult prisoners.

Young adults represent a third of those sent to prison each year. The majority are held on remand or are serving short custodial sentences, which have been shown to be particularly ineffective at reducing offending. Young adult men serving longer prison sentences are normally held in Youth Offending Institutions, but report by the Chief Inspector of Prisons have shown that they are much less effective than they could be. There is no specific provision for young adult women, who are disproportionately likely to receive a short sentence.

Resettlement

➔ **Recommendation:** All prisons should have resettlement plans in place for every young adult at least three months prior to their release and a 'through the gate' service should be provided to every young adult in custody.

Most reoffending by young adults on release from prison occurs in the first three months, but prison services are rarely able to make the necessary resettlement arrangements for a young adult leaving custody. 'Through the gate' peer-mentoring services have been shown to be effective for ensuring continuity of support from prison to community, and for preventing relapse into offending behaviour.



Enabling desistance from crime

➔ **Recommendation:** A young adult specific approach (with a focus on securing stable accommodation and long-term employment) should be implemented throughout criminal justice service design, commissioning and delivery to ensure that young adults coming out of the criminal justice process are supported to stop offending.

Stable accommodation, long-term employment, good health and good relationships are all required to enable desistance. Employers are willing to give jobs to young adults with criminal convictions, but need political leadership to promote good practice and highlight success stories. Stable accommodation and family support are vital, particularly to prevent the inter-generational cycle of offending.



Stage 1 Policing and arrest

No single agency or statutory body is responsible for young adults. Yet all too often, at the point when other support services fall away, are curtailed, or deny people access, the police become responsible by default. It is an old adage that the police are the 'gatekeepers to the criminal justice process', with the power to keep the gate firmly closed, or to open it wide:

[The police] decide whether an offence has occurred, whether to arrest, whether to issue a citation, whether to hold persons in custody, and whether to refer persons to other social agencies. They decide whether to press for invoking of the criminal law or to forget it. The police do not merely apply and enforce the law; rather, and to a great extent, they use discretion in invoking the law'. (Gottfredson & Gottfredson 1988, p. 5).

Formal contact between people and the criminal justice process almost always begins with police contact. The decisions made by a police officer at this moment of contact can be life-changing – it could result in a fast-track into the criminal justice process or lead to a resolution away from it.

Young adults are disproportionately involved with the police, where contact typically occurs on the street, often at night, and commonly when young adults have been involved in activity fuelled by alcohol or deemed anti-social.

Young adults and the police

- 208,262 young adults aged 18-20 were arrested by the police for notifiable offences in England and Wales in 2009-10.
- 59,948 18-24 year olds received a Penalty Notice for Disorder in 2010 (72,388 in 2009)
- 2,973 18-24 year olds received a conditional caution in 2011 (3,859 in the previous year)².

In the early and mid-2000s, Offences Brought to Justice (OBJ) targets (mandated by central government on the premise of 'narrowing the justice gap' between reported crimes and convictions) instilled a 'net-widening and mesh-thinning' approach (Cohen, S. 1971) to arrest and prosecution.

Yet in 2011, Home Secretary, Theresa May, in a speech on value for money in policing said:

'I've scrapped the Policing Pledge and confidence target, the PSA targets, the key performance indicators and the Local Area Agreements. I want police officers chasing criminals, not chasing targets. So I've given the police just one single objective – to cut crime...[with] a whole series of measures aimed at scrapping police bureaucracy and restoring officer discretion'³.

2. House of Commons Hansard (2012), House of Commons Written Answer ('Stop and Search: Young People'), 1 February 2012, Column 692W

3. Rt. Hon. Theresa May, Home Secretary; Speech at the 'Value for money in policing summit', 29 Jun 2011 <http://www.homeoffice.gov.uk/media-centre/speeches/vfm-policing>.

The reduction in the target culture provides an opportunity for a new approach to policing young people. Given that young adults are the group most visible to the police, and offences committed by young adults take up such a large amount of police time, specific training for police to manage contact with young adults should be the norm, but is far from standard practice in reality. Development of a young adult approach within Integrated Offender Management (IOM) could provide a useful framework.

An arrest and a criminal record will have a massive impact on a young adult's future, in particular their employment prospects, one of the most important factors for preventing offending (see *Business in the Community 2011*). Arrest or not is not the only choice available to the police. The police can, like the Crown Prosecution Service (see stage 4, 'prosecution'), decide that an incident requires 'No Further Action', but they can also refer to another agency (see stage 2, 'diversion') or engage those involved (offender and victim) in restorative justice (see stage 3, 'restorative justice'). It is important that police training demonstrates the benefits of these alternative responses, such as greater victim satisfaction and a reduction in the number of first time entrants to the criminal justice process.



Integrated Offender Management

IOM is a framework established by the Home Office and the Ministry of Justice aimed to bring local agencies together to share resources and information to improve their ability to manage offenders, on whom each agency would likely spend more resources if they were to deal with them in isolation.

A The Ministry of Justice paper, 'IOM: Key Principles', sets out five key principles that should underpin local IOM arrangements:

- All partners tackling offenders together;
- Delivering a local response to local problems;
- Offenders facing their responsibility or facing the consequences;
- Making better use of existing programmes and governance; and
- All offenders at high risk of causing serious harm and/or re-offending are 'in scope'.

While IOM is a relatively recent concept, arrangements are in place in many parts of the country, and some have taken specific steps to create a distinct approach for young adults and are a good example of a wider trend towards addressing transition through a multi-agency partnership at a local level. The 'Key Principles' paper proposes that all areas are asked to consider if they have:

'Processes in place to manage effectively the transition of the most at risk (of re-offending) young offenders turning 18 from youth to adult services and interventions' (see Ministry of Justice 2010, p. 2; see also Ministry of Justice 2011, pp. 25-27).



'Stop and search'

Stop and search, one of the primary operational powers available to the police, was used more than a million times by police in 2009/10, with a crime detection rate of 9% (see Home Office 2011)⁴. The Metropolitan Police accounted for nearly half (49%) of the national total of all stops and searches. 64% of all stops and searches conducted by the police were on persons defining themselves as White, 16% Black, 11% Asian, 3% Mixed, and 1% Chinese or other ethnicity. 5% did not state their ethnicity.

A study published by the London School of Economics (LSE) and the Open Society Justice Initiative in 2012 found that a black person was 29.7 times more likely to be stopped and searched than a white person in 2011, up from 26.6 the previous year. 50% of all stops and searches conducted by the Metropolitan Police were of black and ethnic minority (BME) suspects (a significant over-representation, despite a larger BME population in London), compared to 13% across all other forces. The low arrest rates resulting from stop and search and the disproportionate use with Black people and ethnic minorities have contributed to the measure becoming 'subject to a Judicial Review, based on its incompatibility with the Human Rights Act' (Townsend 2012).

A conditional caution may be a proportionate response to the seriousness and the consequences of the offending. While conditional cautions form part of a criminal record and may be cited in court in any subsequent proceedings, it is not a criminal conviction and is therefore less damaging to a young adult's future prospects.

Police should be trained to approach interaction with young adults with a view to conflict resolution and positive intervention. Consistency in this approach will increase community support among young people for the police, not least because, according to the British Crime Survey, young adults are also the most likely age group to be the victims of crime. The good work that is already done by many police forces with children in schools should not be undone during young people's transition to adulthood, where the focus should be on identifying opportunities to divert young adults away from crime.

Wherever possible, the police should be involved in multi-agency approaches to tackle offending. Intelligence from these initiatives, such as Integrated Offender Management (IOM) will assist the police to consider alternatives to arrest or formal sanctions.

➤ Recommendation: The police should receive specific training for managing contact with young adults, particularly in relation to stop and search and, where possible, should seek to divert young adults into appropriate services away from the criminal justice process.

4. 1,150,153 searches under section 1 of the Police and Criminal Evidence Act (PACE) in 2009/10; 118,446 stops and searches in anticipation of violence (under section 60 of the Criminal Justice and Public Order Act 1994); 91,568 stops and searches in order to prevent acts of terrorism (under section 44 of the Terrorism Act 2000).

Stage 2 Diversion

The concept of 'diversion' of offenders with complex needs, such as mental illness, learning disabilities, and drugs or alcohol problems, into treatment and away from the criminal justice process, is one that can be traced back to the 1980s and the establishment of the first liaison and diversion services. Since then, local provision for the process of assessment, referral and treatment of offenders with complex needs has been variable in quality and coverage. Young adults have particular health needs, for which many services are inappropriately designed and delivered. Appropriate diversion of young adults into appropriate treatment at an early stage in the criminal justice process can help to prevent offending and reduce later demand in acute services.

Mental health

In 2008, the government asked Lord (Keith) Bradley to undertake a review of people with mental health problems or learning disabilities in the criminal justice system. The report defined diversion as:

A process whereby people are assessed and their needs identified as early as possible in the offender pathway (including prevention and early intervention), thus informing subsequent decisions about where an individual is best placed to receive treatment, taking into account public safety, safety of the individual and punishment of an offence'.

(Department of Health 2009, p. 16)

A publication by the Office of National Statistics (Department of Health 1998) on psychiatric morbidity among prisoners in 1998 was the last comprehensive analysis of the prevalence of psychiatric problems among male and female, remand and sentenced prisoners.

The survey report showed that:

- Over 90% of prisoners had one or more of the five psychiatric disorders studied (psychosis, neurosis, personality disorder, hazardous drinking and drug dependence);
- Remand prisoners had higher rates of mental disorder than sentenced prisoners; and
- Rates of neurotic disorder in remand and sentenced prisoners were much higher in women than in men.

Its detailed insight of the scale and nature of substance misuse and mental health problems among prisoners helped to inform important policy decisions in the years that followed, including the transfer of responsibility for prison healthcare from the Prison Service to the NHS, but the challenge has only been partially met.

The Bradley Report recommended a far greater consistency in approach to the commissioning and provision of diversion services and interventions, greater joined-up working between statutory agencies (particularly health and criminal justice), and involvement of the voluntary sector.

Since the report was published, the government (pre and post general election 2010) has invested in expanding the provision of diversion services. In 2011, the Ministry of Justice and the Department of Health jointly announced new funding for diversion services for young people and adults. No specific provision was made for 'transition' diversion services for young adults, although in October 2011 the Ministry of Justice and Department of Health's joint unit ('Offender Health') included among its four strategic priorities:

↳ *To improve transition to adult health and well being services for young people in contact with the youth justice system who experience transition to adult offending services or custody'* (presentation given on 21 October 2011).

Mental health transitions

The challenge of transition between youth to adult services found in the criminal justice process (see stage 7, 'managing the transfer process') is one also prevalent in mainstream health services.

Child and Adolescent Mental Health Services (CAMHS), which provide mental health care and treatment to under-18s, often cease provision prior to the 18th birthday, some as early as 16. A majority of Adult Mental Health Services (AMHS) are commissioned and configured in a way that makes it very difficult, or unsuitable, for young people who are too old for CAMHS services to get the support they need. Young people who are diagnosed with disorders like ADHD, mild learning difficulties, autism spectrum disorders and personality disorder, even if seen by CAMHS services, will rarely be taken on by adult services.

Many young people who have received CAMHS support do not make the transition to AMHS and end up lost in the system, not receiving the support they need, which can lead to getting involved with the police. The same issues are applicable to services for drug and alcohol problems. It is therefore vital that the welcome investment by government in liaison

and diversion services takes account of the transition to adulthood and the specific needs of young adults. It is even more important, however, for mainstream health services to recognise the importance of providing appropriate transition services for young adults, into which they can be diverted by criminal justice agencies.

Alcohol and drugs

Young adult offenders are particularly likely to have a problem with alcohol. Home Office research has shown that 70% of young adult offenders aged 18-21 reported hazardous or harmful alcohol use in the past year before coming to a Youth Offending Institute (YOI). Offender Assessment System (OASys) data has revealed that nearly half of young adults had a drinking problem directly contributing to their offending behaviour, and that young adult offenders were the highest risk group for alcohol problems⁵.

Drug misuse is more common amongst young adult offenders than it is for young adults in the general population. Research has shown that three quarters of males and two-thirds of females serious or prolific offenders had tried drugs in their lifetime, compared with just a quarter of non-offenders.

However, young adults are the least likely group to be in treatment for drug misuse, and are less likely than older adults to be in treatment for harder drugs such as opiates and/or crack. Offenders aged 18-20 years old are more likely to report usage of cannabis, cocaine powder, 'legal highs' and ecstasy. The nature of young adults' drug and alcohol misuse is one reason why adult drug intervention service are often inappropriate for young adults.



5. Statistics in this section are from Young People in Focus 2011

CASE STUDY

Transition service for young adults with substance misuse problems, T2A Young Addaction Derby

Between 2009 and 2012, Young Addaction Derby, through a project part-funded by the Barrow Cadbury Trust, offered a 'transition' service for young adults aged 18-24 who required support for any kind of drug use, and for whom adult services may not be appropriate. Addaction had identified that the previous support package that was being provided was not meeting the needs of young adults, who had indicated that they did not feel the adult drug services were appropriate for them. They did not identify with the older service users, who often had crack or heroin addictions, and felt their lives and their drug-using behaviour were very different. As a result, young adults were either unable to access adult services or they would attend briefly but stop soon after.

There was also a concern that, as a result of not getting the treatment they needed, young adults were at greater risk of both upgrading to more serious opiate usage and subsequently getting involved in crime, or alternatively, feeling their problem was not serious enough and that they were not receiving the same level of support.

Following a referral, which is often from the police or the courts, an Addaction project worker devised an individual treatment plan that looked at the manifesting substance misuse problem, and all the other issues that might be relevant in that person's life. The treatment plan is designed to help the young adult address these issues and ultimately change their drug/alcohol using behaviour. In addition, the keyworkers focus on building self-esteem, confidence, family relationships, physical and mental health, fitness and general wellbeing.

Due to the success of the project, Derby NHS has mainstreamed the transition service into its statutory provision from 2012.

Based on the success of the Addaction T2A project, other areas should seek to develop similar transition arrangements for young adults who require drug or alcohol support services to ensure that they address the needs of young adults.

The police should be engaged at as early a stage as possible in diversion service design, and be included in local partnerships. This will increase the police's understanding and awareness of opportunities to divert young adults involved in minor crime away from the criminal justice process into paths that will address their health needs and the root causes of their behaviour.

The CPS, probation and sentencers can also divert young adults with complex health needs into appropriate services. Community sentences can

include mental health, alcohol and drug treatment to address the needs of an offender, but the nature of the treatment must be available to the court, and be age appropriate, as it should also be in custodial settings and on release into the community.

➔ Recommendation: Drug, alcohol and mental health services should support young adults in the criminal justice process and have arrangements in place for managing the transition between child and adult services. Appropriate young adult diversion services should be commissioned in partnership with the police.

Stage 3 Restorative Justice

In the latter part of the 20th century, 'retributive justice' (the notion that criminal offences are against the state, or Crown, rather than an individual) dominated criminal law in the UK. Recently, however, the concept of 'restorative justice' has returned to the penal discourse. Broadly defined, 'restorative processes bring those harmed by crime or conflict, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward'⁶. More specifically, 'restorative justice', according to Victim Support, aims:

To deal with the harm done by crime and other conflicts; It tries to make things good again (restore) for the victim and the community and to help the offender to fit back into society'⁷.

Restorative justice is not a new idea and iterations are found in many legal systems throughout history. The Labour government of 1997-2010 undertook considerable research into the effectiveness of restorative justice approaches, and a number of independent organisations have demonstrated the effectiveness of restorative justice models in a variety of contexts (see Prison Reform Trust 2009).

The evidence base supporting restorative justice is robust. It has been proven to reduce reoffending rates among offenders who take part by at least 14%. Ministry of Justice research found that 'offenders who participated in restorative justice committed statistically significantly fewer offences (in terms of reconvictions) in the subsequent two years than offenders in the control group' (Shapland et al 2008, p. iii).

Importantly, it also has a very high level of victim satisfaction. The Ministry of Justice found that 85% of victims said they were 'very satisfied' or 'quite satisfied' with their experience, and almost 80% said they would recommend it to others (Shapland et al 2007).

There is considerable evidence to support the use of restorative justice interventions for young offenders. The Coalition government's 2011 Green Paper 'Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders' notes that 'it is a well established concept in youth justice' and stresses that the government is looking at how it would make it a more integral part of the sentencing process for adults (Ministry of Justice 2010, p. 22).

Restorative justice can be a proportionate, effective and reparative intervention for young adults at any point post-arrest through to post-sentence and, when combined with other elements of a sentence, it can motivate offenders to engage with multiple interventions. As mentioned above, police decisions on whether to charge, and what to charge, should be proportionate to the suspected offence and take account of the young adult's maturity as well as their young age. To inform this process, restorative justice can be used by police, even on the street, as a quick but effective response to incidents of low-level crime and antisocial behaviour. It can also be used to tackle persistent antisocial behaviour where there is a demonstrable community impact, including as part of effective neighbourhood policing.

6. Restorative Justice Council http://www.restorativejustice.org.uk/what_is_restorative_justice/

7. Victim Support <http://www.victimsupport.org/Help-for-victims/The-criminal-justice-system/Restorative-justice>

Restorative justice can be used instead of a criminal caution as:

▣ *A better alternative to formal criminal justice action for low level offenders where the offender and victim agree the outcome such as apologising, replacing stolen items, or making good any damage caused. This is a more effective punishment than a simple caution, and builds on local approaches already used by the police, usually described as “neighbourhood resolution”.* (Ministry of Justice 2011, p. 22).

It can also be used post-charge but pre-sentence, which:

▣ *Could result in the offender paying compensation to the victim, or making good their offence in other ways determined by the victim. This could prevent distress to the victim and deliver a suitable punishment. Restorative conferences carried out pre-sentence for offenders who admit guilt and who agree to participate, could be reported to the court with the victim’s consent as*

part of pre-sentence reports. They could therefore inform the court’s decision about the type or severity of sentence handed down. In some cases, and for some offences, sentencing could be deferred pending successful completion of actions agreed’.

(Ministry of Justice 2011, p. 22).

The evidence is strong, and support among victims is high, for restorative justice play an important role in ensuring an effective approach for young adults. It can be introduced at multiple points in the T2A pathway to inform criminal justice decision-making, empower both victims and young adult offenders to be part of the solution, and inform criminal justice decision-making following an offence, or act as a final response without the need to proceed with a more ‘criminalising’ sanction.

➔ Recommendation

Restorative justice should be considered for all young adult offenders at all stages of the criminal justice process, including pre-arrest, pre-sentence, and as part of a sentence.

CASE STUDY

Restorative Justice as part of a community sentence, Thames Valley probation

In Thames Valley, eligible and suitable offenders are required to undertake up to four days of restorative justice activity. The programme works with adults ‘on the cusp’ of custody who are being sentenced for violent offences, offences of household burglary or other offences where direct harm is caused.

The four day sessions include an introduction, preparation for a restorative justice conference and a review. A restorative justice conference involves the victim and offender, their families, friends and supporters meeting together to talk about:

- *What happened (in relation to a violent offence, an offence of household burglary or an offence where direct personal harm has been caused);*
- *Who was affected by the incident of harm and how; and*
- *What can be done to repair the harm (which leads to the preparation of an outcome agreement signed by all parties)?*

If the victim does not wish to take part in a face-to-face meeting, other restorative activities take place. These may include the preparation of a letter of apology.

In recognition of its good practice, Thames Valley Probation Trust won the Adult Community Sentence Award at the Howard League for Penal Reform’s Community Programmes Awards in 2010.

Stage 4 Prosecution

Professional discretion is as important in decision-making on charging and prosecution decisions as it is at the point of arrest. The Crown Prosecution Service (CPS) is responsible for making the decision about whether to charge someone with an offence, and what level of charge to make. It is guided by its Code of Conduct to pursue prosecution only where there is sufficient evidence to justify a prosecution and when prosecution is required in the 'public interest'.

The Code for Crown Prosecutors notes that:

In 1951, Sir Hartley Shawcross, who was then Attorney General, made the classic statement on public interest: "It has never been the rule in this country – I hope it never will be – that suspected criminal offences must automatically be the subject of prosecution". He added that there should be a prosecution "wherever it appears that the offence or the circumstances of its commission is or are of such a character that a prosecution in respect thereof is required in the public interest" (House of Commons Debates, Volume 483, 29 January 1951). This approach has been endorsed by Attorneys General ever since' (Crown Prosecution Service 2010, p. 10).

The public interest test remains central to the CPS Code of Conduct, and prosecutors are guided to take into account a non-exhaustive list of 'factors tending against prosecution', including youthfulness, learning difficulties and mental health problems.

Discontinuance

'Discontinuance' of a prosecution (which can take place under Section 23 of the Prosecution of Offences Act 1985) remains an option for prosecutors at any stage from post-arrest through to post-sentence. 'Public interest discontinuance' was developed with the establishment of the CPS in 1984, based in large part on extensive research of its effectiveness in the United States (see Stone 1989; Rutherford 1993). The process enables the police, CPS and probation service to work together to consider the entire circumstances of the alleged offence and the person who had been charged, such as mental health and poverty, and decide whether or not to pursue a conviction.

The inclusion of 'lack of maturity' as a mitigating factor (see stage 5, 'sentencing') should be extended to the CPS public interest test, which could result in better-informed decision-making on charging decisions for offences committed by young adults.

➔ Recommendation: As part of the decision-making process on arrest, charge and prosecution, the police and the Crown Prosecution Service should consider the 'lack of maturity' of a young adult offender, alongside current considerations of 'youthfulness', among the factors tending against prosecution, in line with similar considerations by probation and sentencers later in the process.

Stage 5 Sentencing

The legislative framework in England and Wales separates those who are under 18 and those over 18, with a stark variation in approach and options available for sentencing.

- Although making up only 10% of the UK population, 23% of those sentenced in magistrates' courts in 2010 were young adults aged 18-24 (a total of 289,393), and 35% of those sentenced in the Crown Courts (35,674)⁸.
- 51% of young adults sentenced in 2010 had been convicted of another offence in the previous 12 months⁹.

Given that young adults represent a very large proportion of those who are dealt with by the courts every year, volume considerations alone suggest there, there is a case for a distinct approach for young adults. However, there are also a number of other compelling reasons.

The concept of maturity in a criminal justice context

In 2009, the T2A Alliance's 'Young Adult Manifesto' recommended that 'the government should consider how maturity and developmental stage could be taken into consideration in the sentencing of young adults' (T2A 2009). Subsequently, a review for T2A by the University of Birmingham of the concept maturity in a criminal justice context summarised evidence to

support T2A's recommendation from neurological, psychological and criminological research. It found that:

- Neurological research identifies that brain development continues into early adulthood, and that the human brain is not 'mature' until the mid-twenties¹⁰;
- Psychological research identifies 'temperance' (the ability to evaluate consequences and control impulsivity) as the significant maturity factor, and concludes that a lack of temperance continues to influence antisocial behaviour throughout young adulthood;
- Criminological research has shown that many young adults will 'grow out of crime' during young adulthood if the right support structures are in place.

The study concluded that:

[The research] points emphatically to the inappropriateness of an arbitrary age limit as the key factor determining the kind of judicial response an offender should receive, and that in the young adult group, the level of maturity exhibited by an offender is a valid factor to be considered within the legal process' (University of Birmingham 2011, p. 35).

⁸ House of Commons Hansard (2012), House of Commons Written Answer ('Youth Sentencing Policy'), 6 February 2012, column 20W

⁹ House of Commons Hansard (2012), House of Commons Written Answer ('Crime – Ethnic groups'), 6 February 2012, column 20W-21W

¹⁰ The University of Exeter's Centre for Clinical Neuropsychology Research has been commissioned by the Barrow Cadbury Trust to undertake a review of the evidence on neurology and criminal justice, to be published during 2012.

Public opinion on maturity and sentencing

According to an opinion poll by ComRes conducted in February 2011 on behalf of the T2A Alliance, there is also strong public and political support for this approach. The poll found that the public (69%) and parliamentarians (81%) support the idea that 'emotional and psychological maturity' should be taken into account when sentencing young adults. In addition, both groups rated maturity as a more important factor for consideration than 'age' (ComRes 2011).

'Lack of maturity' in sentencing guidelines

In March 2011, the Sentencing Council for England and Wales included 'Age and/or lack of maturity where it affects the responsibility of the offender' as one of the 'factors reducing seriousness or reflecting personal mitigation' in its 'Final Guidelines on Assault', which came into force in June 2011. This was the first time in sentencing practice in England and Wales that the concept of maturity has featured in relation to sentencing of adults. 'Lack of maturity' has since been included in subsequent sentencing guidelines for adults on burglary and drugs (both implemented in January 2012).

The Sentencing Council noted that the rationale for this change was based on the view that *'offenders who are young adults may still lack sufficient maturity to fully understand the consequences of their offending behaviour'* and it was noted that this view that had been informed by T2A's evidence (Sentencing Council 2011, p. 15).

The Sentencing Council guidelines' inclusion of 'lack of maturity' means that court professionals throughout the sentencing process (in particular CPS, defence solicitors, probation officers, court clerks and sentencers) should undertake a process of assessment, identification and appropriate response for a young adult who may lack maturity.

Probation officers and sentencers should receive specific training on 'maturity' and its relationship to offending behaviour, as well as on how to assess maturity and how to respond effectively. This would ensure that probation officers and sentencers are able to identify and respond appropriately to a young adult's level of maturity, and propose and consider an appropriate sentence. The Sentencing Council's guidance material for sentencers should include specific information on how 'lack of maturity' should be identified, as should the Judicial College's initial

training for new judicial office-holders and as part of its continuing professional training for existing sentencers.

The inclusion of 'lack of maturity' in sentencing guidelines is welcome, but must lead to a comprehensive re-think and, critically, to the availability of and knowledge about rigorous and effective options for sentencing young adults (see Criminal Justice Alliance 2011). Commissioners of probation interventions should ensure that appropriate interventions are available to the courts. Where 'lack of maturity' has been identified, it should result in practitioners and sentencers seeking to give a sentence that is effective. Research evidence from the T2A pilots has demonstrated that this means holistic, young adult specific, community-based and aimed at accelerating desistance.

Historic development and international approaches

While the inclusion of 'lack of maturity' in sentencing guidelines is significant, the notion of treating young adults differently from older adults in the UK criminal justice process can be dated back to at least the Gladstone Committee of 1895, which, wishing to separate youths from older convicts in adult prisons, introduced the Borstal system aimed at being 'educational rather than punitive' for offenders under 21 years of age. In the 1930s, Borstals were expanded to include young adults up to the age of 23, to take account of variation in developmental maturity (see Rutherford 1986, pp33-50). The concept of 'maturational reform' emerged from research conducted in the 1940s (Glueck & Glueck 1940). In a still influential study published in 1945, the Gluecks noted that:

[It was] not the achievement of any particular age, but rather the achievement of adequate maturation regardless of the chronological age at which it occurred that was the significant influence in the behaviour change of our criminals' (Glueck & Glueck 1945, p. 81, cited in Maruna 2000, pp. 33-5).

Although the concept of maturity was introduced for the first time as part of the sentencing process in England and Wales in 2011, other countries' judicial systems have addressed the issue of maturity for many decades. Germany's approach to sentencing young adults is arguably the world's most developed. Its courts deal with young adults under either juvenile or adult law on a case by case basis, according to their maturity, with a presumption for using juvenile law.

CASE STUDY

Flexibility in sentencing, Germany

The German system has, since 1953 (then the Federal Republic of Germany), allowed sentencers a level of discretion in trying young adults aged 18-20 under juvenile law, depending on the seriousness and circumstances of the crime and the maturity of the offender. All young adults aged 18-20 are transferred to the jurisdiction of juvenile courts, with courts having the option of sentencing according to the juvenile law or the adult law. Juvenile law is applied if "a global examination of the offender's personality and of his social environment indicates that at the time of committing the crime the young adult in his moral and psychological development was like a juvenile". Juvenile law is also applied if it appears that the motives behind and the circumstances surrounding the offence are those of a typical juvenile crime.

About two-thirds of young adults are sentenced as juveniles and it tends to be the more serious cases that are dealt with in the juvenile jurisdiction and minor, and procedural, offences that are dealt with in the adult system. For those offences that are dealt with in the adult system, immaturity is still seen as a mitigating factor. The German approach has been endorsed by the Council of Europe's Committee of Ministers, which recommended that 'reflecting the extended transition to adulthood, it should be possible for young adults under the age of 21 to be treated in a way comparable to juveniles and to be subject to the same interventions, when the judge is of the opinion that they are not as mature and responsible for their actions as full adults' (Council of Europe Committee of Ministers 2003, p.3).

A large minority of the public and MPs showed support for the German approach in the T2A opinion poll by ComRes. Nearly half of MPs supported the principles of the German approach, which would require a change to legislation.

While the German model is the arguably the most advanced, other European states have also developed progressive approaches to young adults in the criminal justice system (see International Centre for Prison Studies and T2A 2009)¹¹.

Although the sentencing guidelines changes only apply to England and Wales, the other UK nations have also made progress towards a more effective approach. In Northern Ireland, a 2011 review of the prison service gave specific focus to young adults noting that:

Adult statutory services are not geared or resourced to deal with this age-group effectively. It is not realistic to assume that an eighteenth birthday celebration results in an instant transformation from child to adult: the process of maturity is much more gradual and differential than that... [There is] the need for proper transition between youth and young adult services. Too often, young adults fall through the gap and are "lost in transition"'. (Prison Review Team 2011, pp. 71-2)

In Scotland, a major longitudinal study led by the University of Edinburgh¹² has added a wealth of data on the correlation between the transition to

adulthood and involvement in the criminal justice system, adding further weight behind the T2A approach.

While the signs in the UK and Europe point to a more progressive move towards managing young adults more effectively on the basis of developmental maturity, the United States of America's federal and (many of its) state systems are seemingly going in the opposite direction, treating children and juveniles as adults, if their (particularly physical) maturity can be shown to be more like that of an adult, contrary to the research evidence on what is effective.

➔ Recommendation: More should be done centrally and at a local level to develop the approach to identifying and responding to varying developmental maturity of young adults in the criminal justice process. Criminal justice professionals should support the sentencing process by ensuring that lack of maturity is identified. Pre-sentence reports by the probation service should consider the maturity of all young adult offenders, and clearly recommend and advocate to the court an effective response and, where appropriate, a robust community-based intervention.

11 In early 2012, the Barrow Cadbury Trust commissioned the University of Greifswald's Department of Criminology to undertake an analysis of international approaches to young adults in the criminal justice system, with a particular focus on the German approach. This will be published in early 2013.

12 The Edinburgh Study of Youth Transitions and Crime, see <http://www.law.ed.ac.uk/clsc/esytc/>

Stage 6 Community sentences

In 2011, the probation service supervised 234,140 people, of whom 88,585 were serving community sentences, 42,994 were serving suspended sentences, and 107,099 were under pre or post sentence supervision (including on licence).

More than a third of the probation service's caseload is made up of young adults, and in 2010:

- 31,305 young adults aged 18-24 started a community order (34% of the total of 91,764; 4,002 were women)
- 14,698 young adults started a suspended sentence order (34% of the total of 43,561; 1,601 were women)
- 10% of young adults aged 18-20 supervised by the probation service had 15 or more previous convictions. 22% had one or two, while only 11% had no previous convictions or cautions (Ministry of Justice 2010b).

As the evaluations of the T2A pilots have shown (see executive summary), young adults serving community sentences need more than a weekly meeting with a probation officer – they need, at least for a time, focused and specialised support that addresses the underlying causes of their offending. Yet despite the overrepresentation of young adults in the criminal justice process, there is only one legislative option and just a handful of community-based statutory interventions specifically designed for young adults in England and Wales.

Community sentences provide the courts with twelve community sentence options ('requirements') that can be given singly or in conjunction. The intention is that community sentences can be tailored to address the needs of the individual.

However, of the options that theoretically available to sentencers forming a community sentence, in practice only a few are regularly available to the courts to address the causes of offending or rehabilitative needs, there is a heavy reliance on Unpaid Work (previously 'community service') and Supervision requirements (regular meetings with a probation officer) often in conjunction with another requirement (commonly an 'electronic tag' as part of a Curfew requirement).

Community sentence requirement	Primary purposes
Activity Requirement	Rehabilitation
Alcohol Treatment Requirement	Rehabilitation
Attendance Centre Requirement	Punishment and Rehabilitation
Curfew Requirement	Punishment and Rehabilitation
Drug Rehabilitation Requirement	Rehabilitation
Exclusion Requirement	Public protection
Mental Health Requirement	Rehabilitation and Public protection
Programme Requirement	Rehabilitation and Public protection
Prohibited Activity Requirement	Public protection
Residence Requirement	Public protection
Supervision Requirement	Rehabilitation
Unpaid Work Requirement	Punishment and Reparation

Source: Ministry of Justice 2011, pp. 39-40

Research on the use of community sentences for young adults concluded that:

[There has been] 'little innovation in the practical application of the new sentencing arrangements for young adults...The overall pattern of use of the Community Order and the Suspended Sentence Order tends to work against what is known about young adults' needs and the factors associated with their offending' (CCJS 2007, p. 27).

Only the Attendance Centre Requirement is specifically available for young adult offenders up to the age of 25. It requires attendance at a designated centre and participation in activities, but it is rarely available and hardly used by sentencers, with only around 20 centres in operation across England and Wales. Despite its underuse, the Attendance Centre requirement does allow for a young adult specific approach within the existing legislative framework and should receive renewed focus.

There are also some examples in England and Wales of community-based interventions designed specifically to support young adults serving community sentences, which operate under the existing legislation and which can be used alongside the generic requirements of community sentences. Two are described in the case studies below. Young adult specific interventions provide options to the courts that are designed to reflect the developing maturity of young adults and effectively address the causes of their offending. Such provision should be available nationally, and probation commissioners and service designers should ensure that every court has young adult specific community options available as part of a robust community sentence.



CASE STUDY

Intensive Community Sentence Project, Greater Manchester Probation Trust

To address the rising number of young adults receiving short custodial sentences, and the high reoffending rates of those leaving prison, Greater Manchester Probation Trust (GMPT) runs an Intensive Community Sentence project (set up in 2009 by the Ministry of Justice as one of seven Intensive Alternative to Custody pilots), aimed at offenders who would otherwise receive a prison sentence of less than 12 months. The service provides a sentencing alternative to custody that carries credibility with sentencers. It enables the court to issue a customised community order with additional resources (including employment-focused mentoring and family counselling) to increase the likelihood that individuals will complete the order.

The service is specifically targeted at young adult offenders (18-25 year-olds). Since it started, reoffending rates have dropped, 80% complete the order, and over a quarter of unemployed offenders have found full-time work. GMPT has reallocated resources and obtained commitment from local partners and the National Offender Management Service to continue the programme beyond the pilot phase.

CASE STUDY

Specified Activity requirement as part of a community sentence, Anawim, Birmingham

Chloe was involved in the riots during the summer of 2011 and was sentenced to a two year Suspended Sentence Order with 200 hours Unpaid Work requirement and a 60 day Specified Activity requirement.

She was referred to the community-based women's centre, Anawim, as part of a female-specific Activity Order. The assessment identified that Chloe was 19 years old and had been living in a hostel for 12 months. She owed rent arrears, received Job-seekers' Allowance, and had recently been released from a month on remand in prison. She was suffering from severe anxiety and depression, for which she had previously had counselling, and had dyslexia and epilepsy.

She was struggling to cope with her experiences in prison, as well as previous sexual abuse and rape. She was having problems with other residents at the hostel, but was unable to leave due to rent arrears. She had previously been living with her mother, who had been diagnosed with schizophrenia. Managing her mother's illness, her own mental health issues and a drinking problem created an unsafe environment with frequent violent outbreaks due to difficulties managing anger.

Her Anawim support worker compiled an action plan that would to address her mental health, substance abuse, anger management and accommodation needs, and began an 'Outcomes Star' assessment to measure progress. Through Anawim's intervention, Chloe attended an Anger Management workshop, as well as a confidence and self-esteem workshop. She engaged well and is working with a Community Nurse Practitioner on her mental health issues while she waits to see a consultant. Her Support Worker has helped her to complete Housing Application Forms for Midland Heart and she is at the top of the waiting list.

Due to her support from Anawim she feels she is handling her anger better and feels able to abstain from alcohol. When she missed an appointment at the Job Centre and her benefits were stopped she was proactive and asked Anawim for help, getting her benefit reinstated and only being without money for one week. She is now more communicative, less likely to lose her temper, and has all the benefits she is entitled to in place. She is excited about getting a place of her own and does not engage in self harm. Her Probation officer has reported a marked improvement with her engagement in the Unpaid Work requirement since she started to attend Anawim.

Chloe still has a difficult road ahead to maintain a stable environment and lifestyle that will help her to avoid offending but a clear change in her behaviour can be seen. Her angry shell has been cracked to produce a more confident and happy woman who is taking positive steps to change her life direction.

➔ Recommendation: The few existing examples of young adult specific community interventions that exist across the country should be replicated nationally, and similar effective interventions should be available to all sentencers when sentencing a young adult. More should be done to develop the scope of the Attendance Centre requirement, as well as tailoring other available community sentence options to the specific needs of young adults.



Stage 7

Managing the transfer process

'Very few people start offending as adults, so it's of crucial concern to us what's happening in the youth justice system, as many of young people have been worked with by the YOS prior to coming over to us. So we've been long-concerned about what happens at that transition point, when in the period of both maximum offending and maximum vulnerability, the most difficult offenders have to change agencies'

(David Chantler, CEO of West Mercia Probation Trust, T2A film 2011)¹⁴.

The view that 'if you're 18, you're an adult' is prevalent among most statutory agencies, but there are signs that this is changing. Many practitioners now recognise that it is not the young person who changes on their 18th birthday but rather the behaviour of professionals and the nature of the services they provide.

The difference in approach between youth and adult criminal justice services is stark. While a 17 year old might be given a warning by a youth offending team worker for a missed appointment or lapsed curfew, a young adult, newly 18, may find themselves in court facing a stiff penalty, even custody. It is perhaps of little surprise that young adults serving community sentences or on probation licences have high

reoffending, high breach rates, and low compliance rates. As a consequence of these poor outcomes, many criminal justice professionals are focussing on young adults with increasing interest and, in particular, the transfer process of cases between the Youth Offending Services (YOS) and adult probation.

YOS to probation transfer

In its interim report published soon after the civil disorder in the summer of 2011, the independent Riots, Communities and Victims Panel recommended that:

Public services, including the probation service, youth offending teams and local government, should develop strategies which ensure the transition for 18-year-olds to the adult justice system is well managed'

(Riots, Communities and Victims Panel 2011, p. 97).

The interface between YOS and probation is, too often, unnecessarily complicated by a lack of understanding and weighed down by bureaucracy. Existing guidance states that a transfer should be instigated within four weeks of the 18th birthday, and that a number of activities should take place to facilitate this process. Yet there are often complications and delays, most of which can be avoided, that result in the young person being left in limbo and having a poor transition, which can exacerbate offending and delay desistance from crime.

14 View the T2A film at <http://www.t2a.org.uk/t2a-alliance/>

There is already some discretion and flexibility at the interface between YOS and probation that is often underused. Current guidance states that Youth Offending Teams (YOTs) do not have to transfer an 18 year old to probation where it is deemed better to keep hold of them. The Ministry of Justice, National Offender Management Service (NOMS) and Youth Justice Board (YJB) 'Case Transfer Protocol' states that:

In cases where the YOT is supervising/case managing a young person who is close to completing their court order, the YOT should consider retaining responsibility for the case even if the young person reaches/passes the age of 18. This decision should be made at a local level and should take into account the remaining length of the order, and the needs, maturity and vulnerability of the young person' (Youth Justice Board 2009, p. 4).

The guidance advocates that individual areas should develop tailored versions of the protocol to suit local arrangements. In Birmingham, the YOS and probation service have developed this protocol via the T2A pilot project, which ensures that there is increased emphasis placed on continuity, rather than change, following a transfer. A young person's level of maturity can provide a helpful indicator of when a transfer should take place, and in what way it should be managed.

The Riots, Communities and Victims Panel's final report, published in March 2012, made a number of specific recommendations related to young adults, referencing T2A evidence and citing the Birmingham T2A project as an example of best practice:

[The] project in Birmingham [is] designed to harmonise transition through the assignment of a dedicated case worker. The case worker is responsible for the transfer of information, informing the offender about the process and what it will involve, as well as convening meetings between agencies working with the offender to map out future support. It has benefited the young adults involved by providing continuity and a good understanding of the expectations of probation services, resulting in a reduction in breach rates and increased compliance with orders.

Giving a nominated officer responsibility for management of cases transferred between the youth and adult justice systems can help with effective transfer of information, multi-agency engagement and supporting the offender through the transitional period. The Panel recommends that a nominated officer be assigned to each young adult whose case is passed between Youth Offending and Probation teams. This approach should be routinely adopted in all areas within the next 12 months.

Probation Trusts do not focus on young adults as a distinct group, but there would be benefits to them doing so...By establishing teams specialising in young adults, probation services resources could be better targeted to provide the skilled, specialist workers needed to assess and manage their needs. The Panel recommends that all Probation Trusts take a specialist approach to dealing with young adults within the next two years' (Riots, Communities and Victims Panel 2012, pp. 92-93).



CASE STUDY

T2A transfer protocol, Birmingham T2A

In Birmingham, the T2A project led by the probation service identified that the transfer of cases from youth offending teams to probation trusts was complicated and time consuming for both services. Young people were often moved from youth offending teams to probation through administrative procedures with very little direct communication between the services and the young people through the transition period. The new protocol was agreed by heads of the Youth Offending Service and Staffordshire and West Midlands Probation Trust and was then introduced to Youth Offending Teams and probation staff throughout Birmingham.

- *Transfer documents are forwarded to a specialist T2A unit;*
- *A T2A keyworker is allocated to the case will arrange an initial meeting with the responsible YOT and probation officers to discuss the transfer, and explain the process to the young person and any concerns or anxieties that they might have;*
- *Once the administrative process is completed, the T2A keyworker organises a hand-over meeting;*
- *The probation officer, YOT Officer and other agencies involved with the transition (e.g. mental health, drug and alcohol, and accommodation keyworkers) will be invited to attend a professionals' meeting, prior to a final three-way meeting with the young person to complete the transfer.*

This transfer process has improved relations between YOS and probation, smoothed the transfer process, and increased cooperation. It has benefited the young person by providing continuity and a good understanding of the expectations of probation services, which has reduced breach rates and increased compliance with orders.

The YJB is issuing new guidance on managing the transfer process in 2012. T2A recommends that all areas should develop a transfer protocol that takes account of a young adult's needs and that gives specific consideration to their level of maturity. Best practice would enable a specialist transitions key worker to act as the continuity between services, managing the handover of information, ensuring the young person understands what is required during and following the transfer, and liaising with other support agencies.

➔ Recommendation: All Youth Offending Services and Probation Trusts should develop arrangements to manage the transfer process to ensure that young adults receive the support they need to comply with their sentence or licence.

Stage 8 Custody

'The mood and temper of the public in regard to the treatment of crime and criminals is one of the most unfailing tests of the civilisation of any country'

Winston Churchill, Home Secretary, in 1910

The make up of the prison population in England and Wales (87,760 on 23 March 2012) is, if applying Churchill's measure, an indictment of our society. Of those in prison:

- A third of were previously homeless;
- Nine out of ten were excluded from school;
- A third are alcoholics;
- Two thirds are unemployed;
- Two thirds have at least two mental disorders;
- A quarter have learning difficulties;
- Half have a reading age below that expected of an 11 year-old; and
- 25% of those in prison have a background in the care system.

Prisons are, in many respects, a place of last resort for those who have been turned away by services that can say what prisons cannot: 'No'.

Ethnicity

- On 30 June 2010 just under 26% of the prison population (21,878 prisoners) were from a Black or ethnic minority (BME) group. This compares to one in 10 of the general population.
- Out of the British national prison population, 11% are black and 5% are Asian.
- For black Britons this is significantly higher than the 2.8% of the general population they represent.
- Overall black prisoners account for the largest number of minority ethnic prisoners (53%).
- At the end of June 2010, 32% of BME prisoners were foreign nationals.

Women

Women prisoners are, in some respects, a hidden population and young adult women prisoners are not held in a distinct facility, but in the same establishment as older women. On 30 September 2011 the number of women in prison in England and Wales stood at 4,337, just under 5% of the prison population, including 903 women aged 18-24. However:

- Between 2000 and 2010 the women's prison population increased by 27%.
- 28% of women in prison had no previous convictions – more than double the figure for men (13%), and 80% of women sentenced to custody have committed a non-violent offence.

- Women prisoners have particularly high levels of complex health and personal needs. Mental health problems are particularly serious, often in conjunction with alcohol or drug abuse.
- Women accounted for 47% of all incidents of self harm despite representing just 4.75% of the total prison population.

Women are disproportionately likely to receive short sentences, and women serve shorter prison sentences than men and for less serious offences. In 2009, 62% of women entering custody served sentences of six months or less, compared with 52% of men. 16% of women serving sentences of twelve months or under have no previous convictions.

In March 2007, Baroness (Jean) Corston led a review of vulnerable women in the criminal justice system, which was commissioned following the deaths of six women at Styal prison. Her report recommended that 'community solutions for non-violent women offenders should be the norm', and subsequently around 30 community centres were established to improve diversion of women from crime and custody.

Despite good progress made by women's centres across the country, the number of women in prison has remained static, and while there have been changes (such as the introduction of specific standards and better drug treatment provision) these have not gone nearly far enough, and far more women than there should be are in prison.

Young Adults

On 30 June 2011, 21,974 young adults aged 18-24 year were held in prison custody in 2011 (approximately 25% of the total prison population), of whom 4% (903) were females and 29% were classified as BME (6,325)¹⁵.

The number of young adults in custody has remained the same for a number of years, despite a 45% drop in the number of children and young people entering the youth justice system. There are 1,000 fewer children in custody than there were 10 years ago, a fall of around 3,000 to 2,000 between 2008 and 2011 (see Allen 2011), and this has clearly contributed to keeping the number of young adults stable at a time when the prison population as a whole has risen sharply.

- Young adults account for 20% of individuals in prison who self-harm although they represent



12% of the population in custody. There were four self-inflicted deaths of young adult prisoners in 2010.

- Mental health problems, drug and alcohol abuse are common amongst young people in prison. In general, young offenders are more likely than adults to suffer from mental health problems and young adults are more likely to take, or try to take, their own life than both younger and older prisoners (Department of Health 2000).
- 27% of young adults in prison have a problem with alcohol and/or are regular binge-drinkers. In addition, 32% behave violently which is related to their alcohol abuse.
- 25% of young men in young offender institutions are, or are shortly to become, fathers, and it is estimated that four out of 10 young women in prison are mothers.
- Fewer than half (47%) of young adults in prison were in employment or education at the time of their arrest.

Remand

More than 15% of the prison population at any one time is made up of prisoners on remand (12,629 in June 2011), either awaiting trial (9,089) or sentence (4,461). Young adults on remand will often be held in adult establishments, since the law allows unsentenced under 21-year-olds to be held with adults:

- 1,979 (15% of all those on remand) were aged 18-20, and 694 were women.
- In the 12 months ending September 2011, more than two-thirds of young adults aged 18-20 were remanded into custody for non-violent or non-sexual offences.
- The average waiting time for those remanded into custody awaiting cases committed for trial at the crown court was 9 weeks.
- In 2010, 21% of those who were remanded in custody were subsequently acquitted (11,105).

¹⁵ House of Commons Hansard (2012), House of Commons Written Answer ('Police custody'), 6 February 2012, Column 24W

Remand prisoners have a range of social and health problems, but are less likely to receive support in prison than those who are sentenced.

Characteristics of remand prisoners

- More than three-quarters of men on remand suffer from a personality disorder.
- One in 10 has a functional psychosis and more than half experience depression.
- For women on remand, nearly two-thirds suffer from depression.
- Research has found that 9% of remand prisoners require immediate transfer to the NHS.
- Only a third of remand prisoners were in some form of employment prior to their admission to prison.
- Remand prisoners are more likely than sentenced prisoners to have a history of living in unstable or unsuitable accommodation (which may in itself make a remand to custody more likely).
- They are five times more likely to have lived in a hostel prior to imprisonment.
- Remand prisoners receive no financial help from the Prison Service at the point of release.
- They are also not eligible for practical support with resettlement from the Probation Service, even though they can be held on remand for as long as 12 months.

Clearly, the heavy use of custodial remand, particularly when used for non-violent young adults, requires urgent review. There must be a much greater use of community-based provision (such as supported housing) as an alternative to remand. However, use of alternatives, such as remand to non-secure local authority accommodation, declined by 47% between 2003-4 and 2007-8. In most areas of England and Wales there is no specialist accommodation for under-18 year olds on bail or remand to non-secure local authority accommodation.



Some progress has been made. The number of young adults aged 18-20 who were remanded into custody decreased by more than 10% between 2010 and 2011. However, the majority of young adults who receive custodial remand are accused of non-violent or non-sexual offences, and every effort should be made by the courts to ensure that remand should be only used for this group of offenders in exceptional circumstances.

Short sentences

Those released from short custodial sentences (of less than twelve months) have the highest rates of reoffending among all age groups, with approximately 60% reconvicted within a year of release. These sentences are not long enough to provide any proper rehabilitation, yet are long enough to break links with the community and other stabilising factors that reduce crime.

On 30 September 2011 there were 1,086 young adults aged 18-20 serving short sentences in prison. Young adults released from short sentences are the most prevalent recidivists: 58% of young people released from custody in the first quarter of 2008 reoffended within a year. The Chief Inspector of Prisons has reported that 'the high reoffending rate among young adult men is unlikely to reduce without significant changes in approach, funding and focus' (HM 2010, p. 7).

To redress these poor outcomes, all young adults serving short sentences should receive probation support when released as a minimum. At present, young adults up to the age of 21 get some probation support on release, but as the T2A pilot evaluations have shown, 'normal' probation support isn't enough. As is the case with older adults, 21-24 year olds released from short prison sentences do not get any support.

The number of young adults receiving sentences of less than 6 months remained stable between 2010 and 2011, but the post-riot sentences, most of which were received by those under 25, are likely to have caused at least a short-term increase. Reoffending rates for young adults released from short sentences remain very high, and much more needs to be done to ensure that where young adults receive a short custodial sentence they receive comprehensive resettlement support beginning at the start of their sentence, with arrangements made prior to release to give them the best chance of avoiding return (see stage 9, 'resettlement').

Young Offender Institutions

On most counts, prison fails to rehabilitate far more often than it succeeds, and it fails most frequently with young adults. More than half of those leaving prison are reconvicted within a year, and more young adults go on to re-offend than desist from crime after prison.

Detention in a Young Offender Institution (YOI) is the only specific legislative option available to the courts when sentencing young adults (males only) to custody. Young Offender Institutions (YOIs) were introduced by the Criminal Justice Act 1988. They refer to under-18, 18-21 and 18-25 establishments. In the former there is an education focus and more staff per prisoner, which is not the case in YOIs for over-18s, as identified in numerous Her Majesty's Inspectorate of Prisons (HMIP) reports, which are highly critical of the lack of purposeful activity for young adults in custody. The 2011 inspection of YOI Rochester noted that many of the young adult inmates were simply 'sleeping their way through their sentences' (HMIP 2011, p. 5).

YOIs have come in for strong criticism from HMIP, particularly in relation to high rates of violence, bullying, and self-harm. A number of suicides in YOIs in 2010 and 2011 resulted in a focus on the role and functions of YOIs, and in 2011 a number of YOIs were re-rolled to include older adults¹⁶. Legislative plans to remove the sentence of DYOI are pending implementation. There should be considerably more attention given to the purpose and potential of YOIs. Lessons should be learned from the successful reductions in the numbers of children in custody seen over the last decade, and applied to the young adult population, and 'justice reinvestment' models should be considered as a means to establishing more effective approaches for young adults.

¹⁶ House of Commons Hansard (2011), House of Commons Written Answer, 'Young Offender Institutions', 27 Jun 2011, Column 522W

Justice Reinvestment

Justice reinvestment is, in basic terms, the redistribution of funding from prison services to prevention and community-based provision, with the expectation that savings will be made by the reduction on demand in prison places if robust community sentences that are effective at reducing offending are available.

A report by the House of Commons Justice Select Committee 2010, 'Justice Reinvestment', stated that:

'It does not make financial sense to continue to ignore the needs of young adult offenders. They will become the adult offenders of tomorrow. Particular effort should be made to keep this group out of custody. A multi-agency approach, akin to that applied to young offenders aged under 18, might bring similar benefits in terms of the reduction of re-offending to those aged 18 to 25...We believe that the movement of resources could be achieved much more quickly, bringing down spending on imprisonment more dramatically, if local partnerships were given an added financial incentive to reduce the use of custody as a proportion of the 'expected' rate, based on the characteristics of local offenders and the sentencing trends of the local courts' (House of Commons 2010, p. 81 and p. 148).

The lessons from the youth justice estate, and from international justice reinvestment initiatives (see Policy Exchange and Centre for Justice Innovation 2011, pp. 10-11, 39-40; London Criminal Justice Partnership 2011) show that it is possible to reduce demand on acute provision by funding community alternatives. In addition, if funding responsibility for the provision of remand places and young adult custody (including local custodial provision for young adult women) were devolved to local areas, there would be an incentive for 'justice reinvestment' from the national custodial estate to local community-based provision.

➔ **Recommendation:** Lessons should be learned by the young adult YOI estate from the reduction in numbers of children in custody, which has enabled some degree of justice reinvestment from acute services to prevention. Every effort should be made to keep non-violent young adults out of custody, particularly remand, and enable the courts to issue an intensive community sentence. Specific attention should be given to young adult women who require a distinct approach, and to the over-representation of black and ethnic minority young adult prisoners.

Stage 9 Resettlement

'There is a window of opportunity when young adults leave prison to re-establish links with family and community, to get a stable income, meaningful employment, secure housing and all the other factors that contribute to successful resettlement'

(Transition to Adulthood Alliance 2009, p. 35)

As soon as someone enters prison, plans for their resettlement back into the community should begin. Yet the barriers to resettlement are significant and many problems surface almost immediately after custody. Planning for life outside should start from day one from the sentence, and sentence plans should be based on putting in place the support structures that are required to enable a reduction in future offending. This is particularly true for people serving short sentences, who rarely receive any probation supervision following release.

87,444 prisoners were released from determinate sentences in the 12 months ending June 2011. Prisoners are likely to have a very high level of need on release from prison, which has been shown to directly increase their likelihood of reoffending, which is most likely to occur in the first three months following release.

Addressing the needs of this group is a challenge for a prison system whose primary functions are security and risk management. Solutions lie in the many examples of good practice across the prison estate of where partnership working between the statutory and voluntary sector has enabled a personalised approach to resettlement.

Of these, 'through the gate' models of resettlement support have been proven to be particularly effective in reducing offending.

Independent evaluations of the St Giles Trust approach has shown that for every pound invested in services, ten pounds are made in savings to the public purse through reductions in offending (Frontier Economics 2009), and such services should be available and offered to all young adults serving custodial sentences.



CASE STUDY

Through the gates service, London T2A

The London T2A project, run by the St Giles Trust, supports young adults in the community and in prison prior to, during and after release. Many of the young people served custodial sentences for gang-related offences. Trained peer-mentors, who are themselves ex-offenders, offer a mixture of support with relationships, behaviour, self-esteem and self-perception, and practical help with access to housing, training and employment.

For young adults in custody, the mentors begin working with young adults prior to release and meet them at the gate of the prison on the day of discharge, in order to ensure immediate continuity of the support service and avoid derailment of resettlement plans within the critical first few days. Support in the community continues until a young person is stable enough that the intensity of the support can be reduced.

➔ Recommendation: All prisons should have resettlement plans in place for every young adult at least three months prior to their release and a 'through the gate' service should be provided to every young adult in custody.

Stage 10

Enabling desistance from crime

'Desistance [from crime] is a process rather than an event'

(Sampson and Laub 1993).

There are many factors that have been identified by research to be vital to reducing offending and enabling desistance from crime. Stable accommodation, long-term employment, good health and good relationships are among the most important ingredients (Maruna 2000). Case studies from the three T2A pilots¹⁷ are provided in this chapter to illustrate why the individualised and holistic approach advocated by T2A is required to enable desistance by young adults.

Employment

The economic context is bleak for young adults seeking employment. Over 20% of young adults are not in education, employment or training (NEET), and at the start of 2012 there were 1.02 million young people (16-24) unemployed. Unemployment is a driver for offending, while meaningful employment is a driver of desistance.

There is considerable evidence that many employers have had exceptionally good experiences of employing people with criminal convictions. In addition, risk aversion among employers for hiring ex-offenders is less prevalent than many realise. Research has shown that employers are less concerned about whether they will repeat their offences in the workplace and more concerned about whether ex-offenders will make good employees (Business in the Community 2011).



17. All names in the case studies have been changed.

There are some existing employment programmes for employing young adults with criminal convictions (see Business in the Community 2011), as well as good practice in different local areas that could be adapted and expanded. The government has, at the centre of its plans for a 'rehabilitation revolution', the aim of creating 'prisons to become places of hard work and meaningful activity', and 'ensure that more prisoners are subject to a structured and disciplined environment where they are expected to work a full working week' (Ministry of Justice 2011, p.14).

There are currently only 9,000 prisoners (just over 10%) involved in work in prisons, so achieving the welcome goal of a whole prison estate engaged in 'real work' will require major reform. A national employment scheme for ex-offenders has been estimated to save taxpayers up to £300 million per year (Policy Exchange 2008). Initiatives to get offenders back into work will save the tax payer money in the long-term through reduced costs across the system as ex-offenders go on to lead more productive lives.



CASE STUDY

Pathways to employment, Birmingham T2A

Carl, 20, was referred to T2A by his probation officer. He was a quiet young man who appeared to have only a vague idea of the direction he wanted his life to go in. At the time he was surrounded with the wrong crowd who was involved in committing street crimes across the city and was in need of a positive influence in his life. His perception towards the Police and authorities in general was very low and he felt he was alone in getting help with pursuing a successful future.

When Carl first met his T2A keyworker, they brainstormed on what Carl wanted for his future. It emerged that Carl was very keen on working in the motor industry as a car mechanic. As he had no qualifications and very little experience it was hard for him to get his foot in the door especially with his previous convictions. Carl and the keyworker concluded that in addition to changing his lifestyle and environment, Carl needed support to approach local mechanics. They agreed that some form of voluntary work would be a good first step – with the goal of permanent employment. It was agreed that a voluntary placement would give him an opportunity to prove his passion, dedication and natural ability to learn and do an excellent job.

After identifying several mechanics, Carl and the T2A keyworker approached one with a proposal and arranged for him to have an interview. He was supported in preparing for the interview, and impressed the staff. He was offered voluntary work and, having started immediately, he worked hard for two months to prove that his services to the company were needed. He quickly became a valued member of their team.

Over this period, the T2A keyworker kept in regular contact with Carl and his probation officer, giving him additional support and encouragement when required. During this time Carl's confidence rose enormously and he has now been given a permanent part-time position – with a full time contract by the end of the year if he continues to impress his employers. Long-term he has plans of eventually opening his own work shop.

Accommodation

A safe and stable home is essential to enable young adults to study, maintain a job, establish a relationship and participate in society. 15% of male, 19% of female and 10% of young prisoners were not in permanent accommodation before entering custody, and an average of 30% of prisoners are homeless on release.

Unstable accommodation triggers a vicious cycle. It can severely hinder former prisoners' chances of finding employment as almost one quarter of employers would not consider employing a homeless person. Homelessness can also prevent former prisoners from accessing support services such as benefits for registering with a GP.

Young adults see accommodation as particularly important to reducing their offending. 35% of young

people aged 16-25 felt that a lack of accommodation was the factor most likely to make them offend. BME young adults experience even higher levels of homelessness, and on average are even less likely to have a family or support system to return to.

As part of any resettlement planning for young adults in custody, accommodation arrangements should be a priority, and accommodation needs should be assessed as soon into the sentence as possible. Given the shortage of suitable housing in the community, housing providers (particularly local authorities) should be engaged in Crime Reduction Partnerships and with Police and Crime Commissioners to ensure that those with offending histories have access to appropriate accommodation. It is also vital that there is involvement of the family at the earliest opportunity, which will increase the chance of a young adult being able to move back to the family home, if appropriate, as an interim alternative to a long-term arrangement.

CASE STUDY

Pathways to accommodation, London T2A

Leah, 19, was referred to the London T2A project by the probation service. She was suffering serious abuse from her partner who continued to subject Leah to aggression in the community and, when threatened her in her workplace, she left her job for her own safety, left her flat and say moved to her mother's home. Accommodation there was overcrowded, and a difficult relationship with her mother and sisters resulted in serious arguments and fights.

Leah is an independent young woman but her situation led her to suffer from depression. A T2A keyworker engaged with her on a weekly basis and gave her strategies of how to engage positively with her family to avoid confrontation. Accommodation was a clear priority, and several referrals were made to hostels. Lara was placed on a Private Rented Scheme and on the waiting list for the City YMCA. As her situation started to improve, she was subject to a serious attack, thought to be linked to her former partner, and the need to move her out of the local area for her own safety became urgent.

The T2A keyworker managed to place Lara in a woman's refuge that day on the other side of London. While in the short term she feels safe, securing longer-term accommodation is a priority. Lara is receiving help from T2A with arranging housing and other benefits, and with accessing opportunities for employment, but will require ongoing support.

Securing stable accommodation is a challenge for criminal justice services, but it is vital to prevent offending and enable desistance. The shortage of provision for young adults leaving custody is a major barrier to resettlement, and changes to housing benefit will make it harder than ever. Intensive support, like that offered by the T2A projects, can make a crucial difference to short and long-term outcomes.

The role of the family

Although legally defined as adults, young adults often still need and want the support of their own parents or wider family. Government research has found that maintaining quality family contact has a significant impact on the successful resettlement of ex-prisoners: prisoners who received visits from their family were twice as likely to gain employment on release and three times more likely to have accommodation arranged as those who did not receive any visits (Home Office 2003).

For young adults without family support, another significant adult in their life can help bridge that gap. Many are parents themselves, and additional support is required to prevent a generational cycle of offending. The West Mercia T2A project provides intensive wrap-around support to young people making their transition to adulthood, with a particular emphasis on supporting families to play their part in the resettlement process.

CASE STUDY

Pathways to family support, West Mercia T2A

Kelly, 21, was referred to the T2A project by her probation officer. It was clear that she lacked maturity and had very low self-esteem. She had been in a number of violent relationships, which had reduced her confidence and presented concerns for the safety of her two children, who she would leave with relatives while having a 'good time' and using drugs with her now ex-partner. Because of this behaviour, her mother and sister lost patience their relationship with Kelly broke down. Just before her referral, her children were removed from the family home and placed into foster care, one with her sister.

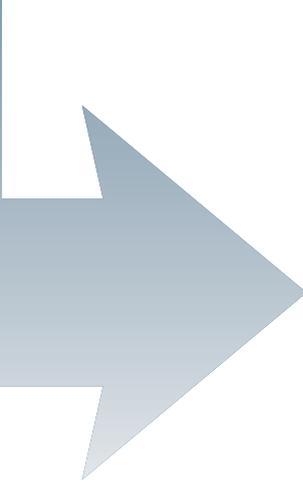
Her T2A keyworker identified that it was a priority for Kelly to mend her relationship with members of her family, who have found it difficult to understand her behaviour. It has taken time for Kelly to adjust to seeing her children being looked after and parented by her sister.

Kelly has had to deal with enormous guilt over what happened. This is being addressed through help of a counsellor accessed through T2A. To prepare Kelly for a time when her children are back in her care, T2A have provided support with debt, housing arrears and managing appointments.

Kelly's children have now been removed from the Child Protection Register and she is getting on better with her sister and family. Her social worker is giving her the opportunity to prove she can care for her children. Kelly has several months of hard work ahead of her and, during this time, T2A will prioritise boosting her confidence, and improving her attitude and understanding of what it takes to be a good parent.

➔ **Recommendation:** A young adult specific approach (with a focus on securing stable accommodation and long-term employment) should be implemented throughout criminal justice service design, commissioning and delivery to ensure that young adults coming out of the criminal justice process are supported to stop offending.

Conclusion



For many, the transition to adulthood is a period of significant and multiple transitions. For young adults who have a complex combination of needs, this time can be fractured and chaotic, damaging to them and their communities.

Young adults who experience educational failure, mental health problems, drug and alcohol addictions, unemployment, family difficulties, or learning disabilities often end up on the fringes of the criminal justice process by default when other services and support structures fall away on their 18th birthday.

It is in all our interests to ensure that these young adults go on to lead crime free lives, fulfil their potential and give back positively to their communities. The current criminal justice process is simply failing young adults, often making them more, not less, likely to commit crime.

This report describes an effective and rigorous approach that can be applied to support young adults throughout the criminal justice process. The T2A pilots have shown how it can work on the ground, highlighting a number of changes that can be made to the way that services are designed, commissioned and delivered. The ten stages of the T2A pathway described in this report outline the ways that those working in criminal justice can make interventions with young adults more effective, within the existing legislative framework.

Political will and leadership is vital, but these changes are readily achievable now. It is time to fully recognise that young people in the transition to adulthood require specific, tailored support through this process of change, not an arbitrary cut-off from services at the time of greatest need.

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