

# A neglected and under-resourced age group

**Rob Allen, chair of the Transition to Adulthood Alliance outlines proposals to meet the needs of vulnerable young adults.**

In her final annual report as Chief Inspector of Prisons Dame Anne Owers recently described young adults as ‘a neglected and under resourced age group’ (HMCIP, 2010). While her assessment relates specifically to what was found in the prison establishments accommodating 18-21 year olds that were inspected last year, the conclusions could equally apply to the way the entire criminal justice system responds to young people in their late teens and early twenties. It is for that reason that the Transition to Adulthood Alliance (T2A) has been set up—to raise awareness of the specific developmental needs of young people as they reach adulthood, to formulate better policy options for meeting those needs, and to test the best ways of implementing those policies on the ground through practical demonstration projects.

The work has its roots in the Barrow Cadbury Trust’s Commission on Young Adults in the Criminal Justice System which produced a ground breaking report called *Lost in Transition* in 2005 (Barrow Cadbury Trust, 2005). Although the report’s recommendations for a greater focus on the 18-24 year old age group received a warm welcome from government and other interested parties, progress in introducing measures tailored to the needs of the age group was initially slow. In 2008 the Barrow Cadbury Trust decided to reignite interest in this age group by funding a variety of research, policy development, and practical work designed to identify what improvements are needed, and to build support for change. The portfolio of projects now includes three pilot schemes to test new

approaches to the supervision of and support for young adult offenders in London, West Midlands, and West Mercia. The programme of work as a whole is co-ordinated by the T2A Alliance which comprises 13 leading voluntary organisations. In November 2009 following a major consultation the Alliance published a Young Adult Manifesto containing ten recommendations whose implementation would serve to make the way in which we deal with young adult offenders more effective, fairer and less costly (T2A, 2009).

The case for developing new measures for this age group is overwhelming. Young adults aged 18-24 make up 9.5 per cent of the population, yet they represent almost a third of people cautioned for or convicted of indictable offences, take up one-third of probation caseload, and represent almost one-third of those sentenced to prison each year. Their rate of reconviction is higher than other adult age groups and many experience high levels of need and vulnerability, which look to have been exacerbated by the recent economic recession

A recent study by the University of York estimated the cost of young adult crime at £20 billion per year (Bowles and Praditpyo, 2005). As the Justice Committee report on Justice Reinvestment said:

*It does not make financial sense to continue to ignore the needs of young adult offenders. They will become the adult offenders of tomorrow. Particular effort should be made to keep this group out of custody. A multi-agency approach, akin to that applied to young offenders aged fewer than*

*18, might bring similar benefits in terms of the reduction of re-offending to those aged 18 to 25. (House of Commons Justice Committee, 2010)*

Despite a manifesto promise in 2001 to extend aspects of the youth justice reforms to young adults little has happened—notwithstanding a range of international norms which encourage such an approach. The UN Committee on the Rights of the Child has noted with appreciation for example that ‘Some State parties allow for the application of the rules and regulations of juvenile justice to persons aged 18 and older, usually till the age of 21, either as a general rule or by way of exception’ (UNCRC, 2007). Countries as diverse as Finland and South Africa make special arrangements for young offenders up to the age of 28 or 30.

The core of the T2A approach is in four parts. The first is to divert more young adults away from the formal criminal justice system into measures which can address the causes of their offending and provide reparation to victims. While there are well established systems for diverting under 18’s from prosecution, cautioning rates for young adults are much lower. Almost half of 15-17 year olds are diverted across England and Wales but for 18-20 year olds it is nearer a third. This masks enormous variations between police forces—from 61 per cent in Northamptonshire to 22 per cent in Greater Manchester, suggesting substantial scope for more diversion. Diverting young adults from community orders to pre-court Restorative Justice conferencing schemes is likely to produce a lifetime cost saving to society of almost £275 million (£7,050 per offender) and the costs of conferencing are likely to be paid back within the first year of implementation. During the course of two parliaments, implementation of such a scheme would be likely to lead to a total net benefit to society of over £100 million.

Diversion to mental health or drug treatment is likely to cost more up front but successful interventions should also produce dividends.

Young adult offenders are three times more likely to have a mental health problem than someone of the same age who is not an offender (Devitt et al., 2009, p 45). Outside the criminal justice system, the young adult age group is seen as a priority for proactive early intervention with evidence showing that early prognosis and treatment of mental health issues can save long-term costs (McCrone et al., 2008).

In 2008 that Sir Ronnie Flanagan's review of policing found that police officers are encouraged to criminalise people for behaviour which may have caused offence but the underlying behaviour would be better dealt with in a different way.

T2A's second set of recommendations concern sentencing where the alliance would like to see the replacement of short prison sentences for non-violent offenders by constructive community sentences. Young adults scarcely rate a mention in any of the work by the Sentencing Advisory Panel or Guidelines Council. By contrast sentencing in several European countries takes much greater account of the developing maturity among this age group—most notably in Germany where the law allows sentencers a level of discretion in trying young adults up to age 21 under juvenile law depending on the seriousness of the crime and the maturity of the offender. When T2A consulted about its proposals approximately 80 per cent of respondents agreed that maturity rather than age should be taken into account in sentencing. This an area to which the new Sentencing Council due to start work in April 2010 could give early consideration.

The third challenge is to make the experience of custody much more educational for those who really do need to be locked up. The Prison Service admits on its website that 'Prison life for a young offender held in a young offenders' institution (YOI) isn't that different to prison life for adult prisoners'. The latest Prison Inspectorate report confirms this finding that 'Busy and overcrowded local prisons struggle to need with their specific needs and even specialist YOI's lack the resources

support and training to do so' (HMCIP, 2010). The Alliance would like to see YOI's twinned with further education colleges to enshrine education at the heart of their regime. This may seem unlikely given the squeeze on spending facing the prison service and the more punitive tone adopted lately by the government about what prison is for.

The final priority is to intensify efforts at reintegrating these young people who do need to be locked up after their release back to the community. Research has found that the great majority in this age group indicate a wish to desist from crime with factors relating to an offender's current circumstances particularly strongly associated with continuation of offending or otherwise. Through the gate peer mentoring combined with a national employment initiative (along the lines of that in place for young people leaving care) could potentially impact on those current circumstances and give young adults a real chance to reform.

At each of these stages, the Alliance is clear that measures properly address the disproportionate involvement in the criminal justice system of young people from black and minority ethnic groups. In 2008, 27 per cent of young offenders aged 15-29 in prison were from a BME (Black Minority Ethnic) background—this represents a 10 per cent increase over last decade. It is also important that the distinctive needs of young women are met—though relatively small in number they require special attention from all of the agencies in the system.

These proposals go with the grain of many recent proposals for change in criminal justice. The Alliance is convinced however that while such changes are necessary they are not sufficient. The roots of offending by young adults lie beyond the reach of criminal justice agencies alone. It is the systems of education, health, and social care and the policies in respect of training, employment, and housing that need attention as much as what the Americans refer to as 'cops, courts, and corrections'.

There is an opportunity for a change of direction in criminal

justice which could sensibly start with this age group. The aim should be to produce the same advances aimed at by the Advisory Council on the Penal System when it reported on young adults in 1974 'reducing the numbers of young adults who are kept in custody, reducing the social isolation of those who still have to be committed to custody and strengthening the supervision which can be provided for offenders who remain in the community after conviction' (Younger, 1974); or as Anne Owers has put it more recently: 'The high rate of reoffending among young adult men is unlikely to reduce without significant changes in approach, funding and focus' (HMCIP, 2010). ■

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## References

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