

T2A response to the 'Government Response to the Harris Review into self-inflicted deaths in NOMS custody of 18-24 year olds'

T2A welcomes much, but not all, of the government's response to the Harris Review, [which has been published today](#).

T2A is particularly encouraged by the government's recognition of the distinct needs of young adults aged 18-24 in the criminal justice system (p. 9), and its strong endorsement of the importance of taking account of maturity in sentencing, service design and delivery (p. 9-10). Evidence from neuroscience and psychology shows that all young adults aged 18-24 require a distinct approach within the criminal justice system. T2A notes that the decision on the future management of young adults in custody will be decided as part of the wider prison estate reform programme, and T2A urges the government to retain and extend the age remit of a distinct provision for young adults.

Courts and probation

Significantly, the government has announced that, from early 2016, all 18-24 year olds will be subject to mandatory maturity assessments prior to sentencing and that "Pre-Sentence Reports (PSRs) completed on 18-24 year old offenders must include considerations of maturity" (p. 9) – a long-standing T2A policy proposal. T2A will soon publish an evaluation of the impact of its Practice Guide for probation professionals ['Taking Account of Maturity'](#). To date, 12,000 copies of this guide have been requested by probation areas, and the evaluation has examined how it has been used to take account of maturity pre-sentence and inform sentencing decisions. T2A hopes that this guide will provide the basis for the government's proposals on mandatory maturity assessments in PSRs. T2A is encouraged by the commitment to explore better judicial training and information on the vulnerabilities of young people.

T2A supports the government's view (p. 8) that "What is widely known and accepted is that young adults, particularly males, are still maturing until the age of 25". Today, T2A and the Centre for Justice Innovation (CJI) [have published a feasibility study](#) for the creation of dedicated criminal courts for young adults. In partnership with CJI, T2A is planning to develop a national network of young adult court pilots in 2016. Since 2011, maturity has been included as a factor for consideration in adult sentencing guidelines and is specified as a culpability factor in prosecution guidance. While the government has rejected the recommendation for a statutory recognition of maturity in legislation, T2A hopes that the specific needs of young adults will be considered as part of any forthcoming review of sentencing.

T2A welcomes the strong commitment by the government to police and court liaison and diversion for people with complex needs, including mental health problems and learning disabilities. T2A hopes that these services will take account of the distinct needs of young adults, and also the high levels of brain injury among young people in contact with the criminal justice system.

Custody

T2A notes that the previous government's proposal from 2013 to abolish the sentence of Detention in a Young Offender Institution (DYOI) (which had been paused pending the Harris Review and which T2A and others firmly opposed) will now be considered alongside the government's wider prison strategy (to be announced in 2016) (p. 10). T2A urges the government to retain a distinct approach to young adults in custody, and to extend the current distinct provision afforded by DYOI legislation from 18-20 to 18-24 year olds. HM Inspectorate of Prisons this year reported that young adults have the worst outcomes for purposeful activity in prisons. It is disappointing that the government has

not made a specific commitment to improving regimes for young adults in today's response, and we hope that they will do so as part of its wider prison reforms in 2016. While we welcome the appointment of a deputy director of custody for young adults aged 18-20, we urge the government to consider again the recommendation that a distinct unit is established in the Ministry of Justice that is responsible for young adults aged 18-24.

It is positive that the government will, in 2016, reissue the transitions protocol for the transfer of 18 year olds from youth to adult custody (p. 13). This transition is a critical time in the safety and wellbeing of young adults. T2A believes that this transition is most likely to be effective when a transfer from youth custody establishments is to specialist young adult establishment. T2A is encouraged by the commitment to ensure that families are a central component to the care and management of young people in custody. One of the current [T2A Pathway projects](#), led by PACT, is demonstrating how this can work effectively in practice.

Distinct group of young adults

T2A is pleased that the over-representation of BAME men in the criminal justice system is recognised, and that the government is committed to supporting the work of the Baroness Young's 2014 Review (p. 11). T2A will soon publish reports on the distinct experiences of young BAME men and young Muslim men.

T2A welcomes the government's commitment to monitor and improve the treatment of care leavers in contact with the criminal justice system (p. 12). T2A and the Care Leavers' Association are working together to deliver a series of local responses to this group across England, and T2A will support Lord Laming's Review of young people in care which reports in 2016.

T2A agrees with the government that the needs of young adult women are distinct from young adult men, but disagrees that young adult women's needs are sufficiently similar to older adult women that they do not require a distinct approach (p. 10). A new report by T2A on the distinct needs of young adult women in prison will be published in January 2016.

Next steps

T2A looks forward to working with the Ministry of Justice as it develops its plans for implementing the improvements announced today in taking account of maturity of young adults pre-sentence. T2A awaits the outcome of the government's reviews youth justice, education in prisons and forthcoming plans for sentencing and prison reform, and hope that all of these will take account of young adults as a distinct group.

T2A was pleased to [submit evidence in September](#) to the House of Commons Justice Select Committee [Inquiry on Young Adult Offenders](#). When the Committee reports, this will present an further important opportunity to improve the management and effective response to young adults throughout the criminal justice system.

Disclaimer

This T2A response reflects published T2A policy positions and T2A's submission of evidence to the Harris Review. It does not necessarily reflect the views of all individual T2A Alliance members and some members will produce their own responses. It should also be noted that this response focuses on the sections of the Harris Review and the government's response that relate particularly to young adults.