

Youth justice: rearranging the deckchairs or real reform?

Rod Morgan contends that the Brown government has the capacity and motivation to deliver a more preventative approach to youth crime.

On 29 June, the day that Gordon Brown announced the detail of his government, I was rung by the *Guardian*. Would I write 150 words for the *Society* supplement the following Wednesday on what I thought about the appointment of Ed Balls as minister for the new department, Children, Schools and Families (DCSF), carved out of the former DfES? I looked at the detail of the announcement reported in the press, came to a wrong conclusion and wrote my 150 words. Noting that Beverley Hughes, previously Minister for Children, was apparently now to have responsibility for youth crime prevention, I mistakenly concluded that sponsorship of the Youth Justice Board (YJB) had been shifted from the Ministry of Justice (to which it had only recently been transferred from the Home Office) to the DCSF. Having, during my time as Chairman of the YJB, mooted with DfES ministers that the YJB be co-sponsored by the DfES and the Home Office (Rob Allen (2007), my ex-YJB colleague, went further), I was encouraged, and said so in my *Guardian* piece.

remains, to the DCSF. The question at issue is: will these changes make for a radical and welcome shift in the nature of youth justice expenditure and policy?

First things first. Splitting government departments may provide greater focus. But it also makes joined-up government more complicated. As far as youth justice is concerned, splitting the Home Office means that policing – the vital, gatekeeping, function of criminal justice – is divorced from sentencing. If we're serious about youth crime prevention a key task is to call into question the huge increase (26% – see YJB 2007, 18) of recent years in the criminalisation of children and young people. That means amending the 'offences brought to justice' (OBTJ) counting rules and targets, responsibility for which remains with the Home Office and the inter-departmental National Criminal Justice Board. There is no seat for the DCSF at this table.

Likewise the additional funds – some £45 million over three years – which the YJB has been able to allocate to youth offending teams (YOTs) to develop early prevention schemes (Youth Inclusion

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At the time of writing (5 July) the picture as to who, and which department, is responsible for what within the new government structure remains opaque. One issue is clear, however, sponsorship of the YJB has *not* moved to the DCSF – it remains with the Ministry of Justice. There is nevertheless a subtle change. Prevention of youth offending is apparently to be given new emphasis. And to achieve this, the DCSF is to work collaboratively with the Ministry of Justice and the Home Office. There is to be joint reporting and decision-making between the DCSF and the Ministry of Justice in relation to both policy and funding of youth offending prevention programmes and the work of the YJB. Thus though the YJB is to remain accountable as a Non-Departmental Public Body (NDPB) to the Ministry of Justice, YJB appointments are in future to be made jointly by the Secretaries of State for Justice and DCSF. Further, we can reasonably speculate that responsibility for funding early prevention work will shift from the Home Office, where it currently

Programmes and the like – see Morgan and Newburn 2007, 1032-48) with young children at risk and their parents came not from the DfES but the Home Office. Under current arrangements the monies are targeted and ring-fenced in the sense that though allocated to the YOTs by the YJB according to a demographic formula, every YOT has to submit a plan as to how the extra money is to be spent and report to the YJB on how it has been used. I assume that the residual budget for this programme will now be transferred to the DCSF. But is early community-based preventive work to be administered in future through the YJB or funded and organised from within the DCSF?

The arguments here are finely balanced. In theory it makes perfect sense for early preventative work to be tied into the work of the children's trusts (which in most areas will include the YOTs) and child-related services generally at local authority level, and for this arrangement to be mirrored, financially and administratively, by DCSF responsibility at the centre. However, if the DCSF operates with the

culture inherited from the DfES then it is likely that whatever money is available will be pooled rather than ring-fenced, the view being taken that services should universally be improved rather than targeted. This was the fate of the Positive Activities for Young People (PAYP) programme.

Universally improved services for all children should self-evidently be the aim. The problem is that while we're waiting for nirvana, children in real trouble tend to lose out. And they will likely do so again within a regime that lacks some ring-fenced, targeted programmes. The threshold for hard-pressed social services intervention will remain too high and

offence. The result is that the YOTs are operating the Youth Inclusion Programmes (YIPs) and Youth Inclusion and Support Programmes (YISPs) in a climate that is in many respects not conducive to getting their clients the service and inclusion that they positively need. The early evaluation of YIPs, it should be recalled (Morgan, Harris, Burrows 2003), was generally positive but found that the target group of children, though successfully engaged by the YIPs, were not going to school more.

Beverley Hughes, who has previous Home Office experience (she was minister with responsibility for prisons and probation) understands these issues.

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children not in school (either excluded or simply staying away) will miss out on extended school provision. The aim may be for nine out of ten young people to gain five A-C GCSEs, but that still leaves 10 per cent of young people with little or nothing. And this is the pool from which YOT caseloads and the near record-high penal custody population is disproportionately drawn. If the early prevention budget is allocated formulaically by DCSF the likelihood is that that approach will be adopted also within the local authorities – a few thousand pounds to each of several secondary schools in deprived areas, a small grant here and there to a local mentoring scheme or wheels project, and so on. The risk is that the truly difficult kids, excluded from or not attending school, repeatedly arrested by the police, will be handed over to YOTs on reduced budgets, labelled persistent young offenders and ratcheted ever more rapidly through the criminal justice system once they have reached the grand old age of 10 and criminal responsibility.

There is a strong case for a genuine administrative and funding partnership to be developed for early prevention work between the new DCSF and the YJB which, during its relatively short life, has accumulated a good deal of expertise in what works with young children at risk. The YJB will this autumn publish a new independent evaluation report on its early prevention programmes. It is doubtful that the report will make comfortable (easily communicated to the media) reading. That is because early preventive work is neither simple to deliver or evaluate. Success depends on skilled, experienced workers – of whom there are too few – working in a local environment where all the key agencies are striving for, and being measured according to, common outcomes – which, currently, they're not. The schools continue to be measured according to scholastic achievement, which troublesome children disrupt. The police are being measured according to the number of OBTJs, irrespective of seriousness of

If she is wise she will use the YJB as her delivery vehicle for early prevention work and Ed Balls, who has a good track record when it comes to child poverty, will work closely with Hazel Blears, Jacqui Smith and Jack Straw to ensure that the local authorities are financially incentivised to invest in early prevention with children and the police are disincentivised to criminalise them for minor offences. The YJB currently spends more than two thirds of its budget on custody. Were we substantially to reduce the number of young people in custody considerable funds would be released for targeted early preventive work.

Professor Rod Morgan is former chair of the Youth Justice Board.

References

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