



c/o Barrow Cadbury Trust
Kean House,
6 Kean St,
Holborn,
London,
WC2B 4AS

29 May 2020

Dear Mr Russell,

Re: Consultation on your inspection framework and programmes 2020-2021 and 2021-2022

Thank for your letter of 23 March 2020 offering the Transition to Adulthood Alliance an opportunity to comment on your inspection framework and programmes over the next two years.

The Transition to Adulthood (T2A) Alliance evidences and promotes effective approaches for young adults (18-25) throughout the criminal justice process. It is an alliance of 12 leading criminal justice, health and youth organisations: Addaction, Care Leavers' Association, Black Training and Enterprise Group, Catch22, Centre for Crime and Justice Studies, Clinks, Criminal Justice Alliance, the Howard League for Penal Reform, Nacro, Prisoners Education Trust, Prison Reform Trust, Police Foundation, Revolving Doors Agency, Together for Mental Wellbeing. T2A is convened and funded by the Barrow Cadbury Trust. T2A has contributed to positive change in policy and practice and at central and local levels, its evidence has informed service redesign and delivery nationally and internationally.

1. Core inspection programme

YOS inspections

We welcome the examination of engagement between Youth Offending Services (YOS) and partner agencies and the emphasis on resettlement provision. We do not plan to engage separately on the consultation in relation to changes to the youth inspection framework. Nevertheless, we would like to see 'partner agencies' interpreted broadly. In addition to examining the quality of arrangements between Youth Offending Services and probation services to manage the transfer process to ensure that young adults receive the support they need to comply with their sentence or licence, particular consideration should be given to how this cohort are supported more broadly to manage their transition to adulthood and a time when they will no longer be engaged with criminal justice agencies. This includes enabling them to understand their developing maturity and supporting them to find stable accommodation; get the right skills to gain long-term employment; and, manage the 'cliff edge' they are likely to experience as other support (e.g. from education and careers services, social care, and child and adolescent mental health services) they may have received as a child falls away.

In respect of transitions between the youth and adult criminal justice systems, practitioners in England are expected to manage this in accordance with the Joint National Protocol for Transitions for managing the cases of young people moving from Youth Offending Teams to Probation Services published in 2018. It is not clear what guidance applies in Wales. There was subsequently consultation in early 2019 on a joint YJB and HMPPS Transition from the Under 18 Estate to the Young Adult Estate Policy Framework for custodial transfers. T2A has some concerns about the consistency of the guidance and Framework, the fact that a revised Framework has not yet been published and the nature of monitoring of practice to determine outcomes for the young people concerned.

Adult inspections

T2A would like to see the Inspectorate place greater emphasis on examination of probation services' adherence to the Equality Act 2010 in relation to the protected characteristic of age, given the strength of neuroscientific evidence that young adults continue to develop into the mid-20s. We propose that standards framework should therefore acknowledge age as a protected characteristic.

The Magistrates' Association recently found that courts are not receiving the information required to take maturity into account in sentencing decisions. Quality of court reports and the commitment to the assessment of maturity in pre-sentence reports made by the government in response to the Justice Committee's 2016 report on the treatment of young adults.

2. Approach for 2020-2021

No comments

3. Proposed approach for 2021-22

Adult inspections

We look forward to examining your high-level thinking on the inspection framework in due course. In the meantime, we support the guiding principles for your approach from 2021 onwards. In relation to point 2, and your later comments on the standard inspection framework and methodology, we welcome your proposal to examine provision rather than providers and to enshrine this in inspection standards.

The quality of delivery should reflect understanding of the research evidence on effective approaches, including for young adults. In para 17 of the [government's response](#) to the [Justice Select Committee's 2017 report](#) on the treatment of young adults in the criminal justice system the government stated that pre-sentence reports (PSRs) for individuals aged 18 to 25 must now include a consideration of the offender's maturity which will then be used to inform sentencing decisions. The Inspectorate should examine the extent to which probation services are using the screening tool (which is currently based on existing OASys indicators, but HMPPS is developing a standalone tool), the resource pack, and the guidance, if it exists. We are aware that a small process evaluation is underway in prisons.

The government's response recognised the need to improve practice for young adults and referred to a resource pack for promoting maturity which had been developed by HMPPS using the best available evidence of what works. This was intended to help providers of Prison and Probation services better respond to young adults' requirements, target and sequence services and

interventions to improve outcomes and value for money, and improve their engagement with rehabilitative activity. It was proposed that it would be targeted at individuals who:

- have an identified maturity need but are unable to access accredited programmes;
- are suitable for accredited programmes, but not yet ready to engage due to low maturity;
- have previously completed an accredited programme, but who still need to develop maturity.

There was also a commitment to produce guidance to accompany the pack. We are aware that the pack is being rolled out across the Prison Service yet to our knowledge there is no current probation service guidance on this. We note that the need to demonstrate how supervision and interventions could be tailored to meet the needs of young adults (under the protected characteristic of age) is referenced heavily in the Target Operating Model (TOM) for the future delivery of probation services published in March 2020. With this in mind, the Inspectorate could usefully commission a summary of the evidence for an Academic Insights paper on maturity to provide a reference for the National Probation Service (NPS) and other providers seeking to tailor provision in support of the intention expressed by the government in the TOM.

In paras 40-41 of the government's response to the JSC report the government stated that it had reviewed the accredited programmes suite to determine how well they specifically target the barriers to reform in young adults. They found that generally, the programmes recognise and address the needs of 18 to 25 year olds appropriately. The extent to which these are being used and adapted to recognise young adults' needs is not clear and would warrant consideration by the Inspectorate, including in the proposed thematic on Accredited Programmes.

Offender management

We welcome the Inspectorate's commitment to consider how Offender Management in Custody (OMiC) is reflected in the core programme. It will be important to be mindful of the government's commitment to provide enhanced support under OMiC for care experienced young adults and other vulnerable people in prison. In addition, the maturity pack is being delivered in prisons by keyworkers who we understand require training, support and guidance from OMiC probation leads in prisons on the impact of maturity on offending behaviour. Effective offender management should also be focusing on the transition to adulthood post-release. This is particularly important for those who have served long sentences and whose maturational development may have been impaired by virtue of having been in prison, yet who may not be considered eligible for enhanced support.

Standard on effectiveness and units of inspection

We welcome the new standard on effectiveness and the proposed intermediate outcomes. We would like to see data collated and presented in a form which enables the efficacy of approaches towards young adults aged 18 to 25 to be properly assessed including the ability to break down data on this group by gender and ethnicity. The proposed increase in cases which will be examined to ensure that samples for local delivery units are meaningful provides an opportunity to collate a sufficient volume of case studies to provide a basis for secondary analysis which would build a better picture of national probation practice with young adults, including the extent to which maturity assessments are undertaken and how that informs subsequent casework practice. This could also form the basis of evidence for the proposed thematic inspection on young adults.

4. Possible thematic inspections

Unsurprisingly, the Alliance wholeheartedly welcomes your proposal to conduct a thematic inspection on supervision support for young adult offenders aged 18-21 or 18-24. We would strongly

advocate for the latter given the strength of research evidence on maturational development continuing into the mid-20s. There has been limited reflection on probation practice for this cohort since the Justice Committee's inquiry due to the focus on the implementation of Transforming Rehabilitation. Similarly, it is also unclear what impact the introduction of Joint National Protocol for Transitions in England produced by the YJB in 2018 has had on the outcomes of those transitioning from youth offending services to probation. The Justice Committee proposed that HMPPS monitors outcomes for young people making this transition but this recommendation was rejected in favour of monitoring outcomes for Black, Asian and minority ethnic (BAME) young people, following the Lammy Review.

In relation to other proposed thematic inspections, we call on the Inspectorate to consider the particular circumstances of young adults in proposed inspections on risks to public protection and safeguarding; serious youth violence; mental health; and, accommodation. In relation to the first two topics, T2A has concerns that there is a cohort of young adults approaching their mid-20s who have not had their needs in relation to possible adverse childhood experience and their level of maturational development assessed or addressed during their involvement with the criminal justice system. The recent significant shift in understanding of the nature of some serious criminality and the role of exploitation in the commission of offences involving others, typically those who are younger and more vulnerable, has typically focused on changing practice for those under 18. It should also be recognised that young adults may be more susceptible to intimidation and coercion by virtue of their psycho-social maturity and the links between these various factors, offending behaviour and what constitutes effective probation practice need to be better understood. Striking the right balance in managing risk, seeking accountability for behaviour and effective support to change is particularly complex in such cases. In T2A's experience, criminal justice approaches taken towards managing violence perpetrated by young adults are not always developmentally appropriate. It is particularly important that probation practice in such cases is appropriately appraised as the research evidence demonstrates that young people can achieve better outcomes if adverse neurological effects are addressed while brain is still plastic and maturity is developing. In relation to the latter two topics, we urge the inspectorate to bear in mind that for those young people who have accessed CAHMS provision as a child there is a 'cliff edge' in the provision of mental health support post-18 which can compound mental health problems if unaddressed and that there are restrictions on access to housing for this group due to the level of housing benefit they are entitled to, which may undermine their capacity to secure stable accommodation which is a fundamental foundation for desistance from crime.

5. Research

We support your proposals for topics on which you wish to conduct primary research, particularly on trauma-informed practice in probation and risk of suicide and self-inflicted deaths amongst probation service users. Related to the former we would welcome an examination of how probation practitioners respond to the co-existence of trauma with learning disabilities and/or acquired brain injury as well as the context of maturational development when dealing with trauma in young adults. On the latter, Lord Harris's review of self-inflicted deaths in prison amongst young adults provides a useful foundation for understanding the complexities of young adults' lives as they progress towards purposeful, mature adulthood and their potential vulnerability to self-inflicted death while their brain structures and coping strategies are still evolving. Nacro's work on the development of identity and its role in moving forward with life and away from crime through its Beyond Youth Custody programme also provides important reference material. T2A has recently funded the creation of a [toolkit](#) for youth justice practitioners to support positive shifts in identity which can also be applied to probation practice.

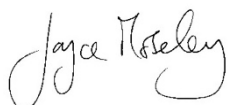
In addition to our comments above about the opportunity for secondary analysis of existing and future inspection data on young adults, within the topics proposed for such work, there is scope for examining the quality of pre-sentence reports for young adults and the extent to which maturity assessments are included in line with the government's commitment to the Justice Committee.

We have already proposed that the Inspectorate commissions an Academic Insights paper on maturity.

6. Service user involvement strategy

We welcome your ongoing commitment to the Service User Engagement Strategy. Barrow Cadbury Trust, which supports the Alliance, funds [Leaders Unlocked](#) which has established a forum of young adults to engage with aspects of criminal justice policy that affect 18-25 year olds. This forum would be ideally placed to assist the Inspectorate in its endeavour to involve service users and/or ex-service users in developing your methodology and in your inspections, and in our organisation as employees.

Yours sincerely,

A handwritten signature in black ink that reads "Joyce Moseley". The signature is written in a cursive, flowing style.

Joyce Moseley OBE
Chair, Transition to Adulthood Alliance