



Transition to Adulthood Alliance response to the Ministry of Justice consultation on Punishment and Reform: Effective Probation Services

1. About the Transition to Adulthood (T2A) Alliance¹

1.1 The Transition to Adulthood (T2A) Alliance is a broad coalition of organisations and individuals which identifies and promotes more effective ways of working with young adults, aged 18 to 24 years-old, in the criminal justice system. Convened by the Barrow Cadbury Trust (BCT) its membership encompasses 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.²

2. Introduction

2.1 The T2A Alliance welcomes the opportunity to respond to this timely review. The proposals present an opportunity to redesign the system **so that it ensures a focus on achieving better outcomes³ for the young adult offender group and a concentration on what works rather than commissioning 'more of the same'**.

2.2 Only recently the Minister of State and Deputy Leader of the House of Lords Lord McNally said: *'It does not take a great deal of homework to identify that age group as perhaps the next best group on which to focus the intensity of care that has been shown in the youth justice system. If we could get anywhere near that success in the 18 to 25 group, we would have a real chance of cutting reoffending, which is the real problem in our prison population and in general levels of crime'*.

2.3 This submission will highlight that:

- Young adults are significantly over-represented in the criminal justice system. However, there is very limited distinct provision for this group and innovation in this area is badly needed, as highlighted by the government-commissioned Riots Panel Report⁴ and the findings of the HMIP Joint Thematic Report on transitions⁵
- There is a strong emerging body of evidence about new approaches to working with young adults that are more effective standard current practice

¹ For more information on the T2A Alliance, see <http://www.t2a.org.uk/alliance>

² Although the work of the T2A Alliance reflects the views of its membership, this submission should not be seen to represent the policy positions of each individual member organisation.

³ Reduced reoffending; improvement education, training and employment outcomes; stable accommodation; improved health and well-being; and improved relationships with families and children - all outcomes linked to desistance

⁴ The Riots Communities and Victims Panel (2012) After the riots: the final report of the riots victims and communities panel. Government: London

⁵ Expected to be published in the Autumn of 2012

- Youth as a life stage is inadequately determined by the arbitrary notion of age but is more effectively determined by an individual's needs and maturity. By reforming approaches across the criminal justice system to reflect developing maturity and the transition to adulthood, a significant impact would be felt in reducing levels of reoffending, overall spend and, importantly, reducing the numbers of crime victims
- The system redesign must improve transitions between services experienced by young adults in the criminal justice system, or risk further exacerbating this weakness in the current system. Effective transitions – from Youth Offending Team (YOT) supervision to Probation supervision; YOT supervision to adult custody; youth custody to adult custody; Probation to secure estate and lastly the personal transition to adulthood --should be a key outcome for commissioners. Poor transitions can exacerbate offending and delay desistance from crime
- It is vital that voluntary and community organisations, many of which have extensive and distinct experience of working with younger offenders, are included in both the design and delivery of services. Similarly, the views of service users aged 18 to 24 should be heard in the design and delivery of probation services to ensure that those services achieve their aims of ensuring young people move away from a life of crime

3. Why is a distinct approach needed for young adults?

'These were not riots committed by children, but largely young adults' 5 Days in August⁶

'We need to ensure that, given the colossal cost of failing to turn this particular age group [young adults] around, we find ways to get interventions and investment into it, which will then deliver savings to the Ministry of Justice, because of the huge advantage of getting these people better and making them pro-social members of society'. Minister for Justice Crispin Blunt MP, House of Commons, 13 October 2011⁷

3.1 T2A considers young adults to be a priority group within the criminal justice system, due to their relative over-representation in the system, their potential for change and the economic, social and structural factors that specifically impact upon them'. There is extensive evidence, both demographic and developmental, for recognising 'young adulthood' as a particular stage in life. The 'age crime curve' in relation to desistance and research from neurology that shows how levels of maturity (described further below) continue to develop into the mid and late-20s, affecting cognitive functioning and emotional regulation.⁸

3.2 Young adults aged 18–24 in contact with the criminal justice system – who, despite constituting less than 10% of the population, make up 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 each year – also have distinct needs. These needs are complex and multiple, and commonly include poverty, unemployment, educational failure, substance misuse, mental health problems, young parenthood, and victimisation--all experienced while many young adults are still in the process of development.

3.3 This is exacerbated by the fact that many child-focused support services – such as care services, child and adolescent mental health services, children's services and youth offending services – fall away when young people reach the age of 18. These specific needs

⁶ '5 days in August: An interim report into what happened on the 2011 summer riots' (November 2011) Riots Communities and Victims Panel

⁷ Hansard, 13 October www.publications.parliament.uk/pa/cm201011/cmpublic/legalaid/111013/pm/111013s01.htm

⁸ University of Birmingham (2010), Literature review of maturity. Birmingham

should be recognised across the criminal justice system, including in the design and delivery of education and training.

4. Maturity, criminal behaviour and an effective criminal justice response

4.1 There is a growing recognition that from the neurological, psychological and criminological perspectives, young people are not fully mature until their mid-20s.

4.2 A literature review carried out for T2A⁹ set out the evidence for this. From a neurological perspective, the human brain is not fully developed on a physical basis until well into the period of young adulthood. From a psychological perspective, evidence shows that psychosocial capacities and moral reasoning abilities vary considerably between individuals in the young adult age group, so that some remain immature for longer than others, and many cannot be considered fully mature until well after the legal age of adulthood. From a criminological perspective, how an individual demonstrates maturity, for instance in decisions about whether to engage in particular courses of action, is heavily dependent on the social, economic and cultural context in which the decision is made, and in particular on the 'moral rules' that operate in the particular context.

4.3 Research has suggested that desistance from antisocial activity requires a supporting structure for positive activities, and this can only exist if a young person has the necessary building blocks for its construction. In other words, the transition to young adulthood and desistance from antisocial activity is made possible by the accumulation of human and social capital. For the vast majority of young people, role models and a supportive environment are provided by the family and local community. For young people who do not receive such support, desistance from antisocial behaviours can be provided by properly designed, responsive services commissioned from expert providers.

4.4 The literature identifies three main 'psychosocial factors' that influence the way young people judge situations and make decisions about how to act: responsibility, temperance and perspective. Responsibility is the ability to act independently, be self-reliant and have a clear sense of personal identity. Temperance is the ability to evaluate the consequences of different courses of action before making a decision to act in response to the assessment of a situation, to limit impulsivity and control aggressive responses and risk-taking,; while perspective is ability to understand and consider the views of others before taking a decision to act and to understand the wider context in which the decision to act is made. Of these three factors, 'temperance' is identified as the significant maturity factor that continues to influence antisocial decision making during young adulthood.

4.5 This research has very significant implications for the design of effective interventions in the criminal justice system. Probation services that support young people to mature, to develop responsibility, temperance and perspective, are services that will increase the likelihood of desistance.

5. Examples of good practice

5.1 An approach piloted by T2A, as well as services such as the Manchester Intensive Alternative to Custody could offer blueprints for the future.

For the past three years, T2A has funded three pilot projects, which demonstrate a new approach to working with young adults. These pilots, which have been extensively

⁹ Prior, D (2011) Maturity, young adults and criminal justice: A literature review <http://www.t2a.org.uk/wp-content/uploads/2011/09/Birmingham-University-Maturity-final-literature-review-report.pdf>

evaluated, work alongside and complement statutory agencies. They employ staff, with support from volunteers and peer mentors, to work intensively with the young adults who are on community sentences or who have just come out of custody. They are described in more detail in the appendix.

5.2 While reducing reoffending by service users is a core concern and prime objective of all three pilots, it is woven into the broader purpose of enabling young offenders to 'get on' in their lives and to navigate the transitions they have to make (from post-adolescence to maturity; from the youth justice system to the adult justice system; and from custody to resettlement). The services are therefore, in effect, welfare-based (based on the needs of the service user) and, as such, are considerably removed from standard risk-based, offender management practice in the adult criminal justice system.¹⁰ Evaluation¹¹ has shown that this model of intervention is cost-effective in reducing re-offending, and if the model were to be rolled out would go a long way to help reduce reoffending over the long-term.

5.3 The T2A pilots have demonstrated that having voluntary organisations and probation services working in partnership can be a highly effective way of reducing reoffending. There are many organisations in the voluntary sector that understand and have expertise with working with young adults, including those in custody and that pose a higher risk to the community. The personalised, needs-based model that many of those organisations use and can support young adults to develop and mature in a healthy way that promotes desistance. It is therefore important that in the new commissioning system proposed, local voluntary sector organisations are included in both the design and delivery of services and that commissioners use the emerging evidence base to shape their service planning.

6. Transitions in a competitive provider market

6.1 Notable in its omission from the consultation document is a reference to the issue of the transitions in services as a young person turns 18, and how in the new system commissioners and service delivery organisations will take account of them. T2A has shown that the abrupt termination of services or a poor transition between the youth and adult system when a young person reaches the legal age of 18 can exacerbate offending and delay desistance from crime, especially for disadvantaged young adults who often have no family or community support available to them and are living chaotic lives. As demonstrated above, maturity is not something that happens on a person's 18th birthday, but is a process that happens at different rates in different individuals. **We would advocate that the point of transition between services is informed by the level of maturity of a young person rather than their chronological age.**

6.2 Research undertaken by the Youth Justice Board has identified that an estimated 8,000–9,000 17 year-olds in the criminal justice were potentially in need of some form of transitions related work. They estimate that up to 5,000 of these young people transfer from YOT to Probation supervision each year. Transfers represent not only a change in responsibility but also a change in style from a welfare based approach to a more risk based one, as well as a physical move for young people in custody. **T2A would like to see all areas have a transfer protocol that takes account of a young adult's needs and that gives specific consideration to their level of maturity.** Best practice would enable a specialist transitions key worker to act as the continuity between services, managing the handover of information, ensuring the young person understands what is required during and following the transfer, and liaising with other support agencies. The work of the T2A pilots demonstrates a best

¹⁰ Catch22 (2012) Supporting Transitions: A Summative Evaluation of the T2A pilots. Catch22:London.

¹¹ Formative, cost-benefit and outcomes evaluations were carried out by Oxford University, Matrix Evidence and Catch 22 respectively. The outcomes evaluation is summarised in the appendix to this response and the full evaluation reports results are available on www.T2A.org.uk.

practice model for transitional arrangements within the criminal justice (see case study in the appendix). We look forward to the Youth Justice Board issuing new guidance on case transfer in 2012.¹²

6.3 Furthermore, adolescent services, such as drug and mental health services, often stop at 18, and adult services are often not appropriate for young adults. These young people are often at risk of 'falling through the gap' between child and adult services. Smart commissioning should bridge the gap across the services, improve interdepartmental communication and provide a more seamless transition, commissioning services that work across age brackets or involve several agencies together.

6.4 We hope that the any commissioning strategy arising from this consultation **will address the issue of transitions and incorporate the work that the Youth Justice Board is currently undertaking around risk management, information sharing and local transition protocols.**

7. Issues relating to the commissioning of effective Probation services for young adult offenders

7.1 The T2A Alliance supports approaches that are attuned to local need and therefore supports the concept of local commissioning. **However we see a role for government and from the centre (through bodies like NOMs) in ensuring that the needs of young adults are addressed** and in identifying 'what works' to prevent public money being spent on approaches and interventions that neither reduce reoffending nor support desistance. We would like to see a national working group set up specifically to look at the issues relating to this stage of life.

7.2 We consider that the approach to commissioning services should ensure that there is a robust assessment of risk, need and, crucially, the level of maturity of individual offenders through the totality of the criminal justice pathway. We would like to see an evidence-based approach, which builds on the notion of maturity, adopted in the Probation response to young adults. T2A is currently working with Birmingham University and the London Probation Trust to explore the development of an assessment tool for maturity which should assist this. We would welcome the opportunity to discuss this, and our growing evidence base, with commissioners.

7.3 Commissioners should expect providers to demonstrate that they have take into account the distinct needs of young adults and have tailored their approaches to match maturity and support desistance. This will require providers to work alongside other partners and external agencies such as prisons, mental health services and including through arrangements such as IOM and MAPPA.

7.4 In any roll-out of **payment by results**, an approach that measures 'distance travelled', rather than a simplistic, binary measurement of whether or not an offender is reconvicted, should be adopted. Young adult (and other) offenders frequently have chaotic lifestyles, and desistance is a process that takes place over time and may include a slowing down in offending on the way to total desistance. The work of providers to facilitate this should be recognised, and as a result we would welcome an approach that measures a reduction in the total number of further offences committed, or a reduction in the severity of offences, as opposed to using the 'yes/no' binary measure as to whether somebody has reoffended.

¹² HC Deb, 10 January 2012, c291W

If you would like to discuss the contents of this submission further, please contact Sarah Thomas, Public Affairs Manager, on 020 7336 4818 or by emailing sarah.thomas@catch-22.org.uk

Appendix

The T2A Alliance and its pilot projects

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 pilot projects have tested the T2A approach described in this report 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.

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. Key workers 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.

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.

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 key workers 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 as 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.

T2A and transitions between services – a case study of good practice

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

- Transfer documents are forwarded to the T2A unit and processed;
- A T2A key worker is allocated to the case and will arrange an initial meeting to discuss the transfer and explain the process to the young person and any concerns or anxieties that they might have;
- Once all the administrative process is completed, the T2A key worker organises a hand-over meeting;
- The new probation worker, previous YOT Officer and other agencies involved with the transition i.e. CAMHS, Drug Agency, Accommodation key workers will also be invited to attend a professionals meeting
- The new probation worker, previous YOT Officer and the young person attend a final transition meeting, with the T2A key worker overseeing the completion of the transfer.

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