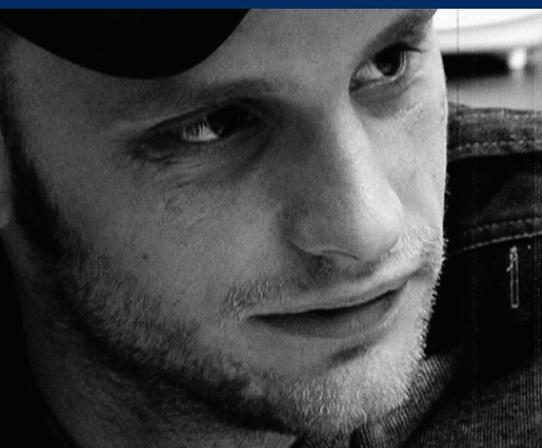




PATHWAYS

FROM CRIME

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



SUMMARY REPORT



Foreword

Dame Anne Owers

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

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

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

The greatest frustration, for those working in the system as well as victims and young offenders, is that we know what does not work, but carry on doing it.

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

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

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

The T2A Pathway: Executive Summary

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

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

Though three pilot projects running since 2009, the T2A approach has been shown to enable desistance through a reduction in offending behaviour, an increase in compliance with court orders,

improvements to employment and accommodation outcomes, better family relationships and healthier lives (see overleaf).

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

The audience for this summary document is broad, but it should be of particular interest to policy-makers who work to support the criminal justice process. The full version of this paper (with a full chapter for each of the pathway stages outlined in this summary) is available at www.t2a.org.uk and is aimed at commissioners, practitioners and policy-makers who work to support the criminal justice process. It is hoped that professionals at all levels and across multiple sectors will act on this body of evidence to adapt and adopt the T2A pathway to ensure that all areas deliver an effective approach for young adults throughout the criminal justice process.



The T2A Alliance

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

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



Birmingham T2A

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

West Mercia T2A

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

London T2A

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

Evaluation, impact and the economic case

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

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

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

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

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

The challenge facing young adults today

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

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

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

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

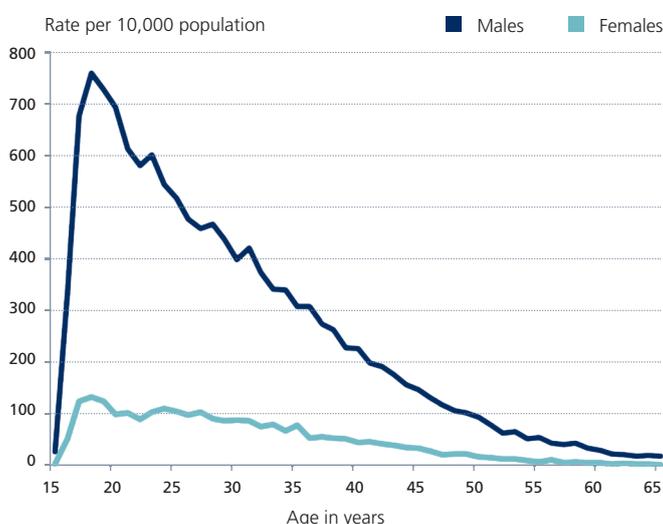
Young people face multiple transitions into adulthood (such as leaving education, finding a job, living independently, or becoming a parent), and these transitions are happening later in life than ever before. In addition, research on brain development shows that 'young adulthood' is a particular stage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

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

Young adults and the criminal justice process

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

Figure: The age-crime curve



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

Young adults make up less than 10% of the British population, but account for more than one-third of those commencing a community sentence, one-third of the probation service's caseload and almost one-third of those sentenced to prison every year.

Three out of four young adults leaving prison are reconvicted of a crime within two years, and two out of three are reconvicted within two years of serving a community sentence. A non-specific approach for young adults is clearly not effective.

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

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

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

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

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

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

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

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

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

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

The T2A Pathway

1

Policing and arrest

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

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

Diversion

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

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

2

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Restorative justice

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

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

Prosecution

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

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

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Sentencing

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

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



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Community sentences

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

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

Managing the transfer process

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

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

7



Custody

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

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

Resettlement

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

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



Enabling desistance from crime

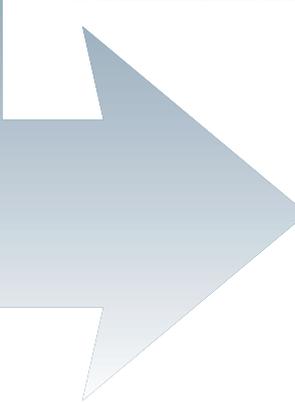
➔ **Recommendation:** A young adult specific approach (with a focus on securing stable accommodation and long-term employment) should be implemented throughout criminal justice service design, commissioning and delivery to ensure that young adults coming out of the criminal justice process are supported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

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





Conclusion



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

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

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

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

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

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Images of young people in this summary report are stills from the T2A film, produced by Panda Media in 2011, available to watch at www.t2a.org.uk (where all T2A publications are available for download).

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The Barrow Cadbury Trust is an independent, charitable foundation, committed to supporting vulnerable and marginalised people in society.

The Trust provides grants to grassroots voluntary and community groups working in deprived communities in the UK, with a focus on the West Midlands. It also works with researchers, think tanks and government, often in partnership with other grant-makers, seeking to overcome the structural barriers to a more just and equal society.

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