

## **Barrow Cadbury Trust/T2A response to the [Sentencing Review final report](#) May 2025**

There is much in this report to welcome. However, T2A is disappointed that more consideration was not given to the specific needs of, and the evidence we have amassed around effective responses to, young adults which we highlighted in our [response to the consultation](#). In the year ending June 2024, 11,230 of those sentenced to immediate custody were aged 18 to 24 years old. Sentencing Council guidelines state young adult offenders may be less able to evaluate the consequences of their actions and may find it particularly difficult to cope with custody.

We welcome the Review's proposals about diversion, deferred prosecution, and problem-solving courts. We agree that young adults may particularly benefit from such initiatives, and we would like to see dedicated young adult options implemented. However, we feel there is a need for monitoring and evaluation of the impact on young adults of the earned progression model, tagging, the use of curfews and exclusion and restriction zones as well as the potential for young adult specific accommodation within the prison building programme.

JUSTICE, in their Call for Evidence response to this Sentencing Review, noted young adult offenders are especially impressionable, meaning that they have both higher rates of reoffending than adults as well as a high propensity for desistance and rehabilitation, but the current administration, it argued, does not "sufficiently recognise" this rehabilitative capacity.

### **BCT Partners**

We were pleased to see references to many of our current or past partners, including Howard League, Criminal Justice Alliance, Revolving Doors, Prison Reform Trust, Centre for Justice Innovation and the National Women's Justice Coalition. We welcome many of the general recommendations as we recognise that although not specifically expressed, they will apply to young adults. For example, an increased focus on alternatives to custody – with corresponding increases in resources for probation and voluntary sector organisations working in this area can only be good news.

### **Community Sentences**

According to the Sentencing Review report community sentences have decreased by 61% between 2010 and 2024. A "reset in sentencing" with the statutory purpose of sentencing changed to emphasise the importance of protecting victims and reducing crime is an important proposal. And a recommendation that short custodial sentences will only be used in exceptional circumstances is also to be applauded. The report recognised that this is a particular problem for women, as a much larger proportion of women received short custodial sentences compared to men. However, the report also recognises that previous guidelines have not been effective, and the only way to ensure short sentences are used as a last resort is through statute.

## **Deferred sentencing and suspended sentences**

The Review's recommendations do aim to address some of the issues explored in relation to sentencing for young adult offenders.

We welcome the recommendation for increased use of deferred sentencing and suspended sentences. The Centre for Justice Innovation noted that "clear policy and guidance about when deferred sentences should be used" is needed, including detail on the types of cases in scope. The Call for Evidence identified offenders who may benefit from a deferred sentence *including young adults* completing education or training, pregnant women, individuals with caring responsibilities and individuals receiving treatment for gambling addictions. Young adults were emphasised as a group that may benefit from deferred sentencing in numerous responses. The recommendation to extend the upper limit of suspended sentence orders to custodial sentences of up to three years, should benefit young adult offenders.

Frontline probation staff stated an increased use of deferred sentences for young offenders may deter behaviour linked with offending. Between 2018 and 2020, approximately 15% of those whose sentences were deferred were aged 18-25 years old, compared to approximately 28% in the years 2005 to 2007. The Review's recommendations to expand the use of deferred sentences will therefore be particularly relevant to young adult offenders. The Review recognises that more needs to be done in this area and encourages the Government to consider further how sentencing can be tailored to this group. Respondents to the Call for Evidence highlighted that advanced judicial training, youth specialist courts, additional mitigating factors for young people in statute (such as for the possession of a controlled drug offence), diversion programmes focusing on education and skills and robust early intervention work may be helpful.

## **Earned Release Scheme**

The proposal for an Earned Release Scheme, whilst it could have some benefits for young adult offenders, needs careful monitoring for disproportionate impacts given long standing concerns from Prison Reform Trust around adjudication and IEP schemes in prisons, and in particular their negative impacts on young adults from minority ethnic groups.

## **Direct references to T2A and young adults**

However, the T2A campaign was disappointed that young adults were hardly mentioned *directly* throughout the 192 page report until the final section on 'areas requiring further consideration by government', alongside other issues which the Review did not have

time to consider fully. These issues were disproportionality for various needs (homelessness, rough sleeping and poor mental health), and protected characteristics (neuro-disabilities and race). The Sentencing Review report does not give any explanation for not covering young adults. The opportunities to input into substantial reviews like this are few and far between. It might be implied that the review recognised how ambitious our proposals were and felt they needed a more considered response. But it does not suggest a format for doing this, nor does it request or suggest a follow up meeting with BCT/T2A.

In our submission we outlined the potential for the Government to go much further in its approach to young adults within the sentencing framework and sentence administration. We detailed how strong neuroscientific evidence on the maturation of young adults could support ambitious change. We proposed a cultural and systems shift in their treatment built on 'young adult first' principles, which would consider the whole individual and recognise the continued development of their brains, behaviours, and their ability to make life choices. This shift would include:

- age-appropriate sentencing options that prioritise accountability and consequence for actions over punishment, take into consideration reparation, recompense and restorative justice, and emphasises both rehabilitation and transformation of people's lives
- a statutory definition of vulnerability and exploitation, which includes young adults who were not recognised as having been victims as children.
- an emphasis on transitional and contextual safeguarding of young adults as they mature, particularly those with social care contact – not solely those who were taken into local authority care
- trauma recovery, not solely trauma-informed practice
- an emphasis on building social capital, desistance and belonging.

We also expressed concern that the Review's principles emphasised individualised failure, underplaying the structural and other environmental conditions within which offending occurs. This side-stepping of root causes serves neither victims nor perpetrators of crime, and we know that young adults make up a disproportionate portion of both.

However, the Government now does have the evidence and material to undertake a deeper review. We propose that this takes place within the context of the co-creation of a broader cross-government approach to young adults, including those involved in the criminal justice system, in recognition that it is both inefficient and ineffective for criminal justice agencies to be the primary statutory space to 'hold' young adults as they navigate the challenging transition into adulthood. This approach should be tied to

the Government's Youth Strategy and aligned with its commitment to being a mission-driven government.

**June 2025**