



A report by the Transition to Adulthood Alliance –
committed to supporting vulnerable young adults
in the criminal justice system

*A New
Start:
Young
Adults
in the
Criminal
Justice
System*

*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 Alliance



The **Barrow Cadbury Trust** has a long-standing interest in criminal justice reform, with a particular focus on young adults. In 2004, the Trust established the Commission on Young Adults in the Criminal Justice System which produced a report entitled, *Lost in Transition*. The Trust has also funded many organisations over the years who work to improve the lives of young adults in the criminal justice system, including small grassroots groups in the West Midlands, national service-delivery organisations and campaigning bodies.

The Trust has convened 12 organisations to form the T2A Alliance:



Addaction, Derby will establish a drug and alcohol treatment service for young adults that is tailored to their specific needs, problems and lifestyles. Addaction have also provided the Alliance with policy input and guidance.



Catch22 have led on the T2A Alliance policy campaign. They have held a series of meetings with key policy makers; organised an international conference on transition to adulthood bringing together experts on young adulthood and criminal justice; and have co-ordinated and drafted the T2A Alliance papers, *Universities of Crime*, launched in February 2009 and *A New Start: Young Adults in the Criminal Justice System*.

CENTRE FOR CRIME AND JUSTICE STUDIES

The **Centre for Crime and Justice Studies (CCJS)** have produced a review of the evidence around the effectiveness of coercive and non-coercive interventions in fostering change among young people and the safe transition to adulthood. CCJS will also be producing two further reports: the second will explore the relative virtues of a risk-based versus needs-based approach to young people in transition and the third will compare criminal justice institutional arrangements, in particular those arrangements that might be considered to be informed by social justice principles.



Clinks have developed a range of activities to promote the T2A Alliance work, including a T2A Alliance stakeholder database and a T2A Alliance e-newsletter. In partnership with the Criminal Justice Alliance, Clinks have organised policy panels on the issues facing young adult women, BME young adults and on the topic of drugs and alcohol. Clinks will play a major role in the consultation phase of *A New Start: Young Adults in the Criminal Justice System* and will consult widely with practitioners about their needs and key priorities.

CRIMINAL JUSTICE ALLIANCE

The **Criminal Justice Alliance** has consulted with its members and with ministers, the shadow justice teams, parliamentarians and sentencers on policy affecting young adults in the criminal justice system. They have also held policy panels, in partnership with Clinks, on the issues facing young adult women, BME young adults and on the topic of drugs and alcohol.

the Howard League for Penal Reform

The **Howard League for Penal Reform's** young adult legal team provides access to justice for young adults in custody and leaving custody across England and Wales. The legal team are producing a report for the T2A Alliance looking at the community care entitlements of vulnerable young adults and a 'handbook' for empowering young people and professionals seeking to support them and ensure a safe home and support to lead a successful life.



changing lives
reducing crime

Nacro, Preston have established a 'Street Law' peer mentoring programme which enables young adults to address issues which can lead to offending behaviour. The programme also enables the young adults to become trainers themselves, learn new skills and build confidence in public speaking. Nacro have also provided policy advice and guidance to the T2A Alliance.



Prince's Trust

The **Prince's Trust** is developing a One to One peer mentoring project with young adults in Northern Ireland. The One to One project aims to change the culture of dependency by young adult prisoners on statutory services and empower them to take control of their futures. A young adult is matched with a supporter who provides ongoing guidance and will meet the young person at the gate at the time of their release, take them to their accommodation and support them during their resettlement into the community. The Prince's Trust have also supported the T2A Alliance by providing policy suggestions.



The **Prison Reform Trust** have a five year programme to reduce child and youth imprisonment. They have provided the T2A Alliance with key policy advice and guidance.



Revolving Doors Agency are developing a model of flexible services, including a needs-based commissioning framework for young adults in the criminal justice system who have dual needs across mental health and addiction. RDA have recruited a voluntary team of young adult service users who have taken part in a series of best practice visits.



THE YOUNG FOUNDATION

The **Young Foundation** have run three out of four policy panels with key stakeholders and policy makers on policing, housing, education and employment and health and social care. They have produced reports of the panels which have highlighted the inefficiencies of current strategies and made recommendations, based on the analysis of best practice and innovative approaches within the criminal justice field.



Young People in Focus (YPF), formerly the Trust for the Study of Adolescence, have produced a publication exploring key data around young adults, 16-24, living in the UK today. It explores topics such as health and wellbeing; employment, education and training; family life; social life and crime. The publication has a specific focus on vulnerable young adults and the criminal justice system but locates them within the wider context of all young people in this age group. It will provide policy makers and practitioners with authoritative information and commentary about young adults today, with a unique focus on issues related to the transition to adulthood for young people who face multiple disadvantages.

Contents

6 **Foreword**

9 **Part One:
The current situation**

- 11 Introduction
- 11 What is a 'young adult'?
- 13 Stalled progress
- 14 A growing consensus
- 15 T2A principles
- 16 The political response
- 17 T2A in action

19 **Part Two:
The criminal justice system:
help or hindrance?**

- 21 Policing and the community
- 24 Sentencing and the courts
- 28 Custody and community

37 **Part Three:
The wider social policy agenda:
help moving on?**

- 39 Work, education and training
- 44 Health, housing and social care
- 47 Drugs and alcohol

50 **Conclusion and Next Steps**

51 **Summary of Recommendations**

Foreword

It has been my privilege to chair the T2A Alliance in its work to create a more effective response to the problems caused by young adult offenders. This paper provides a careful analysis of the shortcomings of what has become an increasingly punitive approach and proposes an alternative package of improvements. We think these will produce better results for victims of crime, for young adult offenders themselves, for marginalised young adults at risk of falling into crime, and for ordinary members of communities. We are very keen to hear what others think which is why it is drafted in the form of a consultative 'Green Paper'.



Our proposals are drawn from a variety of sources. Most important is the day-to-day experience of the organisations in the Alliance who provide education, training, housing and resettlement help to many thousands of people in the young adult age range each year. We have also tried to capture the insights and ideas of young adults themselves who have been consulted for this paper. The core of the report is therefore based on reflections by people providing and receiving services up and down the country. We have also conducted policy roundtables to consider specific questions and have studied how the young adult age group is dealt with by criminal justice systems in other jurisdictions. We have been struck by how far other areas of public policy in the UK – in education, health and social care – are seeking to develop policies and practices which meet the distinctive transitional needs of young adults. But the criminal justice system is lagging behind, which is disappointing given the warm reception given to the publication of the 2005 report 'Lost in Transition: A report by the Barrow Cadbury Trust's Commission on Young Adults in the Criminal Justice system.'

Four years on, the Alliance believes that responding more creatively to young people making this transition to adulthood is key to more effective criminal justice policy. The agenda we propose involves more effort to divert minor cases out of the courts and into the hands of organisations which can get to grips with underlying problems; court decision making which considers maturity when holding young adults to account and a system that can take advantage of bespoke community based sentences which are relevant, accessible and achievable. We suggest that in time these will replace short prison sentences for young adults.

For those for whom there is no alternative to prison we argue for new types of custodial centres twinned with further education colleges which can try to become true centres of learning. On release, young adults should be able to access much more vigorous help and encouragement to stay off drugs, in treatment and in work. A national employment initiative, a smarter system of criminal record checks and an expansion of services for young adults with addiction or mental health problems are among the proposals we make, together with a call for a more energetic

approach to dealing with the plight of women in prison set out so clearly by Baroness Corston.

Some of our recommendations would require changes to the law - others can be brought about if agencies work together locally to give priority to this age group. The Barrow Cadbury Trust is putting its money where its mouth is by funding three pilot projects whose experience will prove invaluable as we refine our proposals. Politicians from all parties will be looking more carefully than usual at the costs involved in proposals such as ours. While some of our proposals will involve investment, if, as we believe they will, the proposals produce improved outcomes in terms of reoffending, they should help to reduce demand on imprisonment – which as well as the considerable ethical and social costs, is financially the most expensive sentence.

I am grateful to the members of the Alliance for their work so far; in particular to Rachel Cerfontyne and Alice Murray at the Barrow Cadbury Trust who established the Alliance and to Vicki Helyar-Cardwell at Catch22 who drafted the report.

Rob Allen

Chair T2A Alliance

Part One:
***The current
situation***

Introduction

The Transition to Adulthood (T2A) Alliance believes that there must be a wholesale shift in the way the Government works with young adults in, and at risk of becoming involved with, the criminal justice system. This must be far more than tinkering around the edges of the system, but rather a cross-departmental in-depth look at vulnerable young adults involved in the criminal justice system, and a commitment to find effective ways of working with these young adults in trouble to help them move away from crime. While some modest improvements have been made in recognising issues such as race, gender, juvenile offending and mental health, there has been little progress on young adults.¹

The T2A Alliance is a broad coalition of organisations and individuals working to improve the opportunities and life chances of young people in their transition to adulthood, who are at risk of committing crime and falling into the criminal justice system. The T2A Alliance aims to raise awareness of the problems this group face and to secure policy change to improve their lives. Not every individual member agrees with every recommendation put forward here, however all members agree with the principles and aims of the Alliance.

This paper is the product of the experience of members of the Alliance, as well as extensive consultation and engagement with policy makers, practitioners and young adults on what works to improve the life chances and opportunities of the most vulnerable. Its purpose is to offer policy recommendations for further and widespread consultation.

What is a 'young adult'?

There is growing evidence, both social and cognitive, that young adulthood is a distinct stage in life. People no longer, if they ever did, reach all of the associated responsibilities and recognised attributes of adulthood by the age of 18. Young adults in the 21st century live at home for longer, and depend on their families financially and emotionally for longer.² Undoubtedly, there has been a major social shift over the last century, meaning that today's young adults live in a state of subsidised independence that relies on parental contributions towards their well being and lifestyle.³ In fact, almost half of 18-25 year-olds still rely on their parents for money as they are unable to meet the daily costs of living.⁴

There is also increasing evidence pointing to emerging adulthood as a time when young adults are shaped by their environment in powerful ways.⁵ They are subject to external influences – both negative and positive – which calls into question the notion that by 18 it is already too late to intervene and change behaviour. As well as gaining resilience

*“Students had parents that were there for them, who provided for them. I’ve not had that, me. I’ve had to live off myself.”
[Young Offender]*

Young Adulthood: A Definition

For the purposes of this paper we will define young adulthood as between approximately 18 and 24 years old. However, this age band is intentionally 'blurry round the edges'. Young adulthood, like early adolescence is by its nature difficult to define, as it depends on individual maturity, not simply physical age. We have selected 24 as the upper age limit as by their mid-20s most young adults desist from crime (the peak crime age being 19 to 20 years old).

This age group has been described as "the invisible early twenties" by the then Social Exclusion Unit⁶, and the "lost generation" by Dame Anne Owers, HM Chief Inspector of Prisons.⁷

to environmental pressures, the young adult brain continues to develop core functions of reasoning and judgment into the mid or even late 20s.

As well as making the sometimes difficult transition to adulthood, young adults in the UK report low levels of trust and belonging.⁸ This sense of belonging, a key indicator of wellbeing, forms a thread in this paper. Young adults from disadvantaged backgrounds are shut out from society and cut off from the normal routes to adulthood. They lack the family support and role models needed to make a secure transition into independence.

The distinct needs of this age group that are involved in the criminal justice system are acute. Over 90% of imprisoned young offenders have one of these conditions: personality disorder, psychosis, neurotic disorders or substance misuse.⁹ Young adults have higher rates of self-harm and suicide than older prisoners. They are also more likely than older prisoners to have been in the care system.

Over half of young adults are unemployed on arrest¹⁰ and face few if any job prospects on release – many young adults in prison have never had a stable job and have little hope of ever attaining one. This young adult age group have very high illiteracy levels; a third have a basic skills deficit compared with a quarter of prisoners over 25 years of age.¹¹ Young adults in the criminal justice system are more likely to abuse alcohol than both older and younger prisoners. At least a quarter of young men in prison are fathers, now with little or no contact with their children. And they are more likely than other groups to have been the victim of violent crime.

Stalled Progress

In 2005 the Barrow Cadbury Trust published a report entitled *Lost in Transition* on young adults in the criminal justice system.¹² Despite being well received by government and all parties, since then there has been little change in the way we deal with young adults in trouble.

There are approximately 17,000 young adults (aged 18-24) in prison under sentence in the UK. On current reoffending rates over 70% of these young adults are likely to re-offend within two years of release.¹³ This pattern continues year in, year out as reoffending rates have remained persistently high over the last 20 years.¹⁴ The significant cost to the taxpayer of young adult crime is between £16.8 and 20 billion per year.¹⁵ It costs £50,000 per year alone to put a young adult offender in prison.¹⁶ This represents poor value for money with the total cost of recorded crime committed by ex-prisoners estimated at around £11 billion per year.¹⁷ The criminal justice system is failing to break the cycle of offending among young adults, and is in fact trapping many in a lifestyle of offending behaviour.

The needs of this age group comprise a substantial proportion of the Ministry of Justice responsibilities and costs. Despite making up only 9.5% cent of the population, young adults represent a third of people sentenced to custody each year¹⁸, take up a third of Probation caseload and commit a third of all crime.¹⁹

The recommendations outlined in this paper provide examples of possible long-term savings to the Treasury through a different set of interventions or approaches. Any reduction in offending and/or reoffending would start to see a net benefit to individuals, communities and society, as well as a reduction in cost to the taxpayer.

Furthermore, the current economic crisis is having particularly serious consequences for young adults. There will be increased levels of unemployment among 18-24 year-olds in general, and alarming levels of unemployment for the most vulnerable. In the initial stages of the recession, unemployment rose fastest among this age group.²⁰ Recent figures (March 2009) show the jobless rate among 18-24 year-olds is already 14.6 per cent, compared with 5 per cent for the workforce as a whole.²¹ It is unsurprising that economists are expressing special concern about the outlook for young adults.²²

Unemployment in the young adult stage particularly has profoundly negative consequences that last for life.²³ Therefore, the recession is highly likely to have adverse consequences for both steering young adults away from crime and for helping to rehabilitate them after custody. This is a concern as evidence shows a link between stable employment and reoffending rates.

It is against this backdrop of criminal justice crisis and growing economic pressure that this report proposes a blueprint for reforming the criminal justice system to better meet the needs and challenges presented by young adults.

A Growing Consensus

There is a broad consensus, in Britain and abroad, among practitioners, third sector organisations and academics that the public policy approach to young adults should be distinct.²⁴ In the UK, lack of political will remains the biggest obstacle to change.

The T2A Alliance is calling for a new approach in which:

- trained police officers operate a triage approach and, where appropriate, divert young adults away from the criminal justice system
- the number of vulnerable young adults in prison is reduced through the replacement of short sentences with more effective community sentences
- the Youth Offending Services and Probation Services improve their transition arrangements in a way that recognises the significant culture shift between the youth and adult criminal justice systems
- young adults up to 25 years of age are held in separate custodial facilities, away from older adult prisoners, where their distinct needs can be addressed
- dedicated young adult prisons focus on rehabilitation through work, education and training programmes, support in dealing with mental health problems and courses to tackle drug or alcohol misuse
- on release all young adults receive necessary support to stop offending, including housing and employment.

The wholesale change of approach must be cross-departmental and reflect the holistic nature of young adults' lives. Essential support must be provided outside of the criminal justice system wherever possible, and there must be mainstream responsibility to prevent young adults ending up in the criminal justice system.

T2A Principles

Our proposals are based on the following underlying T2A principles:

1. Young adults aged 18-24 are in a distinct stage of life, for the purposes of this paper called 'young adulthood'.²⁵ This stage encompasses several key transitions, such as moving from home to living independently, from school to work, from family support to relationship support.
2. Troubled young adults are not beyond hope or help; they can, and often do, change their behaviour, with positive interventions or as part of the natural process of maturity. Many young adults experience levels of emotional maturity similar to that of younger teenagers. Those who have had more difficult childhoods take longer to mature than those who have had a more positive upbringing. Trauma in childhood can hamper the maturation process.²⁶
3. A fundamental shift in the way we view and work with young adults is a necessary step to improve the criminal justice system, and, more importantly, to allow young adults to desist from crime and make a positive contribution to society. This new approach must be proportionate to their maturity and responsive to their specific needs.
4. In the vast majority of cases, the underlying causes of young adult involvement in crime are severe need, social exclusion, poverty and family instability. Those young adults from poorer backgrounds can be demonised by the media and by society. Yet wealthier young adults or university students, who, for example, drink too much or damage public property, are often treated more tolerantly.
5. The current penal system is failing young adults, making it more difficult for them to move away from crime. A system that oversees reconviction rates of 75% is highly costly to the individuals, communities and the taxpayer. The current way of dealing with troubled young adults is failing and should be immediately reviewed and overhauled.
6. As far as possible, young adults should access support through mainstream services aimed at preventing them from falling into the criminal justice system.
7. The consistent and meaningful involvement of offenders, young adults and their families, across the various parts of the criminal justice system is essential to improving it. We are committed to offender involvement in the work of the T2A Alliance both in policy and practice.
8. Within the custodial young adult population there are minority groups with distinct needs. For example, women in prison have acute support needs and are likely to be the primary carer for a family.²⁷ Young men from BME communities face disproportionate disadvantage.²⁸

Dan

Dan* is 22. He is the eldest in a single parent family. Not typical of many with a criminal background, he did well at school and had ambitions of going into the army. At 16 he was involved in a serious fire during pre-entry training and received serious burns to his hands and face. Dan developed depression which became a catalyst for negative thinking, behaviour and drug use. He drifted into negative circles and became involved in petty crime escalating into a street robbery for which he got an 8 month sentence. Released with no support he committed another crime – burglary – and received an 18 month sentence.

This time, on release, he was referred to the local T2A team by Probation. He was again at risk of homelessness and had no support networks. The T2A mentor now speaks with him 2-3 times a week and meets him in person at least once a week. Dan has been helped to find stable rented accommodation and has been referred to other agencies to increase employability skills. Dan wants to go to college in September to study plumbing or computing.

“If I didn’t have this support, there’s no way I’d be where I am now” Dan

*names are changed for confidentiality. Dan is a young adult in one of the T2A pilots.

The Political Response

Despite a long history of calls for investment in young adult services, this age group remains largely neglected by policy makers.²⁹ However, we believe there are currently some moves in certain government departments and among the opposition parties that would indicate a willingness to reconsider young adults’ needs.

In 2005, the Social Exclusion Unit published the results of a major review examining how services can best fit the needs of 16- to-25-year-olds with complex needs as they make the transition to adulthood.³⁰ Through the work of its successor, the Social Exclusion Task Force, there is now more support during transitions for four key groups at risk of social exclusion: care leavers, offenders under Probation supervision, adults in contact with secondary mental health services, and adults with moderate to severe

learning disabilities. There is recognition across government that these groups need support beyond the traditional cut off point of 18.

The government has also extended the educational participation age up to 18 with promise of support into work or training for those moving on at 18-19.³¹ These are good signs. But while some government departments are extending support for defined vulnerable groups, and extending the period young people have for learning, training and developing, the criminal justice system’s approach to age barriers remains static.

Similarly, we recognise the work the Conservative Party is doing on policies to address the prison system, notably to reduce reoffending. But any rehabilitation revolution cannot be fully successful without specifically addressing reoffending rates of young adults because they have the highest conviction rates and the highest reoffending rates. The Conservatives’ overarching policy paper on criminal justice, ‘Prisons with a Purpose,’³² makes no reference to young adults, a significant omission that should be rectified as their policies are refined in advance of the next general election.

Liberal Democrat leader, Nick Clegg, stated in a speech at the LSE in January 2009 that he was most concerned that 16-24 year-olds will bear the brunt of the recession.³³ The Liberal Democrats have also committed to reducing the overall prison population. A new approach to the most vulnerable young adults caught up in the criminal justice system would help achieve this aim.

T2A in Action

The Transition to Adulthood Alliance is not simply a campaigning coalition. The T2A Alliance is part of a wider campaign on the ground to improve the lives of young adults. The Barrow Cadbury Trust’s 2005 *Lost in Transition* report called for T2A teams in every local authority, to be responsible for young adults, implementing tailored interventions and bridging the gap between youth and adult criminal justice services. In response to this, the Barrow Cadbury Trust has established three pilots to test different approaches to improving services and support for young adults in the criminal justice system. These pilots are being evaluated by the Oxford Centre for Criminology. In 2009, the Trust has set up pilots in London, delivered by St Giles Trust, in Worcestershire, delivered by YSS, and in Birmingham, delivered by the West Midlands Probation Service.

Part Two:
The criminal
justice system:
help or
hindrance?

Chapter One: Policing and the Community

Once young men and women reach the age of 18 the traditional support structures of school, home, youth work and Connexions that have helped them during their teenage years fall away. No one organisation is held responsible for the outcomes of young adults, nor is any statutory body responsible for providing positive activities for them. At the point when other support is curtailed, the police remain the only statutory agency regularly on the streets at night, where young adults often tend to be. Formal contact between young people and the criminal justice system usually begins with some kind of contact with the police.

The Penalty Notices for Disorder figures show that young people make up a significant proportion of those in contact with the police. The type of Penalty Notice indicates the environment and nature of the contact: between August 2002 and March 2003, 41% were given for disorderly behaviour while drunk.³⁴ So contact between the police and young adults can be frequent and often occurs at times when young adults have been drinking or going out. This interaction is therefore critical. It can be the gateway to the criminal justice system or it could be the positive intervention that diverts young people away from crime.

As well as the disproportionate contact with young people in general, there is a further increased likelihood of contact between the police and Black and Asian young men. In 2007/8, 1,035,438 stop and searches were carried out and black people were eight times more likely to be stopped and searched than white people, and Asian people twice as likely.³⁵ Recent criticism has been levelled at the police for their increase in stop and search without suspicion (under Section 44 of the Terrorism Act), which has resulted in a rise of 322% of stop and search on black people, compared with a rise of 277% for Asian people and 185% for white people.³⁶

We recognise that much good work is being done. For instance, the London Safer Neighbourhood programme, with a team of officers dedicated to each London neighbourhood, is a good example of positive community policing. We support the use of the same officers working in the same areas, who have a clear duty to consult and work closely with the public.

There is also work underway in London piloting new approaches to reduce reoffending, involving the Metropolitan Police Service, London Probation and other agencies. The Diamond Initiative in London aims to divert adults and young people away from further contact with the criminal justice system by offering mainstream support. We support this approach which illustrates the kind of model which could be established for young adults. It is particularly valuable where the offence is youthful in nature and the young adult has clear support needs, such as substance misuse, poor mental health or experience of the care system. Our work thus far, and early indications from the T2A pilots, have shown that

Diamond Initiative

The Diamond Initiative represents a new way of working to help divert adults and young people away from further criminal justice contact. It is being piloted by London Probation and the Metropolitan Police Service, working as part of the London Criminal Justice Board. It is being piloted in 6 London boroughs: Newham, Lambeth, Lewisham, Hackney, Croydon and Southwark.

To help tackle the cycle of reoffending in London, the initiative brings together officers from police, Probation and local authorities. These teams help resettle a wide range of offenders following their release from prison.

The concept builds on work from the USA on justice re-investment which has demonstrated the potential to move money from the penal system into early intervention community initiatives. Diamond draws from the 'Million Dollar Blocks' concept, which has used analysis to demonstrate the significant potential of targeting resources on areas with high resident offender populations.

<http://lcjb.cjsonline.gov.uk/London/1233.html#DI>

strong and reliable local partnerships between the police and third sector can enable this approach to work well.

Whilst recognising existing good practice, our policy panels felt that more could be done to improve and increase the training of police officers to handle the policing of young adults. Sir Ronnie Flanagan's independent review of policing found that:

"In the area of training, development and recruitment, proper recognition must be given to the fundamental importance problem solving skills play in Neighbourhood policing and the significance of ensuring the right people with the potential to acquire the appropriate skills are recruited. Developing these skills needs to be made a core part of the training and development opportunities offered to officers and PCSOs."³⁷

The *Lost in Transition* report highlighted the need for positive relationships between the police and young people to be developed and maintained outside times of conflict. A recent report on gangs by the Centre for Social Justice called for work to improve the relationship between young people and the police in order to effectively tackle gang-related crime.³⁸ Consistent and positive interaction with the police can

help reduce crime and ensure community support for effective policing. We re-iterate that call for investment of time, effort and resources in better community policing. The positive interaction should not stop at school but continue into the mid-20s and beyond. This continued work is justified as the peak age of offending is 19 and the peak age for desistance is 24. Therefore the early-20s can be a key time for diverting young adults away from crime into positive activities.

There is little youth work provision for this age group aimed at diverting young adults from crime. Although many youth work organisations nominally work with young people aged 11- 25, in practice they often focus on those up to 19 years old due to funding challenges. This was found to be the case in research on voluntary sector provision for young adults commissioned by the Barrow Cadbury Trust in 2005.³⁹

RECOMMENDATION ONE

We recommend that more effort is made to divert young adults involved in minor crime away from the criminal justice system and into paths that will address the root causes of their behaviour. We believe the police should be able to take a triage approach i.e. make an immediate assessment of need, and assess the likely benefit from a community intervention. They should have a range of options to ensure young people are diverted into the right help.

RECOMMENDATION TWO

We recommend increased investment in the training of police officers in conflict management, and in particular how to assess and respond to the specific needs and challenges of the young adult age group.

RECOMMENDATION THREE

We recommend the government undertake an immediate audit of provision of educational, youth work and other positive support services in each local authority aimed at diverting vulnerable young adults away from involvement in criminal activity. To address gaps, we further recommend an increase in long-term stable funding for organisations that work with young adults over the aged 18-24 in areas of deprivation and high crime rates. Engagement with young adults aged 18-24 should be specifically included in the next round of National Indicators.

Chapter Two: Sentencing and the Courts

Young adults represent a significant proportion of sentenced offenders across the criminal justice system; they currently make up around a third of people serving a community order, a third of people serving a suspended sentence order, and approximately a third of the those sentenced to prison each year.

While the Sentencing Guidelines Council is currently developing guidance on the principles that should guide courts when sentencing those under the age of 18 convicted of a criminal offence, there is currently no specific set of principles or sentencing guidelines for young adults. Anyone over the age of 18 can in effect be treated as a fully mature adult in the criminal justice system and receive the same weight of sentence as a much older offender, with the exception of the sentence of Detention in a Young Offender Institution.

During the last fifteen years, the uses of custody and community sentences for young adults have increased, and the use of fines has fallen. Over that time the system has become more punitive for young adults.

During 2007, 140,276 young adults (aged 18-20⁴⁰) were sentenced. Of these, 14,291 young adults (aged 18-20) were sentenced to immediate custody, 5,107 to a Suspended Sentence Order, and 25,314 to a Community Order. Some 911 received an absolute discharge, 14,153 a conditional discharge, 75,536 a fine and 4,964 were otherwise dealt with.

There is widespread acceptance that 'youthfulness' should be a mitigating factor in sentencing. This view is shared by government, sentencers and the general public. This common view is summarised by the Sentencing Advisory Panel (SAP) in their recent consultation on youth sentencing. The "factors that are most commonly regarded as having the potential to influence the penalty imposed" are outlined below:

- Offending by a young person is frequently a phase which passes fairly rapidly and therefore reaction needs to be kept well balanced in order to avoid alienating the young person from society.
- A criminal conviction at this stage of a person's life may have a disproportionate impact on the ability of the young person to gain meaningful employment and play a worthwhile role in society.
- The impact of punishment is felt more heavily by young people in the sense that any sentence will seem to be far longer in comparison with their relative age compared with adult offenders.

- Young people may be more receptive to changing the way they conduct themselves and be able to respond more quickly to interventions.
- Young people should be given greater opportunity to learn from their mistakes.
- Young people will be no less vulnerable than adults to the contaminating influences that can be expected within a custodial context and probably more so.⁴¹

All of these criteria could equally apply to someone aged 18-24. There are a number of convincing reasons for extending the mitigating factor of youth beyond 18 years of age. The young adult brain is still in development, is greatly subject to influence by its environment, and is especially responsive to positive interventions. Research in the areas of social policy and behavioural science shows that the maturation process continues up until the mid-20s.⁴² Most people recognise that full maturity is not automatically acquired at 18 and we know that the process of maturation is often made more difficult or extended by trauma or disruptive change.⁴³ A period of custody could slow down a young adult's maturation process and make them *more likely* to commit further

Germany

Young adult offenders aged 18 to 21 can be sentenced under juvenile or adult law depending on the personality and maturity of the offender, when the judge is of the opinion that they are not as mature and responsible for their actions as full adults.⁴⁴

Juvenile law must be applied if motives and circumstances of the offence are typical of juvenile crime. About two thirds of young adults are sentenced as juveniles with the Supreme Federal Court ruling the young adult has the maturity of a juvenile if his or her personality is still developing – a logic which has been used to argue that juvenile justice options should be available for young adults up to the age of 24.

There is considerable variation between states in the proportion of young adults sentenced as juveniles – 88% in Schleswig Holstein to 48% in Baden Württemberg. On the whole it is more serious cases that are dealt within the juvenile jurisdiction and minor, particularly traffic offences that are dealt with in the adult system.⁴⁵ The approach in Germany seems to be working. They have a lower crime rate, a lower incarceration rate, and lower reoffending rates than the UK.

crime. For young adults serving custodial sentences there is a greater risk of self-harm than exists in relation to an adult aged over 24.⁴⁶

There is also clear evidence of a natural age of desistance from crime. The peak offending age is 19 and the most common age of desistance is 24.⁴⁷ As stated in the SAP consultation paper, offending by young people is often a stage they pass through reasonably quickly and sentencing should reflect this fact. It seems more sensible for harsher punishments to start once this natural desisting process has been allowed to function. We are not advocating a form of ‘leave them alone to grow out of it’, but making the case for a proportionate and effective type of punishment that cuts with the grain of human behaviour, not against it, and ensures the root cause of offending behaviour is addressed.

Sweden

In Sweden, youth is considered as a distinct factor in deciding the punishment of offenders under the age of 21 and any statutory minimum may be disregarded. This so-called youth mitigation leads, for example, to different levels of fines for young adults. If the offender is a minor (age group 15-17), day-fines are reduced to half the amount imposed on a person aged 21. If the offender is a young adult (age group 18-20) fines are reduced to two thirds the full amount and a short prison term may be replaced by a fine.

As for terms of imprisonment, these entail a mandatory reduction in length. If the offender at the time of the offence was 15 years old, the prison term will be one fifth of the normal term, at 16 years, one fourth, 17 years, one third, 18 years, half, 19 years, two thirds and 20 years, three quarters.

In its manifesto for the 1997 general election, the Labour Party pledged to halve the time it took to get persistent young offenders from arrest to sentencing. This reduction has since been achieved. Keeping the time from arrest to sentence as short as possible is a priority for under-18’s, but there is a case for reducing delay for under-25’s too. Swiftly bringing home the consequences of their actions, while enabling young adult offenders to make a fresh start, should produce better outcomes. This cost saving will help pay for the increased investment in the court system which will be needed to speed up the system whilst ensuring that necessary measures are applied to achieve successful outcomes.

RECOMMENDATION FOUR

We recommend that new methods are introduced to ensure that the distinctive characteristics of young adults are taken into account when they are sentenced by the courts. ‘Youthfulness’, as defined by the Sentencing Advisory Panel, should be seen as a potential mitigating factor in sentencing young adults between the ages of 18 and 24.

The Alliance would especially like to consult on two separate methods for implementing this recommendation. One model, practised in Germany, would allow a young adult to be tried under juvenile law, according to the nature of their crime and their emotional maturity. The other, operating in Sweden, enforces the reduction of sentence length according to age. In the UK, the Sentencing Advisory Panel’s recent consultation on the principles of sentencing for young people proposed that where the young person is aged 17, the starting point might be approximately three quarters of that which would have been identified for an adult offender. If this proportionate sentence extended upwards, young adults should serve sentences according to a sliding scale from approximately 80% (for 18 year olds) to 100% (for those aged 25).

RECOMMENDATION FIVE

We recommend that all young adult offenders should have a maturity assessment conducted as part of the pre-sentence report prepared by the Probation Service. This assessment should shape the proportionate sentencing response. We further recommend research into international models of conducting maturity assessments and the development of a model suitable for the UK criminal justice system.

RECOMMENDATION SIX

We recommend that new national targets are introduced to halve the length of time from arrest to sentence for young adults aged 18–24.

Chapter Three: Custody and Community

Custody

During 2007, 29,527 young adults (aged 18-24) entered prison establishments under an immediate custodial sentence, 33% of the total number of people entering prison. Undoubtedly, custody is the right response for some young adults. However, current custodial arrangements are damaging, lessen their employment opportunities on release, and can perpetuate a life of crime. Young people are more likely than older people to be affected by these “contaminating influences of custody”.⁴⁸

As of June 2007, the population of young adults (aged 18-24) in prison under sentence was 16,977, making up 26% of the total sentenced prison population.⁴⁹

Of the 16,977 young adults (aged 18-24) in prison under sentence, 4,911 were sentenced for an offence of violence against the person (29%), 767 for a sexual offence (5%), 3,519 for robbery (21%), 2,190 for burglary (13%), 1,997 for drug offences (12%), 989 for theft and handling (6%), and 2,476 for other offences (15%).

The criminal justice system does contain two provisions specifically for young adults. One is the attendance centre requirement that can be attached to a Community Order for anyone aged under-25. The second, more significant exception is that where an offender aged 18-20 is convicted of an offence which is punishable with imprisonment, they receive a sentence of Detention in a Young Offender Institution. There is a long tradition of separate custodial institutions for offenders aged under-21, intended to prevent young offenders mixing with and being influenced by older offenders. This separate custodial regime is also intended to allow a greater focus on education and training.⁵⁰ However, custody as it stands for young adults is woefully inadequate in terms of education, training and ultimately reducing reoffending, while the sentence of Detention in a Young Offender Institution ends at the age of 21, when young adult offenders are still maturing.

The growing evidence base around the distinct needs of young adults supports the idea of separate custodial arrangements not for its own sake but in order to focus on the specific rehabilitation programmes of most relevance to young adults. In assessing the available evidence of young adults’ needs, these services are likely to focus on employment and training, with alcohol and drug treatment and mental health support tailored to gender and age of the offender. The Chief Inspector of Prisons’ thematic report into young adult men recommended young adults receive individual assessments, and receive training and support

that meets their resettlement needs.⁵¹ The T2A Alliance is convinced of the need for separate regimes for young adult offenders. There are some moves towards this within the prison system: we await with interest the work underway at HMP/YOI Isis where a new, 480-place training prison specifically for young adult males is to be constructed on underused land within the existing HMP Belmarsh perimeter wall. Construction is expected to be complete by the middle of 2010.

HMP/YOI Isis Case Study

Following the review of prisons by Lord Carter, a programme to provide additional custodial places was announced, of which HMP/YOI Isis will contribute up to 624 places. The prison has been designed to provide an effective, sustainable regime for offenders, which also meets the needs of a sentenced young adult male population. It was recognised that there is a need for prison places for the 18–21 year old age group within the geographic London area.

Isis will operate as a male young adult establishment for sentenced offenders and in addition we will retain those young men beyond the age of 21, where it has been identified as part of their sentence management. *The maximum age limit will be 24 and 11 months. Adults must be risk-assessed as Category C offenders to remain at HMP/YOI Isis.*

Offender Management will be at the heart of the prison, with a clear focus placed on the 7 pathways and reducing re-offending. All prisoners will be allocated an Offender Supervisor on reception, who will support them while at Isis. They will work together to enable the offender to progress through their sentence, with a focus on their sentence plan and the relevant interventions and offending behaviour programmes they may need to undertake.

Isis will have a diverse portfolio of activities which will meet the assessed needs of the young men in their care, including; formal learning and skills, vocational training, offence-focused interventions, health care programmes and interventions and treatment. Resettlement work will include an integrated approach to sentence management, working with colleagues in the community and employer engagement to secure job places.

<http://www.hmprisonservice.gov.uk>

The majority of young people aged 18-20 in prison under sentence are serving between one and four years. Out of a total of 7,375, some 934 were serving a sentence of less than six months, and 401 were serving a sentence longer than six months but less than twelve months. Precisely 3,795 were serving a sentence of twelve months to four years.

Short prison sentences are the least effective at preventing reoffending⁵²; they disrupt any benefits of 'normal life' like a job or family ties while failing to address the underlying causes of offending. During 2007, more than 50,000 people began a prison sentence of six months or less. 7,442 were aged 18-20, and many more will have been in the broader young adult age group (18-24). While the number of people serving a sentence of six months or less has decreased by 14% since 2005, the number aged 18-20 has increased by 10%.

Yet three out of every five people (59.9%) who serve a sentence of one year or less are convicted of a further offence committed within one year of release. Meanwhile, only just over a third of those on a Community Order or Suspended Sentence Order are convicted of a further offence within a year. These figures may not be directly comparable, as they do not take into account the possible differences between groups of offenders, but they do demonstrate that in a choice between giving a community sentence or a short prison sentence (during which prisoners receive little resettlement help), a community sentence is likely to be the more effective option. While some community sentences have shown a recent reduction in reconviction rates, short-term sentences remain as hopeless for rehabilitation as they were a decade ago.

Moreover, the vast majority of those serving a prison sentence of six months or less have not committed a violent offence. Most do have a number of previous convictions (42% of offenders serving sentences of 6 months or less have 15 or more previous convictions or cautions), but the very high reconviction rates for offenders serving short prison sentences suggest that a sentence of six months or less is unlikely to break this cycle of offending. Instead sentencers should focus on making appropriate and imaginative use of the Community Order, supported by proper resourcing which ensures that all the potential requirements are available in every area and that there are not significant waiting periods before an offender can begin an order.

Elsewhere, this is being recognised and is starting to inform public policy. For instance, the Scottish National Party has recently announced its intention to phase out all sentences of less than six months, replacing them with community payback schemes. This was welcomed by Victim Support Scotland groups who recognised that short-sentences were not working and thought that tougher community sentences were the

*"You can go into jail because you've just done something small, but then you're sat there listening to everyone else talking and you're learning new s**t and how to do new things."
[Young Offender]*

answer instead.⁵³ This view of victims' support groups was backed up in our policy panels, where one group argued that many government initiatives are undertaken "in our name but not necessarily with our support". We strongly support the rights of victims (indeed, 16–24 year-olds are the group most at risk of being a victim of violent crime and theft).⁵⁴ However, victims' groups tell us they are concerned crucially about what works. The "contaminating influences that can be expected in a custodial regime" should cause the government to limit incarceration to only where necessary for public protection. Custody is not, and in its present form cannot be, an effective means of rehabilitation. It may even extend the process of maturation and delay the usual tendency towards desistance from the mid-20s.⁵⁵ Therefore, prison by its very nature, in its treatment of some young adults, could make the public less safe in the long-term.

Young Women in Custody

Recent important work has been done on the particular needs of women in the criminal justice system, including the Corston Report and the Cabinet Office Short Study on Women Offenders.

We do not attempt to repeat this work, but the T2A Alliance notes the Cabinet Office findings that over 50% of women received into prison under immediate custody are under 30 years old. The study also found that young adult women experience both the highest level, and the most complex set, of needs of women in the criminal justice system.⁵⁶

We also know that women are often the primary carer of a family and that most women in prison are mothers. Putting both women and men who are parents in prison affects their whole family. 65% of boys with a convicted parent go on to offend themselves.⁵⁷

Community

Over the last decade the number of people (including young adults) receiving community sentences has increased. This has happened alongside a significant growth in the prison population.

There is already recognition by the Probation Service that community sentences for this age group should be tailored to individual need. In 2003, the National Probation Service introduced a community programme aimed specifically at young adults: the Intensive Control

and Change Programme (ICCP). It was intended as a direct alternative to custody for 18-20 year-olds. The programme offered “high levels of control over the structure of the community sentence” and “intensive, evidence-based interventions during community supervision to tackle criminogenic needs in order to change attitudes and behaviour”.⁵⁸

The ICCP was replaced by the generic Community Order, following the implementation of the Criminal Justice Act 2003. The Order has a ‘menu’ of twelve requirements intended to target the individual need of the offender. The requirements include unpaid work, supervision, curfew, mental health treatment, and drug and alcohol treatment. The new Community Order and Suspended Sentence Orders were specifically intended to reduce the custodial population. However, their introduction has not reduced the levels of short-term custody and has proved to be problematic at serving young adult needs.⁵⁹ For example, Probation officers point out that not all twelve requirements are available, the two most commonly cited as missing being alcohol treatment and mental health requirements⁶⁰ – both identified as key needs of young adult offenders. The Sainsbury’s Centre for Mental Health also identified serious gaps in provision for the mental health requirement.⁶¹

Early examples of best practice from the T2A pilots

London T2A Pilot – St Giles Trust

The London T2A pilot is based in Southwark and Croydon. It was launched in January 2009 and works with young adults both in custody and in the community. The service is delivered by staff who are all qualified ex offenders and comprises of mentoring, motivational work, attitudinal work, combined with competent practical support in areas such as housing, benefits and employment, training and education.

The London T2A teams have been welcomed by the Youth Offending Team and Croydon Probation Service. The new project fills a much needed gap in the services available to young people reaching 18. Croydon Probation makes direct referrals to the service, and the local YOT team have invited the T2A teams to work alongside their key workers on some cases.

The T2A teams working in Southwark have good relationships with the local Police. Operation Hamrow - a specialist team of police officers, which aims to prevent young people from being drawn into organised crime – refers young people directly to the T2A teams.

www.stgilestrust.org.uk

Worcestershire T2A Pilot – YSS

The Worcestershire pilot has been receiving referrals since February 2009 and has worked with 25 young adult offenders with high needs in the community. The pilot offers a flexible, community based, one to one support and mentoring service using a mixture of paid staff and local volunteers.

In Worcestershire, YSS has established a robust multi-agency steering group with senior management representation from across the criminal justice system, including the Youth Offending Service, Police, Probation, Connexions, Courts and Children’s Services.

The T2A pilot has developed strong links with both the Probation Service and Youth Offending Service and has influenced the way they work with young adults. Probation T2A Champions have been developed within Probation operational teams to help support Probation staff with young adults on their case load. In addition, joint YOS and Probation training workshops have been developed to identify and implement best practice. The T2A pilot, where a young person’s involvement is voluntary, is able to successfully run alongside the enforced supervision by Probation in a complimentary way and has increased engagement and lowered the risk of breach, as well as the potential use of custody for non-compliance.

www.yss.org.uk

As well as failing to reduce levels of custody, current Community Orders are proving disproportionately challenging for young adults to complete. Currently, young adults often receive the most punitive community sentences. Curfews, banned activities and unpaid work are common, making it harder not to breach the order, but lack the necessary support for young adults to fulfil the requirements. As a result of a breach, there are rapidly rising numbers of young adults ending up in prison⁶². Effectively, the poor supervision and the inflexible nature of requirements are setting up young adults to fail. We heard from one policy panel that some women with chaotic lives often fail to attend unpaid work days simply because they are unable to arrange for childcare.

With regard to conditional cautioning, in January 2008 the then Justice Minister, David Hanson, said: “We are planning to test out the referral of young adult offenders (18 to 25 years) to existing senior attendance centres through the conditional cautioning scheme, which diverts offenders who admit their offence from court in appropriate circumstances. The centres aim to assist these offenders to acquire and

develop personal responsibility, self-discipline and new practical skills and interests within a structured and disciplined environment.”⁶³ Where there is an attendance centre locally which provides an appropriate programme, young adult offenders can consequently now be referred to an attendance centre through the conditional cautioning scheme. However, this has only been used for a very small number of offenders.

It is clear that community sentences are vastly preferable to custodial sentences where young adults do not pose a threat to public safety. However, the current Orders are not working as well as they could to address young adults’ specific rehabilitative needs.

RECOMMENDATION SEVEN

We recommend the Government make it a priority to reduce the UK prison population, starting immediately with the reduction of the number of vulnerable young adults in custody serving short sentences for non-violent crimes. We recommend further research into the most effective means to achieve this, including research into the benefits of abolishing altogether prison sentences of six months or less, and ensuring their direct replacement with community sentences.

RECOMMENDATION EIGHT

We recommend that more use should be made of existing sentences to treat alcohol misuse and mental health problems with the necessary expansion of treatment provision.⁶⁴ More account should be taken of the needs of young women in serving their sentence – specifically, their poor self-esteem, mental health problems and being the primary carer for a family.

RECOMMENDATION NINE

We recommend that the availability of the sentence of Detention in a Young Offender Institution should be extended to 18-24 year-olds, and that the structure of this regime should be radically overhauled to support rehabilitation programmes to facilitate better the reintegration into society. We further recommend that young adults should be located in dedicated local community prisons twinned with local further education colleges. There should be adequate education, training and work opportunities, alongside support for mental health needs and other tailored support services. Subject to public safety, young adults should be able to undertake courses, training programmes and work experience in the local community on day release. To make the most of this training, effective resettlement planning should start at the point when a person is charged and include the voice of the young person and their families. We are very clear that these young adult prisons should replace existing prisons, not expand the custodial estate, and would require the dismantling of existing custodial arrangements.

RECOMMENDATION TEN

We recommend that Youth Offending Services and Probation Services improve their transition arrangements in a way that recognises the significant culture shift between the youth and adult criminal justice systems. In order to facilitate this transition, both agencies need to be supported by other key agencies within Local Authorities, Children’s Services, Health, Adult and Community Services and the wider voluntary sector. Subject to the evaluation of the three T2A pilots, we recommend similar models (adapted to different regional needs) that comprise a lead professional co-ordinating the measures needed to rehabilitate young adults.

We are trialling one team through the Probation Service and others through third sector organisations. We would like to consult on which agencies are best-placed to deliver these teams and whether they should be part of statutory provision. We would also like to consult on whether separate T2A teams need to be created or whether a T2A style of working can be adapted to fit within existing structures. Core functions of the T2A teams could include:

- *Support during the transition at 18 from Youth Offending Teams to Probation.*
- *Additional wrap-around support for young adults serving community sentences to help address needs and reduce the number of young adults breaching their Community Orders.*
- *Support for young adults to aid resettlement when coming out of prison, alongside other mentoring help.*

*Part Three:
The wider
social policy
agenda: help
moving on?*

Chapter Four: Work, Education and Training

“If you had a job you probably wouldn’t be going out robbing, but then you go for a job they find you’ve got a record”.
[Young Offender]

A job, and the resulting sense of belonging to society, is important in helping all young adults make their transition to adulthood. For those who do not achieve at school or in the workplace, there is a greater risk of getting involved in crime and remaining in a cycle of offending: Government figures show that 20 per cent of men and 8 per cent of women who had not been in education, employment or training (NEET) aged 16-18 became involved in crime between the ages of 17 and 30, three times the rate among young people as a whole.⁶⁵

A stable job is therefore a key factor in reducing reoffending. For this reason, there is a need to greatly increase current efforts to equip offenders with skills and qualifications. We recognise the work that has been started since the establishment of the Offender Learning and Skills Service (OLASS), and we await with interest the results of its test beds run, ‘reducing reoffending through skills and employment’, that are trying to establish examples of best practice in this area.

A key theme emerging from the young people attending our policy panel in March 2009 was their clear desire to work.⁶⁶ Yet there remains a high rate of unemployment for young adults entering the criminal justice system. This is particularly true of young men, who make up the vast majority of the young adult prison population: over half of young men had not been in work prior to prison.⁶⁷ The overall prison population lack basic qualifications – 52% of men and 71% of women in prison have no qualifications at all.⁶⁸

The skills deficit has more serious consequences for young adults in prison, many of whom have never experienced a significant time in stable employment. For young men in communities where the traditional routes to male employment are now curtailed, the immediate wealth promised by gang-related crime can be a further attraction of criminal activity.⁶⁹ The possibility of a stable job that not only provides financial security, but also respect and belonging, could help young men move away from crime.

For some young adults, particularly with family instability, housing difficulties or learning needs, extra support is crucial in helping them to find and maintain a job. Most young people get support for continued education, a first job or training from their parents, friends, teachers or wider family support. More than half of young adults have structured long-term support – in the form of university – to help them make the transition from childhood to adult employment.

Once in prison, the nature of the current custodial regime further hampers learning. For this reason, in an earlier chapter we argued for Young Offender Institutions to be extended to cover those up to at least

25 years of age, with extra provision and support, as well as for young adults to be placed in community prisons with every effort made at reintegrating people on release from prison. While young adults are in prison, the focus should be on equipping them with 'work-ready' skills.

On release, a further barrier to employment is created by the need to declare where an ex-offender received their qualifications. The T2A Alliance has thus far been most convinced by the idea of a twinning model between young adult prisons and local further education establishments. The qualifications gained by offenders would be a recognised and accredited from that establishment, and therefore valid 'on the outside'.

For offenders who display consistent good behaviour, access to work off-site should be a regular part of serving their sentence. Much more could be done to enable greater numbers of offenders to access learning off-site. We believe this could become mainstream practice by twinning non-offenders with their peers who are studying at FE colleges. This must be accompanied by a right to continue any education on release. Young adults who start a qualification in prison should be able to apply to local authorities for financial assistance (as do all students) to continue it.

On leaving prison, there are systemic barriers to learning created by the welfare system. Effective resettlement of young adults is hampered by lower levels of benefit.⁷⁰ Young adults under-25, receive a lower level of housing benefit, and under-21's receive a lower rate of minimum wage.

Swinfen Hall work with young adults

As part of a RESET programme in HMYOI Swinfen Hall, young adults are given the opportunity to gain real and useful qualifications while in prison. Young adults demonstrated a keen interest in training directly linked to a job they could see themselves doing in the future. Almost every young adult asked to be included on the forklift truck pilot as they could immediately see the benefit of going on the course and getting a qualification.

RESET (Resettlement, Education, Support, Employment and Training) was a two year pilot project to develop a resettlement model that could be widely adopted to help cut re-offending levels. It involved more than 50 partners, including the YJB, the prison service and the DCFS. The lead partner was Catch22 (previously Rainer).

www.catch-22.org.uk

[40]

There is little consistency of approach, with different benefits ending at 21, 24 and 25 years of age. However, on all fronts young adults receive the least money, yet the toughest regulations.

Moreover, complex benefit rules can hamper young adults getting the vital education and training they need.⁷¹ Current housing benefit rules mean the most disadvantaged and least qualified people are denied the opportunity to get back into education.⁷² This is despite evidence showing that some young people mature slower than others and only in their early 20s feel committed to study or are able to put long-term gain above short-term demands.

On leaving custody, resettlement support is inadequate, patchy and ultimately not targeted at the distinct needs of young adults.⁷³ There is a widespread consensus that resettlement needs of young adults include employment, housing, stable relationships, responsibility, and positive family relations, and that the current systems are inadequate. On leaving prison, young adults need to possess at least one form of identification, a national insurance number, a bank account and basic financial security in the form of benefits or preferably work. We know that many young people appreciated education in custody but did not know how to build on this on their release.⁷⁴ Young adults are being set up to fail because of a lack of planning and support for their release.

The Passport to Adulthood tool is a system used by New York City Family Court judges to improve the outcomes for young adults as they embark on adulthood and transition out of the care system. The scheme models an effective approach, whereby the judge acts as a champion for the young adult and can call all of the relevant agencies to account to ensure that the young person receives the support that they need. Other localities, such as Des Moines in Iowa are currently exploring the use of the Passport to Adulthood tool for young adults leaving custody. We recommend a similar approach in the UK for young adults leaving custody, that is: one that holds people accountable for the care needs of that young person.

Further difficulties in the rehabilitation of young adult offenders can occur because of criminal record legislation. Young adults in our policy panels felt this was one of the biggest barriers to securing work. The government currently rewards businesses with £2,500 to hire a young adult unemployed for six months or longer. This deters employers from hiring ex-offenders who cannot count their time in prison as unemployed, so they end up at the back of the queue on release. For the sole purpose of enabling companies to employ ex-offenders without being penalised, offenders should be able to count time in custody

[41]

as being unemployed.⁷⁵ Assisting young adult ex-offenders into a job will reduce reoffending and make society safer as well as being a cost-effective approach: the thinktank Policy Exchange estimated that a national offender employment programme could save the taxpayer as much as £300 million per year.⁷⁶

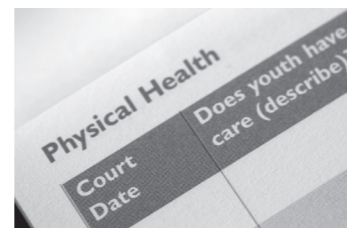
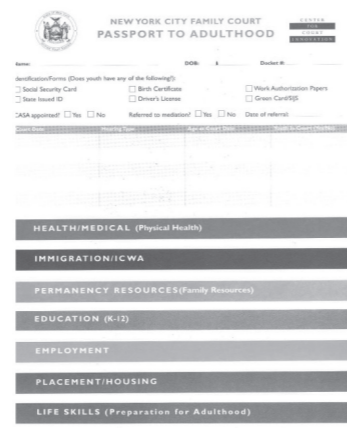
Case Study: Passport to Adulthood New York

The Passport to Adulthood is a unique tool created by the Center for Court Innovation in the United States to help New York City Family Court judges improve the outcomes for young adults during their transition from the care system at 18 or 21.

The Passport to Adulthood tool was developed in response to the lack of current and centralised information on the services received by young people whilst in care and after care. The Passport tool covers many areas of a young person's life, such as their medical history, housing, education, employment, immigration status and life skills. The Passport serves as a check-list to prompt the judge to ensure that the young person has all of the vital identification forms required in adult life, such as a social security card and birth certificate. The document enables the years of a young person's life to be stored in a central place, including: dental, hearing and optical records, school grades and records of family relationships.

The Passport acts as an accountability tool for the judge, ensuring that the different issues in a young person's life are being addressed by all of the services that a young adult engages with. In addition, the Passport encourages the young adult to communicate and ask specific questions of their lawyer, case worker and judge.

www.courtinnovation.org



RECOMMENDATION ELEVEN

We recommend the establishment of a national employment programme for ex-offenders. In order to mitigate the perceived risks by business, we further recommend that the Government should provide financial incentives such as tax relief and cash rewards. Offenders should be able to count their time in custody as being unemployed in order that businesses are eligible to receive the £2,500 currently offered to companies who employ unemployed young adults.⁷⁷

RECOMMENDATION TWELVE

We recommend the implementation of a new system of 'CRB Smart' for young adults. Criminal convictions should only be declared if relevant to the job being applied for. The Probation Service could decide the relevant declarations on the basis of the job role.

RECOMMENDATION THIRTEEN

We recommend that every young adult (18-25 years-old) who requests it should be met at the gate on their release from prison and be supported by a positive role model through this transition. The voluntary and community sector has a proven track record in offering successful individualised support and quality mentoring that reduces reoffending and could provide this support.⁷⁸

RECOMMENDATION FOURTEEN

We recommend that planning for resettlement should start from the moment a person enters custody, and must include the voice of the young person and their families⁷⁹. The government should enhance the role of ex-offenders in providing resettlement support, and should encourage prisons to allow ex-offenders to volunteer in prisons.

Chapter Five: Health, Housing and Social Care

Physical and Mental Health

Social, economic and environmental inequalities can cause and exacerbate poor physical and mental health.⁸⁰ These inequalities show up in poor educational achievement, joblessness, family breakdown and poor housing, among other indicators. There is also a disproportionate level of social disadvantage and poor mental health amongst young adults in the criminal justice system.

The prevalence of mental health problems for those in custody is increasingly well-documented. Around 85% of children in prison show signs of a personality disorder, and 10% exhibit signs of a psychotic condition.⁸¹ This figure will be similarly high for young adults who have not received treatment in juvenile custody. Other reports put the figure of mental health disorders in prison at between 40% and 70%. The Sainsbury's Centre for Mental Health estimates that 60-80% of male prisoners and 50% of female prisoners have a form of personality disorder, compared with just 5-15% in the general population. The need to address this issue is pressing: approximately half of all deaths in or following police custody involve detainees with some form of mental health problem.⁸²

Although we are beginning to grasp the size and complexity of mental health problems in prisons, there is much work to do in understanding the specific needs of young adults. There is little research on issues facing both male and female young adults, and consequently there is also very little tailored service provision. A 2007 report by the Howard League for Penal Reform, called *Minding the Gap*, highlighted the scarcity of mental health services for both children and young adults in custody.⁸³ More widely, academics point to the paucity of evidence regarding the use of mental health services in young adulthood.⁸⁴

Despite an overall trend to divide mental health research into children, under the age of 18 and adults, everyone over 18, some organisations are looking into the specific needs of young adults. The Sainsbury's Centre for Mental Health is currently undertaking a review of young adult women with Borderline Personality Disorders. The focus on young adult women is due to the high proportion of young women in prison with this form of Personality Disorder, often serving short sentences.⁸⁵ The Sainsbury's Centre also found that many young adult men in prison have Antisocial Personality Disorders, resulting in violence, lack of empathy and recklessness.

Mental health problems are not always identified early enough in 'at risk' young people before they enter the criminal justice system. Those identified early can be diverted from criminal justice into appropriate

mental health care. This has been recommended by a large number of organisations in the field and recently by Lord Bradley.⁸⁶ More work needs to be done to identify, support and help people with poor mental health once they have been sentenced and are serving community orders or custodial sentences. Lord Bradley also highlighted the disproportionate number of young black men with mental health problems in the criminal justice system and the current lack of research into this area.⁸⁷

Physical health is an often overlooked need among young adults. Although young adults are generally healthier than older adults and children, for instance having low obesity rates and a good level of physical exercise⁸⁸, they are unlikely to be registered with a doctor due to a chaotic lifestyle, lack of a fixed address and possible substance misuse. The New York City Passport to Adulthood tool, previously highlighted in this report, ensures that those leaving care are registered with a doctor, dentist and optician. The Passport to Adulthood form requires officials to write in the young person's latest eye check and dentist appointment for example, providing a high level of tailored health support.

Housing and social care

A stable and safe home is important to enable young adults to study, maintain a job and establish successful relationships. Increasingly, people are leaving home later (on average at 24 years of age), they remain financially dependent on their parents later (until their mid-20s), and often move back home before finally learning to live independently.

More vulnerable young adults do not always receive this support. A New Policy Institute report in 2000 entitled *Sidelined: Young Adults' Access to Services* looked specifically at housing and welfare provision for young adults aged 16-25 and found that in terms of spending priorities on housing and social care, young adults regularly lose out compared to other age groups.⁸⁹

The Government recognises that defined groups of young adults need extra support after 18 in order to establish a home. Young adults leaving care are entitled to housing support until they are 21 years old. Other very vulnerable young adults, particularly those leaving custody, often need to access the same level of housing support but do not always receive it. One in five young men (aged 15 -21) don't know where they are going to live on release from prison.⁹⁰ This is worrying as a high proportion of young adults in the custodial estate have been in the care system or experience similar vulnerabilities to those leaving care.

*"I didn't have family to tell me that [to stop committing crimes]. I've grown up with aunts and uncles and cousins. I've lived all over the place. I've had a hard life."
[Young Offender]*

Chapter Six: Drugs and Alcohol

John

John is a very vulnerable 18 year-old with learning disabilities. He is serving a custodial sentence. He has undertaken the relevant offending behaviour course in custody and has a parole review in the summer. John's Probation Officer is of the view that John is too vulnerable to be placed in a 'bail hostel' with adult offenders, and is too vulnerable to be placed in independent or semi-independent accommodation. His Probation Officer has recommended that he should be released so long as he has access to supported accommodation for vulnerable young adults. Despite having leaving care rights, Social Services are refusing to fund such a placement.

RECOMMENDATION FIFTEEN

We recommend that the Government and local authorities map the mental health needs of young adults aged 18 to 25 in each area. Local authorities should expand mental health services to meet those needs, and ensure services reflect the holistic range of young adult needs.

RECOMMENDATION SIXTEEN

We recommend that the Government adopts the recommendations in the Sainsbury's Centre for Mental Health on diversion at every stage for people with mental health problems.⁹¹ In particular, we support the recommendation by Lord Bradley, in the report of his recent review of people with mental health problems or learning disabilities in the criminal justice system, that all police custody suites should have access to liaison and diversion services to facilitate 'the earliest possible diversion of offenders with mental disorders from the criminal justice system, and signposting to local health and social care services as appropriate.'⁹²

RECOMMENDATION SEVENTEEN

We recommend that all young adults leaving custody should receive similar support to those young adults leaving care, including a social worker and personal advisor. They should have a full assessment of all of their needs, including housing needs, as well as a plan of how these will be met on release. Social services must provide or arrange suitable accommodation if the young person's welfare requires it. These arrangements need to be in place in advance of the young person's release from custody. This support should continue until the young person is 24 years old and be for a minimum of six months. The assessment should also consider whether the young person is entitled to assistance from adult social services and a referral made if they are.

"It starts off with smoking weed, then you start getting in debt, then you've got to rob to pay your debts off."
[Young Offender]

Using alcohol and drugs is a common experience amongst young adults and across all social groups. Those aged 20-24 are the most prolific users of illicit drugs, with reported class A drug use three times higher than other age groups.⁹³ Some 42% of young people aged 16-24 have used illicit drugs, and two in ten have used one or more illicit drugs in the past year. There are growing levels of alcohol dependency among young people: 16-24 year-olds have the highest prevalence of excessive drinking compared to all other age groups.

Most young adults grow out of this stage and move on to settle down with new responsibilities, such as work or relationships. This can be a normal part of moving into adulthood.

However, some young people get caught in a pattern of substance misuse that is hard to break and can be very damaging. Young adults in more than one vulnerable group (including truanting; exclusion from school; time spent in care; homelessness; a background in offending) are four times more likely than other young adults to misuse drugs, and eight times more likely to be frequent users.⁹⁴

There is therefore a need for the expansion of treatment programmes and other support to help young adults reduce or stop their substance use. Our policy panels reported the need for more services appropriate for young adults. Most drug treatment services are funded to work with people addicted to more 'serious' opiate-based addictions, yet young adults tend to use a range of different drugs at the same time. Recent research has shown a growing number of young people using ACCE (Alcohol, Cannabis, Cocaine and Ecstasy) in planned combinations to create a desired effect.⁹⁵ This is creating a new type of drug-user who cannot be adequately treated within the existing opiate-based adult services.

As well as the illegality of drug use itself (12% of young adults aged 18-24 in prison under sentence were imprisoned for a drug offence), there is a clear link between substance addictions and other criminal activity. The government notes the link between Class A drug use (essentially heroin, crack and cocaine) and acquisitive crime.⁹⁶ Furthermore, up to 54% of young adult offenders themselves link their crimes to alcohol and 42% to drugs.⁹⁷

There is a clear need to break the link between substance misuse and crime among young people. While those who make profit from other people's addictions should of course be punished, toughening up penalties for minor drug offences will simply send more young people to prison where their addictions are unlikely to be addressed and their likelihood to commit further crime increased. Young adults are often the most visible targets for low level drug enforcement activity,

Case study: Liverpool Young Adults Transitional Service

The 18–25 Transitional Service in Liverpool was set up in response to research with young adults showing their distinct needs. Young adults did not want to access adult services as they felt those services were for heroin users. For those who had attended adult services, the experience had been overwhelming. Many were put off attending, or later dropped out, because of the exposure to older adults with more serious problematic drug use.

The Transitional Service works closely with partner agencies to provide a complete package of care. A clear working partnership has been developed with the adult services to ensure a smooth transition if the young person requires this move.

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predominantly due to their presence on the streets and their increased contact with police compared to older offenders. This disproportionately affects young ethnic minority groups. This is despite no evidence of higher levels of drug use, and in fact lower levels of Class A drug use, among BME communities.

For all the reasons outlined in previous chapters on the impact of custody, drug treatment based in the community is more likely to benefit this age group than treatment programmes operated in prison. Our policy panels felt there was insufficient evidence available on the effectiveness of prison-based programmes, and gave anecdotal evidence that many offenders relapsed into drug use on release from prison.

Treatment in the community may be particularly beneficial for young women in the criminal justice system, whose drug use is often linked to experience of abuse, poor self-esteem and mental health problems. More than one in three women offenders have histories of sexual abuse and over half have been the victims of domestic violence.⁹⁸ Community sentences can enable effective treatment programmes to take place alongside other support. These programmes need to be flexible to account for young adults' chaotic lifestyles. It benefits no one to imprison users for breaching their order before they can complete their treatment. Working in the communities allows for treatment agencies to engage with the families of young adults with addictions, including working with their siblings, to provide long-term solutions and get a whole family back on track.

Research into effective drug rehabilitation programmes for young adults by Revolving Doors Agency highlighted the need for a holistic approach and found some evidence for using multi-systemic treatment (MST).⁹⁹

RECOMMENDATION EIGHTEEN

We recommend the first recourse use of community sentences rather than prison for most young adults with substance misuse problems who are convicted of relatively minor offences. We further recommend that there should be increased use of Drug Rehabilitation Requirements as part of community orders. This drug treatment must be flexible for young adults, both male and female, with chaotic lives.

RECOMMENDATION NINETEEN

We recommend the expansion of drug treatment programmes tailored to address current trends in young adult drug use. Trends that need special support include polydrug use and use of 'softer' drugs, such as alcohol and cannabis, rather than simply opiate-based addictions. Alcohol abuse should be treated as a priority for action, alongside drug abuse, as it is now a major cause of reoffending.¹⁰⁰

RECOMMENDATION TWENTY

We recommend the expansion of drug services that engage with the wide-ranging needs of vulnerable young adults, of which their drug use is one aspect. We further recommend a detailed evaluation of multi-systemic therapy (MST) as a means of treating young adults with addictions.

RECOMMENDATION TWENTY-ONE

We recommend that sentencing practice should make a greater differentiation between people who carry out social supply (buying small amounts of a drug and selling to their friends) and those who are selling drugs for financial gain.

Conclusion and Next Steps

This report has argued that some young adults are being trapped in a cycle of reoffending. They have been let down by a lack of essential mainstream support and ended up in a poorly devised and failing criminal justice system where their support needs cannot be addressed. It is time for a new approach. This paper sets out some policy recommendations for wide consultation and debate.

Consultation responses will be collated and will contribute to the final set of policy recommendations to be published by the T2A Alliance in autumn 2009. You can respond by completing our online questionnaire or by sending a written submission to the Alliance. Further details can be found at www.t2a.org.uk/alliance. This consultation will close on Monday 9 October 2009.

The T2A Alliance formed because we believe that we can make a difference to the lives of young adults more effectively together than apart. But even as an Alliance, we cannot do this on our own. We cannot make a difference without widespread support and challenge from practitioners, young adults, policy makers and the general public. For this reason, if you support the overall aims of the Alliance to improve policy and practice for vulnerable young adults in the criminal justice system, we ask you to sign up online and support us at:

www.t2a.org.uk/support_us

Tell your colleagues and friends.

Summary of Recommendations

RECOMMENDATION ONE

We recommend that more effort is made to divert young adults involved in minor crime away from the criminal justice system and into paths that will address the root causes of their behaviour. We believe the police should be able to take a triage approach i.e. make an immediate assessment of need, and assess the likely benefit from a community intervention. They should have a range of options to ensure young people are diverted into the right help.

RECOMMENDATION TWO

We recommend increased investment in the training of police officers in conflict management, and in particular how to assess and respond to the specific needs and challenges of the young adult age group.

RECOMMENDATION THREE

We recommend the government undertake an immediate audit of provision of educational, youth work and other positive support services in each local authority aimed at diverting vulnerable young adults away from involvement in criminal activity. To address gaps, we further recommend an increase in long-term stable funding for organisations that work with young adults over the aged 18-24 in areas of deprivation and high crime rates. Engagement with young adults aged 18-24 should be specifically included in the next round of National Indicators.

RECOMMENDATION FOUR

We recommend that new methods are introduced to ensure that the distinctive characteristics of young adults are taken into account when they are sentenced by the courts. 'Youthfulness', as defined by the Sentencing Advisory Panel, should be seen as a potential mitigating factor in sentencing young adults between the ages of 18 and 24.

The Alliance would especially like to consult on two separate methods for implementing this recommendation. One model, practised in Germany, would allow a young adult to be tried under juvenile law, according to the nature of their crime and their emotional maturity. The other, operating in Sweden, enforces the reduction of sentence length according to age. In the UK, the Sentencing Advisory Panel's recent consultation on the principles of sentencing for young people proposed that where the young person is aged 17, the starting point might be approximately three quarters of that which would have been identified for an adult offender. If this proportionate sentence extended upwards, young adults should serve sentences according to a sliding scale from approximately 80% (for 18 year olds) to 100% (for those aged 25).

RECOMMENDATION FIVE

We recommend that all young adult offenders should have a maturity assessment conducted as part of the pre-sentence report prepared by the Probation Service. This assessment should shape the proportionate sentencing response. We further recommend research into international models of conducting maturity assessments and the development of a model suitable for the UK criminal justice system.

RECOMMENDATION SIX

We recommend that new national targets are introduced to halve the length of time from arrest to sentence for young adults aged 18-24.

RECOMMENDATION SEVEN

We recommend the Government make it a priority to reduce the UK prison population, starting immediately with the reduction of the number of vulnerable young adults in custody serving short sentences for non-violent crimes. We recommend further research into the most effective means to achieve this, including research into the benefits of abolishing altogether prison sentences of six months or less, and ensuring their direct replacement with community sentences.

RECOMMENDATION EIGHT

We recommend that more use should be made of existing sentences to treat alcohol misuse and mental health problems with the necessary expansion of treatment provision.¹⁰¹ More account should be taken of the needs of young women in serving their sentence – specifically, their poor self-esteem, mental health problems and being the primary carer for a family.

RECOMMENDATION NINE

We recommend that the availability of the sentence of Detention in a Young Offender Institution should be extended to 18-24 year-olds, and that the structure of this regime should be radically overhauled to support rehabilitation programmes to facilitate better the reintegration into society. We further recommend that young adults should be located in dedicated local community prisons twinned with local further education colleges. There should be adequate education, training and work opportunities, alongside support for mental health needs and other tailored support services. Subject to public safety, young adults should be able to undertake courses, training programmes and work experience in the local community on day release. To make the most of this

training, effective resettlement planning should start at the point when a person is charged and include the voice of the young person and their families. We are very clear that these young adult prisons should replace existing prisons, not expand the custodial estate, and would require the dismantling of existing custodial arrangements.

RECOMMENDATION TEN

We recommend that Youth Offending Services and Probation Services improve their transition arrangements in a way that recognises the significant culture shift between the youth and adult criminal justice systems. In order to facilitate this transition, both agencies need to be supported by other key agencies within Local Authorities, Children's Services, Health, Adult and Community Services and the wider voluntary sector. Subject to the evaluation of the three T2A pilots, we recommend similar models (adapted to different regional needs) that comprise a lead professional co-ordinating the measures needed to rehabilitate young adults.

We are trialling one team through the Probation Service and others through third sector organisations. We would like to consult on which agencies are best-placed to deliver these teams and whether they should be part of statutory provision. We would also like to consult on whether separate T2A teams need to be created or whether a T2A style of working can be adapted to fit within existing structures. Core functions of the T2A teams could include:

- Support during the transition at 18 from Youth Offending Teams to Probation
- Additional wrap-around support for young adults serving community sentences to help address needs and

reduce the number of young adults breaching their Community Orders.

- Support for young adults to aid resettlement when coming out of prison, alongside other mentoring help.

RECOMMENDATION ELEVEN

We recommend the establishment of a national employment programme for ex-offenders. In order to mitigate the perceived risks by business, we further recommend that the Government should provide financial incentives such as tax relief and cash rewards. Offenders should be able to count their time in custody as being unemployed in order that businesses are eligible to receive the £2,500 currently offered to companies who employ unemployed young adults.¹⁰²

RECOMMENDATION TWELVE

We recommend the implementation of a new system of 'CRB Smart' for young adults. Criminal convictions should only be declared if relevant to the job being applied for. The Probation Service could decide the relevant declarations on the basis of the job role.

RECOMMENDATION THIRTEEN

We recommend that every young adult (18-25 years-old) who requests it should be met at the gate on their release from prison and be supported by a positive role model through this transition. The voluntary and community sector has a proven track record in offering successful individualised support and quality mentoring that reduces reoffending and could provide this support.¹⁰³

RECOMMENDATION FOURTEEN

We recommend that planning for resettlement should start from the moment a person enters custody, and must include the voice of the young person and their families¹⁰⁴. The government should enhance the role of ex-offenders in providing resettlement support, and should encourage prisons to allow ex-offenders to volunteer in prisons.

RECOMMENDATION FIFTEEN

We recommend that the Government and local authorities map the mental health needs of young adults aged 18 to 25 in each area. Local authorities should expand mental health services to meet those needs, and ensure services reflect the holistic range of young adult needs.

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Endnotes

RECOMMENDATION SEVENTEEN

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