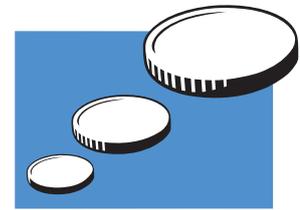


# Trial and error



New  
Philanthropy  
Capital

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Matthew van Poortvliet  
Iona Joy  
Camilla Nevill

## Children and young people in trouble with the law

A guide for charities and funders



 **BARCLAYS  
CAPITAL**



The Clothworkers' Foundation

# Trial and error

## **Children and young people in trouble with the law**

A guide for charities and funders

# Summary

Hardly a day goes by without stories in the media of teenage stabbings, gang warfare and hooded youths terrorising estates. It is not surprising that the public is increasingly fearful of young people, imagining that youth crime is spiralling out of control.

The reality is more complex. Involvement in crime is indeed quite common among children and young people, but youth crime rates are stable, not escalating. For many young people, offending is relatively low level and short-lived—graffiti and shoplifting rather than knives and guns.

Nonetheless, crime and the fear of crime have serious consequences for victims, communities and society. A small number of young people are responsible for a disproportionate amount of crime. Many have come from the most troubled backgrounds, including abusive home lives, a history in care, and difficulties at school. Given that most ‘career criminals’ first get into trouble with the law when they are children, it makes sense to tackle the problem as early as possible.

## How is government tackling crime?

Government policy has been very tough on youth crime since the early 1990s. High numbers of young people have been drawn into the system for minor offences, and today England and Wales lock up more children and young people than any other country in western Europe.

Unfortunately, for the vast majority this response does not work: most young people on an ASBO breach their order, and three quarters of young people leaving custody re-offend within a year of release. It is also extremely expensive, soaking up money that could be better spent on prevention and rehabilitation. Keeping a vulnerable young offender in a secure unit for one year costs the same as sending him to Eton for six.

However, because custody is funded centrally by the Youth Justice Board, there is little incentive for local authorities to provide effective alternatives. At present, custody acts as a form of ‘respite care’ for local authorities from the most troubled, difficult and expensive children.

Crime is linked to many other problems in a young person’s life, including learning difficulties, substance misuse and mental health problems. However, once children and young people get into the criminal justice system, they often miss out on opportunities that might improve their lives and stop them offending.

## What is the role of charities?

Charities provide many of the qualities that those in trouble with the law need. They are accessible and provide non-stigmatising support, and because they are not regarded as ‘an authority’, they can reach the young people that government services struggle to engage.

Charities help on many levels: preventing young people from getting into crime and diverting those at risk into constructive activities and better opportunities; mentoring those in the system and advocating on their behalf; and resettling those leaving custody so that they do not re-offend. They are campaigning to improve a system that is currently not working, and piloting some of the most promising approaches, such as Multisystemic Therapy and Intensive Fostering.

Charities are a valuable source of innovation and independence in an area where government is especially averse to risk. They can offer solutions and argue for changes that may be politically unpalatable but are more effective than ‘safer’ options.

## What are the challenges?

The charity sector for youth justice is strong but quite fragmented. In terms of campaigning and quality of staff, the sector functions better than many others that NPC has seen, despite difficult circumstances. However, there are signs of aggressive competition for funding, a crowded and ‘cut-throat’ market for certain services, and an extremely uncertain commissioning environment.

The evidence base for interventions also needs to be stronger. Four in five magistrates say that the effectiveness of local community programmes influences their sentencing decision. If charities could give courts confidence in community alternatives, it could lead to a reduction in the use of custody for lower-level offences. This could save money and avoid the damaging consequences of custody.

## What can funders do?

Funders can make a difference across the sector. There are few ‘cheap fixes’—working with young people with complex difficulties is expensive and requires dedication—but NPC found that the investment in successful approaches is cost-effective: tens of thousands of pounds can be saved by helping just one young person. Furthermore, where there are gaps in government services, funding charities is invaluable in helping children and young people to get stable housing, mental health treatment and educational support.

As well as long-term support for local initiatives, NPC recommends funding independent policy work and campaigning at a national level. Given the political climate this is an uphill battle, but the sector plays a vital role in ‘opposition’ when the main parties are competing to sound toughest on crime. NPC believes there is slow movement in the right direction and further funding will help to keep the pressure on.



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# Introduction

## James's story\*

James had a difficult early life. His father lived away from home and his mother had a history of drug problems. After James started school, his mother found it increasingly difficult to manage his behaviour. It became clear that James had some difficulties with learning. He had speech problems and regularly truanted. When he did go to school, he often got into trouble, and when he struggled with work, he would hide and cry.

At the age of ten, James and some friends started a fire in the local high school. He received cautions for shoplifting after stealing CDs and magazines, and the Youth Offending Team became involved after an appearance in court relating to criminal damage. Later that year, James was involved in an assault on a girl and was arrested for stealing a bike.

At 14, James was arrested for stealing a car and received a community sentence called an 'Intensive Supervision and Surveillance Programme' (ISSP). The social worker noted that James's mother was very stressed: her daughter was in Holloway prison, James was in trouble, and her ex-husband would turn up unannounced and cause arguments. Then things got worse. James breached the conditions of his order and ended up in a secure unit. Though he made good progress inside, when he came out he breached his conditions again and received a second custodial sentence.

What could have been done to support James during a difficult childhood, and divert him away from crime?

NPC believes that with the right help James could have overcome the challenges he faced, stopped offending and fulfilled his potential. We also believe that charities are playing a vital role in helping young people like James to get back on track.

## The purpose of this report

This report looks at what charities are doing to tackle the problem of offending by children and young people. It helps funders make informed decisions about giving and provides charities with a context for thinking about their work. It discusses the scale of the problem, outlines the role of the government and charities, and explores how funders and charities can have the greatest impact.

NPC began to research this area in March 2009. We have spoken to around 30 experts, looked at over 100 charities, visited or telephoned 45 of them, and received feedback on a draft of this report from seven consultative readers. A full list of references and acknowledgements is provided at the end of the report.

## The structure of this report

**Chapter 1** describes the level and nature of youth offending in England and Wales. It discusses some of the causes and costs of crime, and public perceptions surrounding it. This will help funders and charities to understand the main needs of young people in the criminal justice system, which groups are particularly vulnerable, and why intervening in this area is important.

**Chapter 2** looks at the criminal justice system and how the government is attempting to tackle offending. It sets out the complicated journey that young people in the system face, and explains the structure of funding and decision-making in the system. By explaining the complexities of the environment in which charities must operate, this chapter asks what gaps charities must fill, and what they have to campaign about.

**Chapter 3** examines the evidence for what works in tackling youth offending, and looks at what makes a successful project. It helps funders decide which approaches are most effective and where they should focus their support. It also highlights where there are gaps in the evidence, and where funders and charities can help by contributing to the research into what works.

**Chapter 4** shows what charities are doing and whether or not their efforts are effective. It considers the role of charities, who is doing what, and how well different charities work together. This chapter contains many examples of charities that are tackling youth offending.

**Chapter 5** presents the challenges facing the charitable sector and what could be done to help solve them. This can help funders—including government—to think about the best ways to support the sector. It also suggests solutions for charities, and areas where they could collaborate to improve the situation.

**Chapter 6** considers the different options for funders, and where their support can make the most difference.

\* Adapted from Audit Commission report, Youth justice, 2004.<sup>1</sup>

**Table 1: Relevant NPC reports**

Subject	NPC report
Adults in prison and on release	<i>Breaking the cycle</i> (2009)
Child abuse	<i>Not seen and not heard</i> (2007)
Community organisations tackling poverty and social exclusion	<i>Local action changing lives</i> (2004)
Literacy skills of young people	<i>Read on</i> (2007)
Mental health of children and young people	<i>Heads up</i> (2008)
Out of school hours activities for children and young people	<i>After the bell</i> (2007)
People in prison and life after release	<i>Inside and out</i> (2005)
Special educational needs	<i>Making sense of SEN</i> (2004)
Tackling homelessness in the UK	<i>Lost property</i> (2008)
The costs of truancy and exclusion	<i>Misspent youth</i> (2007)
Truancy and exclusion	<i>Schools out?</i> (2005)
Violence against women	<i>Hard knock life</i> (2008)
Young people in divided communities	<i>Side by side</i> (2004)
Young people not in education, employment or training	<i>Getting back on track</i> (2009)
Young refugees and asylum seekers	<i>A long way to go</i> (2007)

### The scope of this report

This report looks at the offending of children and young people aged 10 to 25. However, the focus is overwhelmingly on those aged 10 to 17, the age group that is dealt with by the youth justice system. For analysis of the adult prison population and the role of charities, readers should see NPC’s report, *Breaking the cycle* (2009).

We have focused on the situation in England and Wales. There is some discussion of the situation in Scotland, but Northern Ireland is not addressed here.

We have focused on children and young people who are within the criminal justice system, or are at high risk of entering it. We have not

looked at early childhood in great detail, and readers should be aware that many preventative solutions lie outside the scope of this report. Many related issues, such as child abuse, mental health and homelessness, have been covered in NPC’s other publications. A full list can be seen on the inside back cover of this report, and the most relevant are listed in Table 1.

### About NPC

New Philanthropy Capital (NPC) is a consultancy and think tank dedicated to helping funders and charities to achieve a greater impact.

We provide independent research, tools and advice for funders and charities, and shape the debate about what makes charities effective.

We have an ambitious vision: to create a world in which charities and their funders are as effective as possible in improving people’s lives and creating lasting change for the better.

- For charities, this means focusing on activities that achieve a real difference, using evidence of results to improve performance, making good use of resources, and being ambitious to solve problems. This requires high-quality leadership and staff, and good financial management.
- For funders, this means understanding what makes charities effective and supporting their endeavours to become effective. It includes using evidence of charities’ results to make funding decisions and to measure their own impact.

To date, we have published over 50 reports on a wide range of social welfare and voluntary sector issues, from education and mental health to social campaigning and funding practice.

For further information about NPC, and to download our reports and analysis, go to [www.philanthropycapital.org](http://www.philanthropycapital.org).



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# The problem

**Young people are more likely than adults to become involved in crime, both as offenders and as victims. But for most young people, criminal activity is not serious or long-lasting. A small number of young people are responsible for a disproportionate amount of offending, including most of the serious offences.**

**Young people who offend are often from the most troubled backgrounds. Many have been excluded from school, have grown up in local authority care, or have experienced physical or sexual abuse. Those in the youth justice system commonly have mental health problems or learning disabilities, and struggle with basic literacy and numeracy skills.**

**The impact of youth offending is considerable. Victims can be traumatised, families can break down, and communities can become fearful. Offenders are likely to face a bleak future, including becoming victims of crime themselves.**

**The Audit Commission has estimated that preventing just one in ten young offenders from ending up in custody in the UK would save society over £100m a year.<sup>1</sup> Given the enormous and wide-reaching costs of youth offending, the case for funders and charities to intervene is compelling.**

This chapter outlines the level and nature of youth offending in England and Wales. It discusses some of the causes of crime in order to help charities and funders think about what they can do to tackle offending. It also describes the fear surrounding youth crime.

## Children and young people in trouble

Involvement in crime is common for children and young people. But for most, it is infrequent, short-lived and relatively low level.<sup>2,3</sup> Nearly a quarter of children and young people report committing a criminal offence each year, but most are not serious enough to come to the attention of the police or to warrant a formal response.<sup>3,4</sup> For example, teenagers dodging fares, smoking cannabis or spraying graffiti are unlikely to get reported to the police, and even when they are, they will not be charged for a first offence.

However, as children and young people offend more often or more seriously, they are likely to get into trouble and become involved in the criminal justice system. The government estimates that there are 600,000 offenders in England and Wales under the age of 18.<sup>5</sup> Those who are caught shoplifting, taking drugs or damaging property might get a reprimand or final warning from the police, and be referred to the local Youth Offending Team. If their behaviour continues or becomes more serious, they will end up in court and may be given a community or even custodial sentence (see Box 1).

One in ten young people reports committing a serious offence, and one in a hundred commits serious offences regularly.<sup>4,6</sup> Robbery, burglary and serious violence are the main crimes that lead to a child or young person being imprisoned. England and Wales lock up more under-18s than any other country in western Europe, with approximately 2,500 children and young people in custody at any one time.<sup>7,8</sup>

**A small number of offenders are responsible for a disproportionate amount of youth crime.**

### Box 1: The stories behind the statistics\*

Behind the statistics on crime are real children and young people, each with a story of what went wrong.

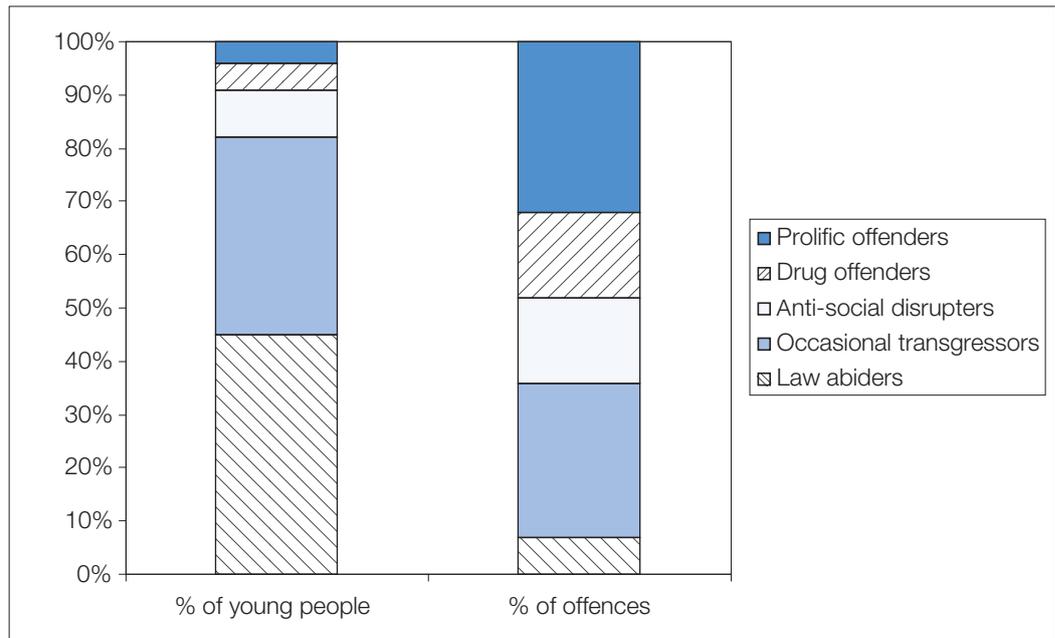
**Michael** grew up in a small, ex-mining town with high unemployment and few opportunities. The area was seen as 'rough' and young people had a bad reputation. When they were teenagers, Michael and his friends were often bored. They would get drunk, steal motorbikes and ride dangerously around the streets and woods of the town, causing a nuisance.

**Abby** was adopted into a happy, stable family. When she was 16, however, her mother died of cancer, and shortly afterwards her brother died in a car accident. Abby started to face difficult questions about her natural parents. She became very upset and started to get into trouble with drugs. She fell in with a bad group in the neighbourhood, and ended up shoplifting and getting into fights. By her early twenties, Abby was in abusive relationships and was constantly in and out of prison on short sentences.

**Robert** was taken into care at the age of eight and placed with a foster family. He found it hard to settle, however, and changed foster family many times during his childhood until, in his early teens, he set out on his own. By the time he was 16, he had a cocaine addiction. By 17 he described himself as a '*full-time criminal*', doing robberies, burglaries and dealing drugs to pay for his habit. He was eventually sent to a Young Offender Institution for robbery and assault on a police officer.

\* These case studies are based on the accounts of real children, provided by charities.

Figure 1: Types of offender and their level of offending\*



### The difficult minority

It is well established that a small number of offenders are responsible for a disproportionate amount of youth crime. A recent Home Office study categorised 4% of young people as ‘prolific offenders’ who commit 32% of all offences (see Figure 1), including most of the serious offences (79% of burglary, 71% of robbery, 83% of vehicle crime, and 61% of criminal damage).<sup>9</sup> On average, each prolific offender commits 57 offences over four years.<sup>9</sup>

### The ‘criminal career’

Some criminologists have identified a ‘criminal career’ that starts in childhood, persists into adulthood, and is then reproduced in successive generations. The most prolific offenders start early, often before the age of ten, and on average are convicted by the time they are 13. These ‘early starters’ tend to commit the most serious crimes and go on to become prolific offenders in adulthood.<sup>10</sup> The peak age of offending is 17 or 18 for boys and 15 for girls (see Figure 2).<sup>11,12</sup> Girls are less likely than boys to have long criminal careers, and those that do tend to begin and peak earlier.<sup>13</sup>

Children who have not committed a crime by the age of 14 are much less likely to do so in their later teens.<sup>14</sup> It is therefore essential that children are diverted away from crime at an early age, and those who have already offended should be given the best help possible to set them back on track. The costs associated with a long criminal career are considerable:

the Home Office estimates that each young offender costs society £300,000 over his or her lifetime.<sup>5</sup> And the pattern is likely to be reproduced in the next generation, as 65% of boys with a convicted parent go on to offend themselves.<sup>15</sup>

### What crimes do young people commit?

Children and young people tend not to stick to one type of crime. Typically, shoplifting leads on to burglary, burglary to robbery, and so on.<sup>†</sup> The range of crimes increases up to the age of 20, but then becomes increasingly specialist. As young people get older, they change from group offending to committing crimes alone.<sup>10</sup>

The majority of youth crime is directed against property: theft, handling stolen goods, and criminal damage. As Figure 3 shows, theft is the most common crime for which young people enter the youth justice system, followed by assault, which accounts for one fifth of offences.<sup>16</sup> Robbery and sexual assault are relatively rare, and although knife crime is a serious concern in certain areas, national hype is disproportionate to actual levels of offending (see Box 2).

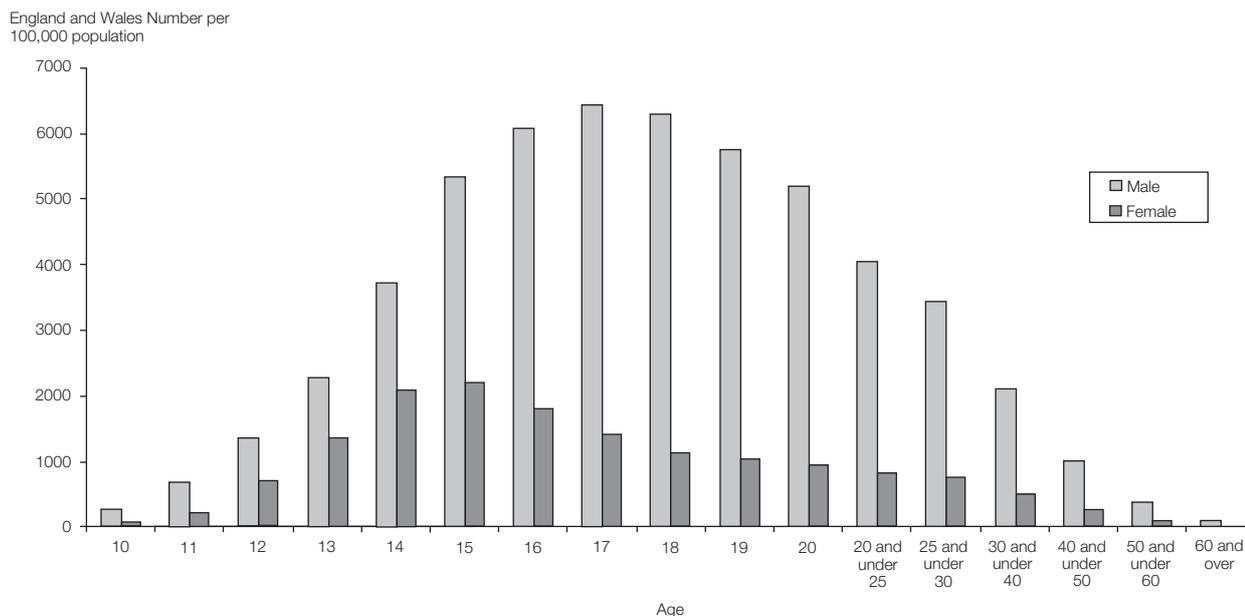
Each type of offence spans different degrees of seriousness. For example ‘Violence against the person’ can range from threatening words to murder. Around half of violent crime involves no injury (for example, a robbery where the threat of force is used, but there is no physical assault).<sup>16, 17</sup>

Most prolific offenders start early, often before the age of ten.

\* This data is taken from a Home Office study that looked at the offending of 5,000 children and young people aged 10–25 over four years and classified them according to their self-reported offending behaviour.<sup>9</sup> Because these figures are based on self-reported offences, they are not ones that young people would necessarily be arrested for.

<sup>†</sup> Theft means stealing without the use of force (for example, shoplifting, pick-pocketing or stealing cars); robbery involves the threat or use of force; burglary involves theft from a house or dwelling.

**Figure 2: Peak ages of offending (convicted offences per 100,000 population, by age and gender, in England and Wales, 2007)<sup>12</sup>**

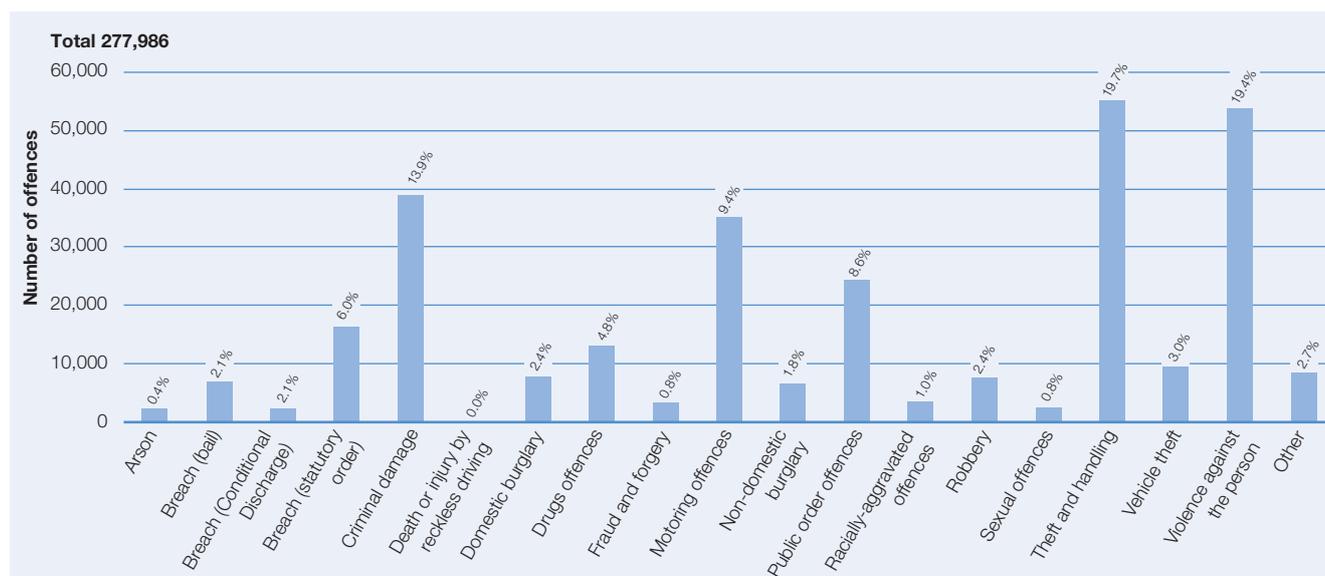


‘Breach of a statutory order’ (that is, not meeting the conditions of a community sentence) accounts for more custodial sentences than any other offence.<sup>16</sup> In some cases of persistent breach, children can be taken to custody for breach where the original crime would not warrant custody.<sup>18</sup> More than half of under-18s on an Anti-social behaviour order breach their ASBO, of which 32% result in a custodial sentence.<sup>19</sup>

**Trends suggest that youth crime is stable**

Figures on crime rates have to be treated with caution. According to the British Crime Survey, crime overall has decreased since the mid-1990s, as has violent crime.<sup>17</sup> However, the survey excludes crimes where victims are under 16, so it is difficult to determine changes to trends in youth crime. According to surveys of children and young people, offending has remained reasonably stable, with a drop in recent years.<sup>3, 4</sup>

**Figure 3: Crimes by young people (under 18) resulting in a caution or sentence (2007/2008)<sup>16,\*</sup>**



\* These figures represent the number of offences resulting in a caution by the police or a sentence in court—not the number of offences committed overall.

### Box 2: Knife crime

Serious concern has been raised over the extent of knife crime in recent years. There has been alarm in the national media and the public believes that there is a real problem—78% of people think that knife crime has ‘gone up a lot nationally’.<sup>17</sup> So what is the reality behind the headlines? There are many sources of data on knife crime, but none gives a conclusive picture. They show, for example:

- **Knife carrying may have increased.** Ministry of Justice figures suggest that between 1997 and 2006, the number of young people aged 10–17 convicted of carrying a knife rose from 482 to 1,265.<sup>20</sup> However, this may in fact reflect greater police and school activity to detect knife carrying, rather than increased levels of carrying.
- **Knife-related homicides and violent crime appear stable.** The proportion of homicides involving a ‘sharp instrument’ has remained stable since 1997.<sup>21</sup> British Crime Survey data shows that the proportion of non-fatal violent crime involving knives has also remained stable since 1997.<sup>17</sup>
- **Hospital admissions for stab wounds among young people have increased.** Between 2002/2003 and 2006/2007, hospital admissions for stab wounds increased by 88% (from 95 to 179) for under-16s, and by 75% for 17–18 year olds.<sup>22</sup> Around a third of stab wounds among under-16s occurred in London.<sup>22</sup>

So there is a concentrated knife crime problem amongst young people in specific urban areas, with a particular increase in 2006/2007. However, this should not be interpreted as a national crisis. Since the jump in 2006/2007, knife crime seems to have fallen.<sup>23</sup> But we have a limited understanding of these trends, and there is a lack of research into the nature, extent, cause, motivation, frequency and possible growth of knife carrying.<sup>24</sup>

There is some evidence that more younger children and more girls are being arrested, possibly as a result of police targets.<sup>25</sup> \* According to data obtained by the Liberal Democrats, the number of convicted 10 to 12 year olds rose by 87% between 1997 and 2007.<sup>26</sup> This is concerning, since younger children are more likely to respond negatively to the stigmatising effects of contact with the criminal justice system.<sup>27</sup>

### The complex causes of youth crime

Young people give a whole host of reasons for offending. Some offend for excitement, enjoyment or because they are bored. Some have emotional reasons (such as anger); others have financial reasons (such as wanting money for drugs). Boredom is the reason most commonly cited among younger children, but from the age of 20, financial reasons become increasingly dominant.<sup>3, 5</sup>

Most offending among young people is not premeditated. It is committed on the spur of the moment, under the influence of alcohol or drugs, and young people assume that they will not be caught.<sup>2, 28</sup> This suggests that sentencing and custody play a limited role as deterrents. Prevention needs to target the risks that lead children and young people into situations and peer groups where they are tempted to offend, and to give them positive alternatives.

There are many factors relating to a child’s personality, community, family and social context that are associated with a child becoming involved in anti-social behaviour and crime (see Figure 4). These risk factors are well documented and include growing up in care, mental health problems and special educational needs.<sup>†</sup> Risk factors associated with offending behaviour are typically characteristic of all children in need.<sup>29</sup>

### Children in custody

Children in custody are usually vulnerable and challenging, with chaotic family backgrounds and histories of neglect and abuse (see Table 2). Many are well known to social services, police and other local agencies. However, they often have experience of professionals failing to listen, assessments not being followed by action and nobody being in charge.<sup>1</sup> In general, the needs of young people who are held in custody are similar to those who are supported in the community by Youth Offending Teams.<sup>28</sup>

### Is the solution part of the problem?

Some commentators argue that contact with the criminal justice system is itself a ‘risk factor’.<sup>2, 43</sup> Drawing children and young people into the criminal justice system for minor offences can arguably make them more likely to continue offending than if nothing had

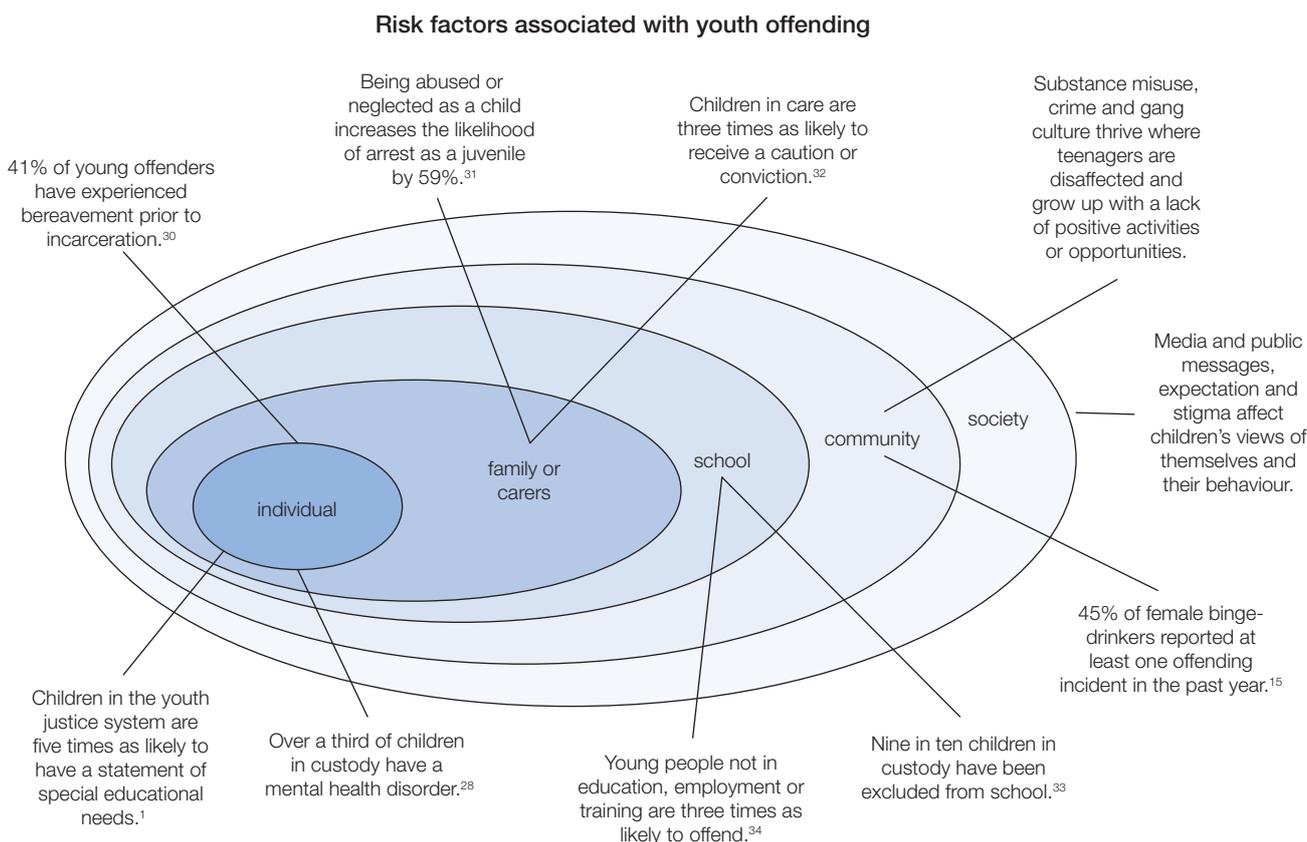
There’s nothing to do round here. It costs £8 to go to the cinema. I can get drunk for £3.

Sally, 14.

\* In 2002, police targets were introduced to narrow the gap between the number of offences recorded and the number of convictions or cautions. Unfortunately, rather than leading to those who commit more serious crimes being brought to justice, increasing numbers of younger children, girls and those who commit less serious offences—who are easy to detect and would previously have been dealt with informally—have been brought into the criminal justice system (see Chapter 2 for more information).<sup>25</sup>

10 † It is important to stress that ‘risk factors’ are associated with crime, rather than direct causes. Many young people that ‘tick all the boxes’ will never commit crimes at all.<sup>11</sup> Targeting criminal justice interventions at those displaying risk factors can lead to ‘false positives’—ie, young people identified and labelled as offenders, who will never go on to offend.

Figure 4: Risk factors associated with offending



been done—for example, by labelling them as offenders, giving them a criminal record, mixing them with peers who offend, and influencing their views about themselves.

‘System contact’ is also a risk for children and young people who are particularly vulnerable. The government’s recent health strategy for young offenders, Healthy Children, Safer Communities, states that ‘Contact with the youth justice system can bring extra problems for some children and young people, including those with learning difficulties, communication needs and mental health problems.’<sup>28</sup>

If this is true, the best policy in the case of minor offences or vulnerable young people is to divert them away from the criminal justice system and deal with problems elsewhere—for example, through mental health services in the community or restorative justice approaches.<sup>44</sup>

The concept of ‘diversion’ is discussed in more detail in Chapters 2 and 3.

### Vulnerable groups

Children and young people from a number of groups are more likely to become involved in the youth justice system. These groups are not only over-represented, but also include children and young people who, once involved in the system, are more vulnerable to harm (from bullying, harsh treatment, self-harm or suicide). As Box 3 shows, girls and young women are not over-represented, but they are entering the criminal justice system in growing numbers, and often receive services that have been developed for young men. Young adult offenders, aged 18–25, are sometimes seen as a vulnerable group due to the lack of specialist support that they receive. This is discussed in Chapter 2.

Table 2: The child behind the crime

Risk factor	Prevalence among population in custody	Prevalence among general population
Spent time in care	29% boys / 44% girls <sup>35</sup>	0.5% <sup>36</sup>
Experienced domestic violence	25% boys / 40% girls <sup>37</sup>	16% <sup>37</sup> (all forms of abuse)
Suffered sexual abuse	5% boys / 33% girls <sup>37</sup>	16% <sup>37</sup> (all forms of abuse)
Excluded from school	88% boys / 89% girls <sup>33</sup>	0.1% <sup>38</sup>
Received a statement of special educational needs	15% <sup>1</sup> (of Youth Offending Team clients)	3% <sup>39</sup>
Used illegal drugs	85% (12–17 year olds) <sup>40</sup>	24% (11–24 year olds) <sup>40</sup>
Have a diagnosed mental health disorder	33% <sup>28</sup>	10% <sup>41</sup>
Lived with someone other than a parent	75% <sup>42</sup>	1.5% <sup>42</sup>

**Box 3: Girls and young women**

Girls and young women are significantly under-represented in the youth justice system, yet the increasing number of girls being sentenced is concerning. The number of girls under 18 sentenced to custody at magistrates' courts increased by 181% between 1996 and 2006.<sup>52</sup> Adolescent girls in detention are at particular risk of depression, self-harm and suicide—around 90% of girls under 18 in custody have self-harmed.<sup>53</sup> There is also a risk to the child of a young mother who is locked up, particularly if she is the primary carer or is pregnant.<sup>54</sup> However, because most young offenders are boys, there are few support services designed specifically for the needs of girls and young women. Charities such as the **YWCA** and **Clean Break** are among the few specialists working with girls who offend.

**Black and minority ethnic children and young people**

Young black people are over-represented at all stages of the criminal justice system.<sup>45</sup> They constitute 2.7% of the population in England and Wales aged 10 to 17, but represent 8.5% of that age group who are arrested. They are more likely than white young people to be stopped and searched by the police, more likely to have their DNA held on the police database, less likely to be given unconditional bail, and more likely to be remanded in custody.<sup>46</sup> They are also more likely to receive harsh treatment in custody, such as restraint or confinement.<sup>35</sup> Social exclusion is the primary cause of over-representation here, but discrimination and cultural issues also play a part.<sup>47, 48</sup>

**Children and young people with mental health problems**

There are strong associations between mental health problems and anti-social behaviour. Many mental health disorders go undiagnosed and untreated in the criminal justice system, and sufferers are vulnerable to self-harm and suicide. A study by Oxford University in 2005 found that the suicide rate among male offenders aged between 15 and 17 years was around 18 times higher than that of the general male population of the same age.<sup>49</sup> There is also evidence that the criminal justice system contributes to mental health problems.<sup>28, 50</sup> For more information, see NPC's report *Heads up* (2008).

**Looked-after children**

Looked-after children and care leavers are highly over-represented in the criminal justice system. One in ten looked-after children, aged ten or over, has been cautioned or convicted for an offence during the last year. This is three times the rate for children in the general population.<sup>32</sup> Many looked-after children have had extremely troubled backgrounds of abuse or neglect, with little stability from adults or peers at home or at school.

These troubled backgrounds may be only part of the story, however, and the ways in which carers and the police respond to looked-after children may be a contributory factor in their criminalisation. For example, in some children's

homes, carers use the police as a threat when children misbehave. Any subsequent bad behaviour—such as pushing a carer or breaking a window—means that the police are called and the child receives a criminal record. If a window is broken in a normal family home, the parents are very unlikely to call the police.

**Children and young people with learning disabilities and difficulties**

Learning disabilities and difficulties, including speech and language problems, are associated with both offending and being a victim of crime. A quarter of young people who offend have learning difficulties and over half have communication, speech, language and literacy problems.<sup>28</sup> Around 40% of young offenders struggle to benefit from interventions such as anger management and drug rehabilitation courses.<sup>51</sup> So they may be more likely to leave prison with unresolved problems that are known to contribute to re-offending.

**Public perceptions of youth crime**

Public perception is an important influence on the youth justice system: it affects government policy, the decisions of magistrates and judges, and perhaps even the behaviour of young people themselves. However, most people have confused, and contradictory, views on crime—surveys show that many people want tougher sentencing, but they also think that prison does not work.<sup>55</sup>

Three in four people believe that crime is increasing, when in fact it has been falling steadily since the mid-1990s.<sup>17</sup> The risk of being a victim is at its lowest level since the British Crime Survey began in 1981, and the murder rate is at its lowest point in 20 years.<sup>17</sup> However, many people simply do not believe the government statistics, and think that crime is spiralling out of control.

There is particular public concern about youth crime. Given that youth crime appears to be stable, this may be significantly due to the media. More than two thirds of media stories about young people in the UK are negative, and a third of articles about young people are about crime (see Box 4).<sup>56</sup> According to a recent report by the UK Children's Commissioners

Children in the youth justice system are five times as likely to have special educational needs.

(2008), *'The incessant portrayal of children as thugs and yobs not only reinforces the fears of the public but also influences policy and legislation.'*<sup>57</sup> This is significant because 43% of magistrates say that the media and public pressure influence their decisions when it comes to sentencing a young person.<sup>1</sup>

In response to these perceived problems (the supposed increases in crime and degeneration of youth), the public is thought to want tougher, more punitive sentences. The danger with this, as we will see in the next chapter, is that government policy becomes designed to allay public fear, rather than to prevent crime effectively.

However, the public is often not as punitively-minded as politicians think. A survey by **SmartJustice** and the **Prison Reform Trust** found that 65% of people believed that imprisonment is not the right way to punish young people who commit non-violent crimes, and nearly two thirds thought that prisons were *'universities of crime'* for young offenders.<sup>58</sup>

Part of the problem is that the public knows little about the youth justice system, so confidence in it is low. When given more information about a particular case, people are more likely to favour a less punitive response.<sup>59</sup>

## The costs of youth crime

### The impact on victims

Being a victim of crime can be distressing and traumatic. Although media attention often focuses on adults being the victims of youth crime, the victims of crime—especially violent crime—are more often other young people. Young men aged 16 to 24 have the highest risk of being a victim of violent crime.<sup>17</sup> One young victim said: *'After it happened I wouldn't go to school cos I was terrified of you. When I saw you going into school I ran away. I was terrified. I was shaking. You hurt me.'*<sup>61</sup>

Offenders are themselves more likely to be the victims of crimes. Half of those who have committed an offence in the previous 12 months

have also been victims of crime in the same time period. This is compared to a fifth of those who have not committed any offence.<sup>4</sup> Also, young people who have been the victim of a crime are twice as likely to carry a weapon compared with those who have not.<sup>3</sup>

### The impact on communities

Much public concern about young people stems from their tendency to hang around in groups in public places. Teenage groups are associated with noise and nuisance behaviour, which many adults and other young people find intimidating.<sup>62</sup> According to the British Crime Survey, *'teenagers hanging around on the street'* is the form of anti-social behaviour that people are most worried about.<sup>17</sup> Fear of burglary is highest among those who consider anti-social behaviour to be a problem in their local area.<sup>63</sup>

Crime and the fear of crime cause communities to be divided and anxious, with decreasing levels of trust as people become suspicious of each other. Where there are gangs, many local people feel unable to move freely around the area, for fear of straying into rival territory.

Fear of crime can also be self-perpetuating. Behaviour that is seen as anti-social, such as joining street gangs, is frequently a result of fear of crime rather than aggression. A MORI poll for the Youth Justice Board found that 60% of secondary school pupils under 16 worry about physical intimidation in or on the way to school.<sup>64</sup>

### The impact on offenders and their families

Involvement in crime has significant personal costs for young people. Many children and young people become unwelcome in their own communities, perhaps understandably, because of their behaviour and reputation.<sup>65</sup> They experience isolation and their future opportunities are seriously damaged by a criminal record. Even a short spell in custody can do lasting damage to young people. Broken family bonds, lost accommodation,

Young people who have been the victim of a crime are twice as likely to carry a weapon.

#### Box 4: Young people in the media

The **Reclaim** project in Manchester provides mentoring and activities for young 'at risk' teenagers. The project's success has generated lots of media attention, but not always of the right kind. When a national TV company came to film the boys, they were asked to get changed out of their smart suits, put their hoodies on and be filmed down at the park.

The boys explained: *'Since the project started, we have been approached by so many different newspapers, magazines and TV companies, most of who want to talk to us about guns and knives and gangs. We keep trying to explain that we are not involved in gangs and crime; we're black boys doing positive things in this area—and then the journalists go away, as they tell us that's not the story people are interested in.'*<sup>60</sup>

**Box 5: The next generation**

Young offenders are more often thought of as children than as parents, but given that a quarter of male offenders under 23 are fathers, and nearly two fifths of female young offenders are mothers, youth offending has an impact on the lives of many children.<sup>66</sup>

Parental criminality increases the likelihood of children offending and facing other social difficulties.

Children of prisoners are at risk of poorer outcomes than their peers:

- 65% of boys with a convicted parent go on to offend.<sup>15</sup>
- Children of prisoners have at least double the risk of mental health problems, compared to their peers, and three times the risk of anti-social or delinquent behaviour.<sup>15</sup>
- Parental imprisonment can lead children to experience stigma, bullying and teasing.
- Imprisonment leaves families vulnerable to poverty, debt and housing disruption, and children of prisoners are often subject to unstable care arrangements.

broken education or training, and the bullying that many experience in custody, can all make it harder for young offenders to get on with a normal life when they return to the community. As Box 5 shows, the knock-on effect on young offenders' children can be considerable.

**The economic costs**

Young offenders who do not receive proper support are likely to go on to become long-term adult offenders. By the time they are 28, people with continuing high levels of anti-social behaviour have cost society up to ten times more than those with no problems (see Box 6).<sup>67</sup> Although data on costs is extremely variable and should be treated with caution, the figures are, by all measures, considerable:

- Government estimates that prolific young offenders cost society and services £80,000 per year, and the 'career criminal' costs £300,000 over his or her lifetime.<sup>5</sup> A recent estimate put the lifetime cost much higher, at £1.5m for a single prolific offender.<sup>68</sup>
- Government agencies in England and Wales spend an estimated £3.4bn a year dealing with anti-social behaviour.<sup>69</sup>

- Young adults (18–24) account for nearly a third of all crimes committed, at a cost of up to £19bn every year.<sup>70</sup>
- The total annual cost of crime in England and Wales was estimated to be £60bn in 2000.<sup>71</sup>

There are considerable savings to be made by intervening effectively. The Audit Commission has estimated that preventing just one in ten young offenders from ending up in custody in the UK would save society in excess of £100m a year.<sup>1,72</sup>

**Tackling the problem**

Given the significant individual, social and economic costs associated with youth offending, the case for charities and funders to intervene in this area is compelling.

It is well established that the roots of most adult offending lie in childhood, so what can be done in early life to prevent these costs? Many children who get involved in crime are from the most difficult backgrounds. But as the following chapters show, government, charities and funders can all take positive steps to steer children away from a life of crime and get them back on track.

**Box 6: Sandra's story<sup>15</sup>**

Sandra had a troubled childhood. She was born to an alcoholic mother, was emotionally and sexually abused, did badly in school and had very low self-esteem. She ran away from home several times, started behaving anti-socially and was excluded from school. She ended up drinking heavily and committing serious crimes.

By the time that Sandra was 28, she was serving her third custodial sentence and £166,092 had been spent on criminal justice and other service costs. There is a high chance of her offending again and continuing to cost money. Around a third of convicted adult female offenders re-offend within a year.<sup>73</sup> The proportion is higher for females who have committed three offences or more, or who have been given a custodial sentence.<sup>15</sup>

If Sandra had received appropriate support, the cycle of anti-social behaviour and offending could have been broken, resulting in a better life for Sandra, and substantial savings.

# What is government doing?

Youth justice has been central to government policy since the early 1990s. Over the last 20 years the youth justice system has been transformed and tougher approaches have drawn more children and young people into the criminal justice system.

Recent developments have increased the focus on family support, preventative approaches and alternatives to custody. There have been reductions in the frequency and seriousness of offending, the number of new entrants to the youth justice system, and the number of children and young people in custody.

However, England and Wales still have the highest rates of youth custody in western Europe. Local authorities are reluctant to fund alternatives to custody, and magistrates and judges report that when it comes to sentencing young people, there are always custodial places available, but often shortages of preferred community alternatives, such as Intensive Fostering.

The availability of appropriate mental health treatment, accommodation and educational support are particular problems, and continuity in the system is poor. Government admits that *'services rarely share information', 'the links between adult and children's services are practically non-existent', and 'resource constraints may mean that support is not available'*.<sup>5</sup>

This chapter describes the youth justice system in England and Wales, and what it means for young people. It looks first at government policy on youth justice, before discussing the different stages of the youth justice system—policing, Youth Offending Teams, courts, community sentencing, custody and resettlement—and how they meet the needs of young people. Finally, it assesses some of the gaps in provision in order to help funders and charities identify where they can make the most difference.

## The role of government

Government is responsible for tackling youth crime. It provides services to prevent offending and re-offending, to protect the public and to rehabilitate offenders. This includes everything from parenting support in early years, to resettlement when young people leave custody.

## Background

Rises in crime at the end of the 1980s resulted in a hostile climate towards young offenders that brought earlier, more welfare-oriented approaches into question. In 1993, the murder of James Bulger by two truanting ten year olds put youth crime back on the front page, and it rapidly became a topic of intense media attention and a central focus of government policy.<sup>2</sup>

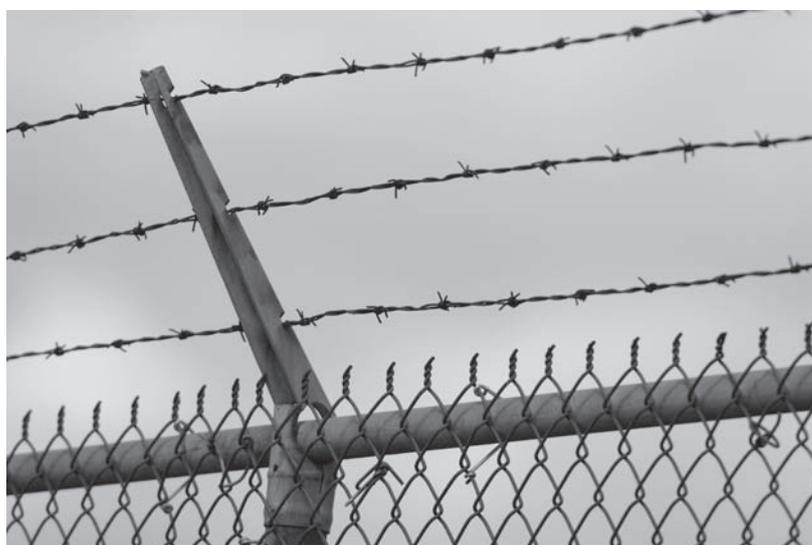
This marked a shift towards a tougher approach to youth offending, and the number of children sentenced to custody more than tripled between 1991 and 2006.<sup>61</sup> Changes to policing and sentencing became stricter and more children were drawn into the criminal justice system for minor offences. Today, England and Wales lock up more children and young people than any other country in western Europe.

## The reformed youth justice system

In 1998, the youth justice system was completely transformed. The Crime and Disorder Act (1998) set up a new Youth Justice Board (YJB) to oversee the youth justice system, established multi-agency Youth Offending Teams (YOTs) at a local level, and introduced new, tougher sentencing guidelines. Figure 5 shows the structure of the current youth justice system.

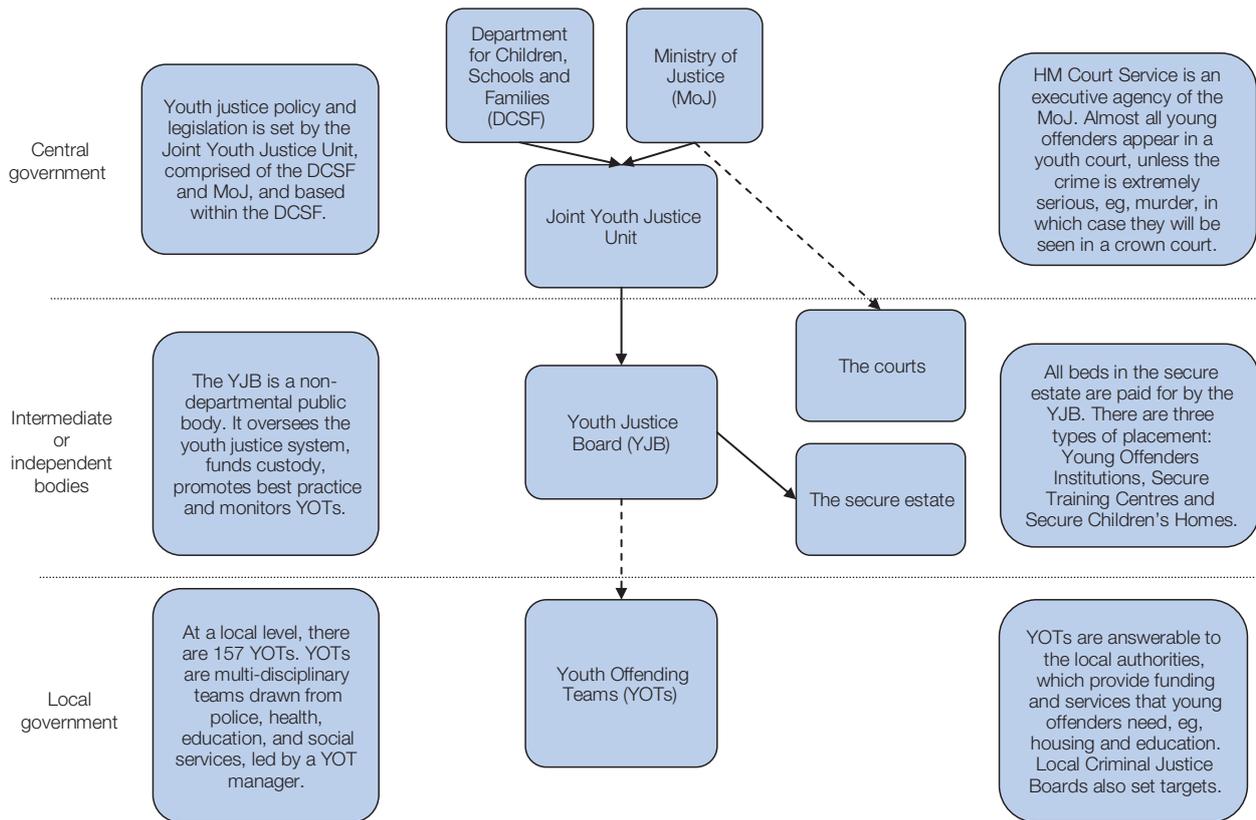
At a central government level, the Ministry of Justice (MoJ) shares responsibility with the Department for Children, Schools and Families (DCSF) for sponsorship of the YJB and a Joint

The number of children sentenced to custody more than tripled between 1991 and 2006.



Photograph supplied by istockphoto.com

Figure 5: The structure of the youth justice system



**Box 7: Welfare versus justice**

The distinction between welfare and justice is simplistic, but it summarises a key challenge for youth justice professionals and politicians: how do you balance the needs of the offender against the rights of the community and the broader public interest? Where do the priorities in decision-making lie between punishment, public protection, rehabilitation and child welfare? Should government respond to children and young people foremost as ‘offenders’, or as ‘children in need’?

Legislation in England and Wales attempts to balance welfare and justice needs. However, critics—particularly in the charity sector—argue that an emphasis on punishment has become too dominant. Concern for the community and the wider public has manifested itself in ‘tough’ talk about youth crime; high numbers of children sentenced through courts; and use of custody for non-violent offences. Though custody protects the public in the short term, high re-offending rates suggest that these measures have not been very successful at preventing crime or reforming young people.

Scotland has a very different youth justice system from England and Wales.<sup>43</sup> Up to the age of 16, the Scottish youth justice system is more welfare-oriented, with high rates of diversion<sup>†</sup> and low levels of custody. Children in Scotland who commit crimes are designated as ‘looked-after children’ or ‘children in need’, and only the most serious offences are prosecuted in criminal courts—the majority of those under 16 are diverted to the ‘children’s hearing system’.

Youth Justice Unit. The Joint Youth Justice Unit develops policy and legislation in relation to children who offend or are at risk of offending. One of its aims is to ensure that children and young people who come into contact with the criminal justice system achieve the Every Child Matters outcomes.\*

However, there are tensions between the interests of the DCSF, whose priority is child welfare, and the MoJ, which is focused on enforcing the law. This reflects a broader tension throughout the youth justice sector, which can crudely be characterised as the difference between ‘welfare’ and ‘justice’ approaches to youth offending (see Box 7).

**Spending on youth justice**

Reforms to the youth justice system have been accompanied by a significant increase in resources. Between 2000 and 2007, spending on youth justice increased in real terms by 45%, reaching £649m in 2007.<sup>74</sup> Spending on the youth justice system includes money specifically allocated for youth justice by the YJB and the various statutory agencies that contribute to YOT budgets. The majority of the YJB’s spending purchases custodial places for children, with about eight times more spent on custody (£298m) than on prevention programmes (£36m).<sup>75</sup>

\* The Every Child Matters outcomes are that children should be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being.

† Diversion refers to alternatives to prosecution. See Chapter 3 for more information.

Spending on crime prevention is also drawn from national and local budgets outside the YJB and YOTs. Community intervention programmes such as Sure Start and Connexions have been set up to address the broader social problems that can lead to offending, and Family Nurse Partnerships support vulnerable parents. The government spends around £1.6bn on youth services and programmes to engage young people in activities and prevent them from becoming involved in crime or anti-social behaviour.<sup>69</sup>

### Latest policy

The Youth Crime Action Plan (2008) emphasises the government's 'triple track' approach to youth justice: tough enforcement, prevention and 'non-negotiable challenge and support' for families in trouble. It pledges £100m additional funding for new interventions, such as Intensive Fostering and the Resettlement and Aftercare Programme (see Chapter 3).

A new target to reduce 'first-time entrants' and a 'triage' system in police stations have led to a reduction in the number of children and young people being drawn into the criminal justice system. There has also been a small reduction in the number of children in custody.<sup>75</sup>

Most recently, a Youth Rehabilitation Order has been introduced to simplify community sentencing and a 'Scaled approach' will focus resources on young people perceived to be at highest risk of offending.

### The different stages of the youth justice system

As Figure 6 shows, a young person's first contact with the youth justice system is likely to be with the police. When police catch and arrest a young person breaking the law, what happens next depends on the severity of the crime and the history of the offender. In the case of minor offences, the police can

issue 'reprimands' or 'final warnings', which may involve a programme of support and intervention from the Youth Offending Team.

Serious offences usually lead to an immediate charge, and the young person is held at the police station and referred to the YOT, before appearing before the courts. While awaiting trial or sentence at court, the young person will either be bailed into the community or remanded, depending on the severity of the offence and the accommodation options available in the community.

### Policing

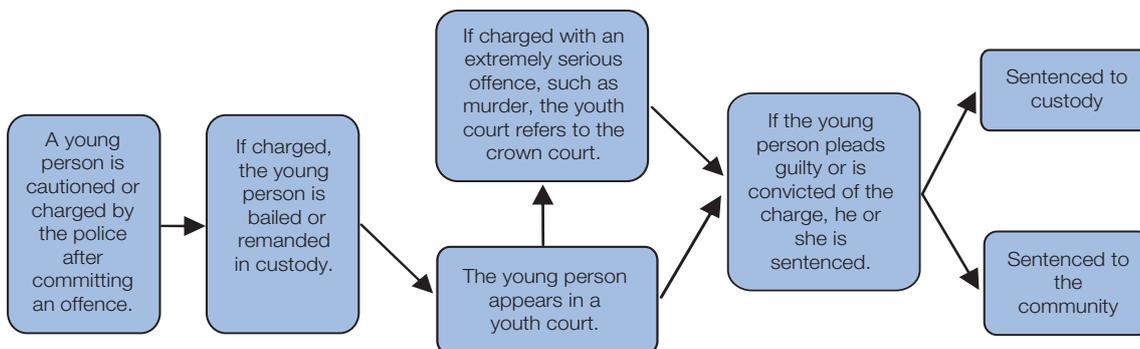
Police play a vital role as 'gate-keepers' to the youth justice process. The way that they engage with young people and respond to those involved in crime has a significant bearing on who enters the criminal justice system.

Changes to the 'cautioning' system have limited police discretion to deal with trivial offences in an informal way,\* so more young people are being processed through the courts for relatively minor offences. This means that insufficient time and support are given to those children that really need it. It is also expensive: court appearances and police time for a single offence run into thousands of pounds.<sup>1,65</sup> As former chair of the YJB, Rod Morgan, has said: *'Youth courts in England and Wales are becoming choked with school disciplinary problems, neighbourhood disputes and minor criminal damage cases because the police have lost the discretion to deal with them elsewhere.'*<sup>77</sup>

This stricter way of processing young offenders may also have been compounded by police targets. In 2002, Offences Brought to Justice (OBJ) targets were introduced to narrow the gap between the number of offences recorded and the number of convictions or cautions. Unfortunately, rather than leading to more serious offenders being brought to justice, these targets have increased the numbers of younger children, girls and less serious offenders being brought into the criminal justice system.<sup>78</sup>

The majority of the YJB's spending purchases custodial places for children.

Figure 6: The journey through the youth justice system<sup>76</sup>



\* The Crime and Disorder Act (1998) was significant in changing the way police use cautions. A first offence generally results in a 'reprimand'; a second offence will receive a 'final warning'; and a third offence automatically leads to prosecution. A reprimand or warning stays on a young person's police record for five years, or until he or she is 18 years old, but neither is a conviction or criminal record.

Minor offences are disproportionately committed by young people, and Table 3 shows how young people have been disproportionately criminalised since the introduction of targets in 2002.

**Table 3: Increase in cautions and convictions 2002–2006<sup>59</sup>**

Age group	Increase
10–14 years	35%
15–17 years	24%
18–20 years	2%
Over 21 years	13%

Proposals to refocus the OBJ target on bringing more serious offences to justice should help to rebalance the current trend. A new ‘triage’ scheme, placing YOT officers in police stations, should also improve diversion from custody and stop young people from being drawn further into the criminal justice system.

The quality of police forces and officers varies considerably. NPC spoke with some excellent officers, but also heard accounts of racism, abuse and violence by police officers towards children and young people. In certain areas, for example, children report that police wait outside schools and harass and intimidate young people on their

way home. Children also report considerable difficulty in recovering possessions that have been confiscated during investigations. As a result, in some areas an antagonistic relationship develops as young people become suspicious and hostile towards the police.

Charities play a vital role in enabling better engagement in areas where police are not typically trusted. Charities are also playing an important role in advocating on behalf of young people at police stations and at other stages of the system to prevent young people being criminalised unnecessarily (see Box 8 below).

### Youth Offending Teams

When a young person comes to the attention of the police, he or she is referred to the local Youth Offending Team (YOT). YOTs have several roles:

- carrying out assessments of young people’s needs;
- helping them to access the services they need;
- writing court reports to inform sentencing;
- helping young people to meet the conditions of community sentences;

#### Box 8: The importance of advocacy

Appropriate representation is vital at all stages of the youth justice system to safeguard children and young people. Advocates should ensure that children and young people have a voice and that they receive the support that they are entitled to. The attendance of parents and legal representatives at the police station and courts is critical in decisions that are made about whether a child is detained, bailed or remanded in custody.

Although it is a requirement for children to be represented at different stages of the youth justice system, statutory provision of advocacy is often poor. Legal aid is overstretched by a high volume of cases, which means that quality diminishes as good lawyers leave or shrink their legal aid practices.<sup>62</sup> In these circumstances, charities can play a vital role by providing independent advocates:

- **At the police station:** When a young person is arrested, he or she must be accompanied by an ‘appropriate adult’. This adult is usually the child’s parent or carer, but sometimes a youth offending officer will attend instead. Despite the importance of this role, it is often poorly provided. Parents may not understand their role, interpreting it as one of assisting the police in extracting information from their child, sometimes using threats or aggressive behaviour towards their own child.<sup>2</sup> Charities such as **Catch22** and **Youth Support Services** train volunteers in the role of ‘appropriate adult’.
- **In court:** Children and young people should have legal representation from a defence solicitor with youth court experience. However, there are problems with the quality and training of defence representatives, and many have little youth court expertise or understanding of how children in trouble differ from adults, especially those who are vulnerable, difficult or from minority communities.<sup>63</sup> In addition, at least half of young offenders who live at home appear in court without their parents.<sup>63</sup> **Just for Kids Law** provides defence solicitors for youth and crown courts and training for professionals, using young people who have been through the courts to talk about their experiences.
- **In custody:** Young people in custody should have access to an advocate. Advocates are generally provided by charities (for example, **Barnardo’s** has advocates in 13 secure units). Children and young people tend only to come across criminal practitioners who have limited knowledge of prison law or community care law, and may be unaware of their rights and potential legal remedies. The **Howard League for Penal Reform** has developed a specialist legal team to support young people in custody and after release.
- **During resettlement:** Local authorities and Youth Offending Teams sometimes fail to meet their statutory responsibilities when young people are released from custody, especially in relation to providing accommodation. Pressure from charities such as the Howard League, particularly the threat of ‘judicial review’, can help young people to gain access to the services that they are entitled to, and set precedents that improve the situation in future. Charities with expertise in housing, such as **Depaul UK**, negotiate with local authorities and advocate on behalf of young people to ensure a placement on release.

**Box 9: Breach and enforcement**

Many of the young people who breach their community orders lead chaotic lives. Some do not have a stable address, so do not receive letters about appointments. Some are parents, and miss appointments because of difficulty arranging childcare. Some do not have money for a bus, and others lack the confidence to use a bus.

YOTs sometimes struggle to engage these most difficult and chaotic young people. Youth Offending Service buildings can be drab and intimidating: they are often in poor areas, with locks, bolts, buzzers and screens.

There is a role for community centres, such as The **Children's Society's** Right Track project in Bristol, to be a neutral, safe meeting space where YOT officers or drug workers can meet with young people. This is particularly important for young people from minority groups, or for young people who worry about attending meetings in a place where there are territorial issues.

Good YOT officers, charity case workers and mentors will actively nag, text, phone or collect young people and take them to meetings, so that they are not breached. It is crucial that there is a degree of flexibility in dealing with potential breaches, and the informal and determined approach of charities can be particularly valuable to support young people who are difficult and resistant.

- supervising those on final warning intervention; and
- providing resettlement options on release from custody.

YOTs work directly with young people, as well as negotiating support from the local authority or other agencies (for example, for accommodation or a referral to a mental health specialist). However, YOT officers too often have limited time or clout to secure the best help for young people from such agencies.

Despite being relatively well-resourced (certainly compared to probation), targets, box-ticking and enormous amounts of bureaucracy leave YOT officers doing paperwork, while volunteers spend time with young offenders. The YOT workforce has increased by over a third through the recruitment of non-specialist staff,<sup>2</sup> and although they are now receiving more training, critics argue that there is too much focus on risk management, speed of processing and performance targets. This can detract from YOT workers' ability to meet the needs of young people, and there may not be enough concern for children's rights, welfare, and reducing the use of custody.

Some YOTs contract out services to charities because: they may not have the capacity to deliver them 'in house'; they may feel that a charity has specific useful qualities (for example, the ability to reach minority communities); or the charity may be able to draw in additional resources, such as voluntary funding or volunteers.

**The courts**

Most young offenders appear in a youth court before a magistrate or district judge, unless the crime is extremely severe (in the case of murder, for example), in which case they are seen in a crown court. Youth courts are closed to the public and are less formal than adult courts. Children and young people have legal representation in court, although as Box 8 shows, this is not always a good quality service.

The Commons Justice Select Committee found that there is varied understanding of custody amongst magistrates and judges, and not all see that it should only be used as a last resort. As a result, many children are unnecessarily imprisoned for non-violent offences or breach of curfew.<sup>79</sup>

There is a wide national variation in the percentage of young offenders appearing before the courts who spend time in custody. This ranges from 12.6% in Merthyr Tydfil to 2% in Newcastle.<sup>80</sup> Such variations are partly due to the culture of each court and the local area. But they are also partly due to the perceived effectiveness of alternatives to custody in the area.<sup>80</sup> Four in five magistrates say that the 'effectiveness of local community programmes' influences their sentencing decision.<sup>1,81</sup>

Magistrates and judges say that sentencing to custody is made easy because there is always a budget and there are always places available. But when they want alternatives there is a lack of places, funding and information. Magistrates and district judges need better information about the alternatives to custody, and feedback on what happens to young people after they are sentenced.

Bureaucracy and performance targets can detract from YOT workers' ability to meet the needs of young people.

**Box 10: International custody rates**

England and Wales lock up more under-18 year olds than any other country in western Europe (see Figure 7). There were 2,464 children under 18 in custody in November 2009,<sup>8</sup> and around 7,000 are held in the secure estate during the course of a year.<sup>28, 52</sup>

According to 2002 statistics from the UN, England and Wales incarcerate young people at a higher rate than any other country in Europe, and most other countries in the world.<sup>11</sup> However, international data on prison populations must be treated with caution, due to differences in data collection and definition. A more meaningful comparison may be that whilst England and Wales, France and Italy have roughly equal under-18 populations, in 2006/2007 England and Wales held almost 3,000 under-18s in custody, compared to 619 in France and 399 in Italy.<sup>11</sup>

The role of charities is limited in the courts, with the exception of a small number with legal expertise (see Box 8). However, charities are active in lobbying to improve the quality and consistency of sentencing.

**Community sentencing**

Community sentences allow offenders to undertake rehabilitative programmes and reparation work in the community, under the supervision of the YOT. Until recently, there were many different types of community sentence, but the Youth Rehabilitation Order (YRO) has created a new generic sentence for young offenders. It contains a menu of options—ranging from drug treatment to Intensive Fostering—which sentencers can tailor to the needs of each young person.

Different types of community intervention and their effectiveness are discussed in Chapter 3. Promising alternatives to custody include Intensive Fostering and Multisystemic Therapy, which are being piloted by charities such as **Action for Children** and **The Brandon Centre**. However, they are not widely available at present. Although the *Youth Crime Action Plan* pledged support for Intensive Fostering, the budget is relatively small (£3m in 2009/2010) for what is an expensive resource.<sup>84</sup>

If a young person fails to meet the conditions of a community sentence (for instance, missing a meeting with the YOT officer, breaking curfew or committing further crimes), he or she can be ‘breached’ and taken back to court (see Box 9). This may result in custody. More children and young people are sentenced to custody for breach of a statutory order than for any other offence.<sup>16</sup>

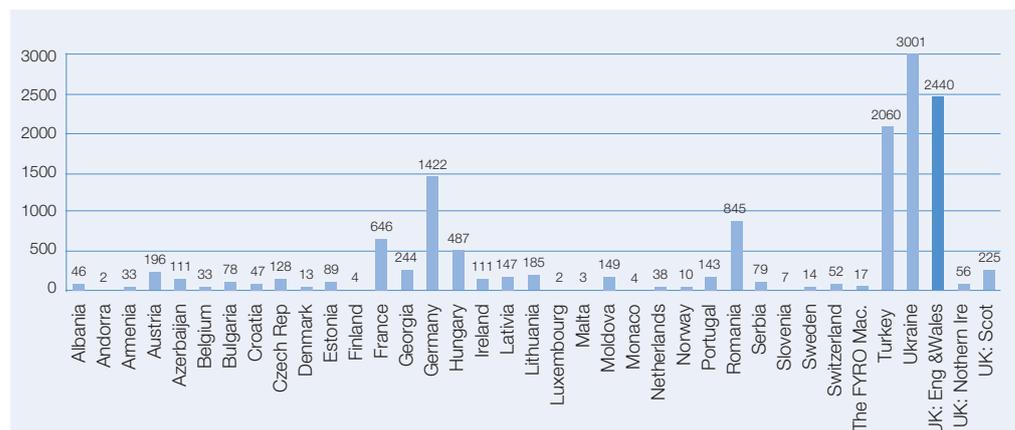
**Custody**

Children aged 10 to 17 who are remanded or sentenced to custody are placed in ‘the secure estate’ (the term ‘prison’ is not normally used for those under 18). As Box 10 shows, England and Wales lock up high numbers of children and young people, and this is an area that concerns many charities in the sector. The high costs of custody mean that a disproportionate amount of funding is spent on a tiny fraction of the youth offending population (see Box 11).

**The secure estate**

The secure estate consists of three types of placement: Young Offenders Institutions (YOIs), Secure Training Centres (STCs) and Secure Children’s Homes (SCHs). These establishments are intended to accommodate distinct categories of young people. However, decisions about where children are placed are constrained to a large extent by the fact that the estate consists predominantly of YOIs.

**Figure 7: Prison populations on 1 September 2006 for under-18 year olds<sup>26</sup>**



As Table 4 shows, YOIs generally have lower ratios of staff to young people than STCs and SCHs, and accommodate larger numbers of young people. Consequently, they are less able to address the individual needs of young people and are inappropriate for vulnerable young people, such as those with mental health or substance misuse needs. The best support is available in SCHs, but these are expensive and are gradually being closed.

### Why are custody rates so high?

The system of paying for custody is flawed because there is little incentive for local authorities to provide alternatives to custody. Prevention and community sentencing are funded locally, whereas custody is funded centrally by the YJB. If local authorities had to bear the costs of custody and were financially rewarded for preventing it, they would be more likely to divert vulnerable children to mainstream services, find effective and cost-effective alternatives, and ensure that the courts had confidence in those alternatives.

At present, custody acts as 'respite care' for local authorities from the most troubled, difficult and expensive children. For example, in 2008, 112 children in Birmingham received a custodial sentence at no cost to Birmingham City Council but at a cost to the YJB of £8.4m.<sup>74</sup>

Charities are campaigning about this issue. But whilst many agree that it is a problem, the solution is not clear. The technical details of how custody might be paid for by local authorities have not been worked out. It may be that if local authorities had to pay for custody out of their already stretched budgets, they would simply adopt a cheaper form of custody, which may be less effective and more damaging than current options.

### The use of remand

Many children are sent to custody on remand, while awaiting trial or sentence. Recent research by the **Prison Reform Trust** highlights

### Box 11: At what cost?

Custody for children and young people is extremely expensive. As a report by **Barnardo's** points out: *'Keeping a young offender in a secure unit for one year costs the same as sending him to Eton for six years.'*<sup>76</sup>

However, widely different estimated costs of detaining children and young people in custody have been published, and enquiries indicate that the true costs are simply not known. Although official figures put the cost of a YOI at around £60,000 per young person per year, a report by the **Foyer Federation** claims that the true cost of a YOI is actually likely to exceed £100,000.<sup>80</sup>

The report argues that government has long understated the real costs of custody, and that many 'hidden costs'—such as national management, premises, insurance, staff pensions and land—are not included in youth justice budgets or publicly available accounts. Despite repeated requests from the Foyer Federation for a breakdown of the full costs involved in locking up a young person, the information has not been released.

Learning the true costs of custody has huge implications for policy in terms of calculating the real costs of re-offending and making decisions about the cost-effectiveness of alternatives to custody. As the report states: *'If the true costs of youth custody were known, different decisions would be made on a wide variety of community disposals and alternatives to custody.'*<sup>80</sup>

that one fifth of children in custody are locked up on remand—over 500 at any one time.<sup>8</sup> A third of children locked up on remand have been charged with a non-violent crime, and three quarters are either acquitted or given a community sentence when they come to trial.<sup>83</sup>

There has been no research on the impact of remand on children's future offending, and no recent research on the impact of remand on mental health. In a study in 1999, nearly a third of male young offenders on remand said that they had thought of suicide in the past year, and 10% had thought of it in the last week. One in five had previously made a suicide attempt, and 3% had tried to kill themselves in the previous week (see Box 12).<sup>41</sup>

### A lack of suitable accommodation

Every year, £5m is spent keeping over 1,000 young people remanded to custody, partly due to a lack of suitable accommodation.<sup>86</sup>

**Table 4: Different types of custodial setting**

	Number in custody <sup>8</sup>	Cost per child per year (£) <sup>80</sup>	Average age <sup>85</sup>	Staffing ratios <sup>85</sup> (ranging from/to)	Capacity <sup>78</sup>
Young Offenders Institutions	2,030	60,372	16.5	1:10 / 1:20	2,819
Secure Training Centres	272	160,080	15	3:8 / 2:7	276
Secure Children's Homes	162	215,496	14.5	6:8 / 1:2	236

Intimidating shouts such as ‘string up’ and ‘bag you out’ are common parlance on juvenile wings.

Many older teenagers who get in trouble with the law have been thrown out of home or left home because of conflict with parents or step-parents. They may end up homeless or ‘sofa-surfing’ in risky places, and when they get into trouble with the police, custody may be the only accommodation immediately available as they await trial.<sup>83</sup> The Prison Reform Trust tells the story of one teenager:

*‘Ryan, a 16 year old from east London, was charged with carrying a bladed article discovered during a search for cannabis. He was living on his own in a local authority flat found by his social worker after he had fallen out with his mother and her current partner. Because he lived alone with no one supervising him, the court felt unable to grant him bail and he was remanded into custody.’<sup>83</sup>*

### Resettlement

Young people in custody are dislocated from their community and family, and many have nowhere to live, no job and no place at school on release. This contributes to the fact that three quarters of young people re-offend within a year of release.<sup>89</sup>

#### Box 12: Deaths in custody

Fifteen-year-old Liam McManus hanged himself in Lancaster Farms Young Offenders Institution on 29 November 2007. He was serving a sentence of one month and 14 days for breaching the conditions of his Supervision Order. His original offence was being involved in a fight.

Liam was a troubled child who had suffered significant loss and trauma. He had been taken into care at a young age and had lived with his aunt and uncle since he was seven. He had a history of self-harm and was known to mental health services, social services and the YOT.

During the inquest into his death it was found that there were ‘systemic failings’ by many agencies involved in Liam’s care: there was inadequate planning and induction when Liam arrived; prison staff failed to recognise his risk level and needs; different agencies did not share vital information; and in three weeks, no-one from outside the prison visited him (he repeatedly asked when his YOT officer would visit).

The jury’s verdict describes how Liam was transferred to a new wing on a night when there were reduced staff levels, meaning that other prisoners had no association during the day and were restless. This led to heightened shouting and bullying through the windows on the night of his death, including calls to ‘string up’.<sup>87</sup> For the full verdict see Appendix 1.

Since 1990, 30 children have died in custody, mostly from suicide.<sup>88</sup> A young man in custody is 18 times more likely to take his own life than a member of the general population.<sup>49</sup>

**Inquest** is a small campaigning charity with a particular focus on deaths in custody. It provides a free advice service to bereaved people, and its casework on children who have died in custody is used to lobby for public inquiries, highlight conditions in the secure estate and show how custody is inappropriate for vulnerable young people.

Resettlement is the effective reintegration of a young person back into the community. It is critical in breaking the cycle of offending. It involves:

- safe and sustainable accommodation;
- help to enter employment, education or training;
- access to benefits; and
- access to healthcare, including services to help with mental health problems and addiction.

Anecdotal evidence suggests that provision is patchy, with existing initiatives only available in some areas or targeted at specific groups. On top of this, there is poor inter-agency communication and many children and young people slip through the gaps.

With the expansion of the government’s Resettlement and Aftercare Programme (see Chapter 3), the situation should improve. However, local authorities are sometimes uncooperative about receiving difficult young people back into the area when they leave custody, and housing authorities may resist placements for young offenders. This means that once children and young people become involved in the criminal justice system, it can be difficult to break the cycle of offending (see Figure 8).

One prison governor told NPC: *‘When they are released, sometimes family comes to pick them up, but other times I watch girls walk out of the prison, through the gate, and down to the off-licence at the end of the road ... and there’s nothing I can do about that.’*

### Where are the gaps?

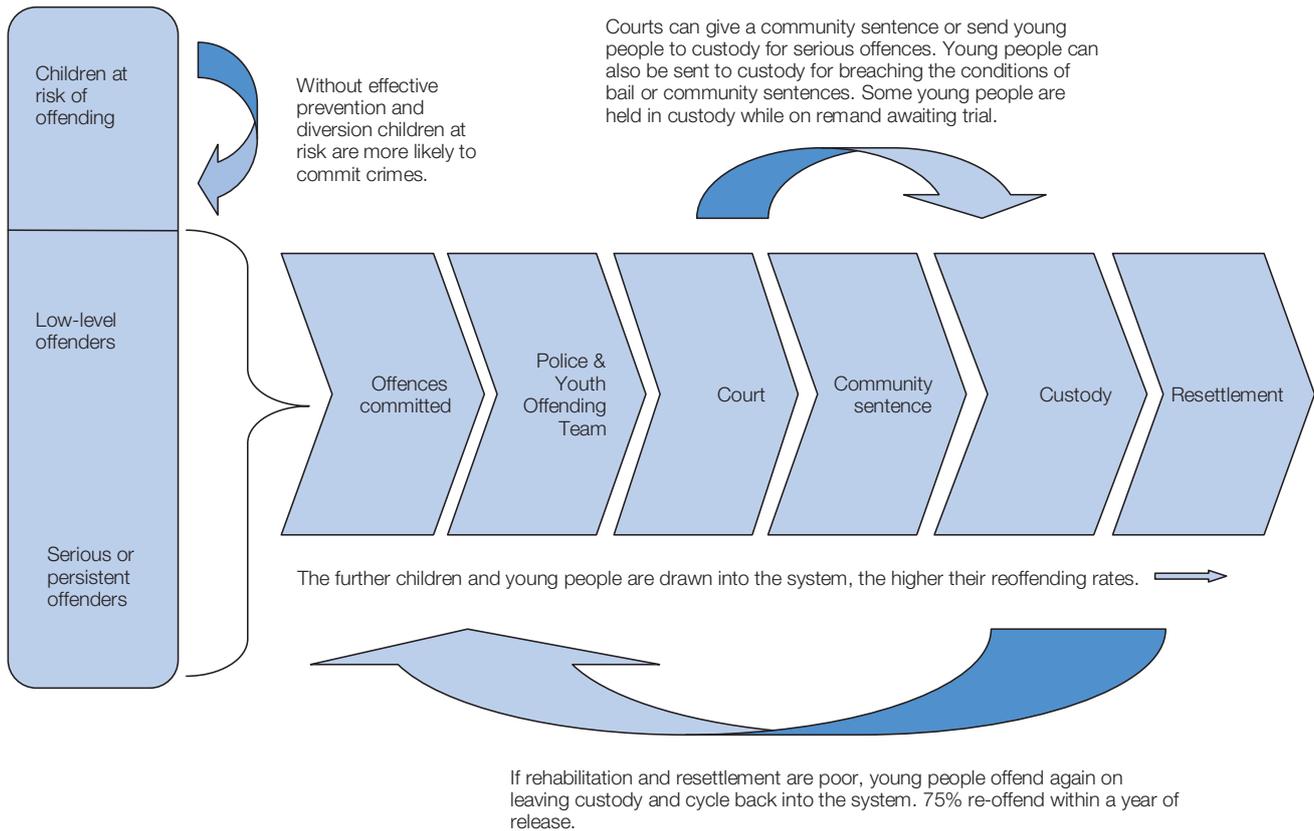
#### Early intervention with the most vulnerable

Government admits that only a fifth of the most vulnerable pre-school children are getting the support that they need.<sup>5</sup> Until this improves, vulnerable children and young people will continue appearing in the criminal justice system later on. Charities are good at reaching the most difficult and vulnerable families in a community and diverting them away from trouble.

#### Positive activities and places for young people to go

It is natural for young people to want to congregate, but despite investment in youth services there are often not enough places for them to do this, or positive activities in the community to engage them. ASBOs (Anti-social behaviour orders) and Dispersal Orders simply move the problems elsewhere or criminalise

Figure 8: Progress through the youth justice system



young people. If there were more places where young people could meet up, there would be fewer of them on the streets causing the nuisance and intimidation that concern so many people.

**Minority groups**

Youth Offending Teams and the police often struggle to engage young people from BME (black and minority ethnic) communities. The Home Affairs Committee recommends that Youth Offending Teams should make greater ‘use of voluntary organisations who have established success in providing parenting support to black families’, and advises local authorities to contract with community and voluntary organisations to provide gang exit programmes.<sup>47</sup>

**Services for girls and young women**

The number of girls in the criminal justice system is increasing. However, there is still little specialist provision. There is an urgent need to look at interventions that address the particular needs of girls and young women who offend, particularly in relation to alcohol misuse, self-harm and young mothers in custody.

**Educational support**

There are insufficient resources to identify, support and divert from the criminal justice system young people with learning disabilities, special educational needs, and speech and

language problems. Intensive support in literacy and numeracy, as well as more vocational and creative educational opportunities, are also missing in many parts of the country.

**Accommodation**

There is a lack of suitable accommodation for children at different stages of the youth justice system: when detained by the police; on non-secure remand; or when being resettled after custody. Without accommodation, a young offender’s access to vital rehabilitative programmes (such as education and training programmes or substance misuse services), means that they are much more likely to re-offend.<sup>90</sup>

**Mental health services**

There is growing recognition of the mental health needs of adults in the criminal justice system, following the 2009 *Bradley Report*.<sup>91</sup> However, the situation for children and young people is also in urgent need of attention. It has been argued that there is insufficient screening for mental disorders, that sentencing does not account for mental health issues, and that custodial and secure facilities lack qualified staff and appropriate treatment.<sup>92</sup> Child and Adolescent Mental Health Services are chronically under-funded and struggle to meet needs.<sup>93</sup> There are also barriers to appropriate referral and diagnosis at an early enough stage, especially for those in custody.<sup>28</sup>

Despite investment in youth services, there are often not enough places for young people to go.

**Box 13: What happens at 18?**

From the age of 18, young people are no longer dealt with by the youth justice system. They are sentenced in adult courts and are supervised by probation and the prison service. Those aged 18–21 may be placed in Young Offenders Institutions, separate from 15–17 year olds.

Young people aged 18–25 are often referred to as ‘young adult offenders’. However, in terms of their development, maturity and education, many are not adults and remain vulnerable. There is a lack of recognition of the specific needs of this age group, who often lack support as they leave children’s services. They may also receive services designed for older and more hardened criminals, such as drug treatment programmes designed for serious opiate-based addictions, which may not be appropriate.<sup>94</sup>

A coalition of charities called the **Transition to Adulthood Alliance (T2A)** has been convened by the **Barrow Cadbury Trust** to address the specific needs of this group. It is conducting research, piloting new services, and lobbying government for changes to the way the criminal justice system responds to young adult offenders. For more information see [www.t2a.org.uk/alliance](http://www.t2a.org.uk/alliance).

**Child-friendly culture**

Some argue that a shift in the ethos of YOTs and a focus on risk management and performance frameworks has meant that practitioners are less focused on children’s rights, welfare and reducing the use of custody than they have been in the past. Other practitioners, such as police, judges and solicitors, sometimes lack experience and sensitivity in dealing with vulnerable or difficult young people. The inquest into the death of Liam McManus described: ‘A *top-down approach*’ by the Youth Justice Board with ‘*targets driving behaviour rather than a caring culture*.’<sup>97</sup>

**Advocacy**

Appropriate legal support and advocacy is often lacking. This would ensure that vulnerable young people are represented and have access to the services that they need. Children and young people in the system are rarely consulted on how it could be developed to better support their needs and prevent them from re-offending.

**Continuity of services, including at transition**

Continuity of services does vary between areas, but handovers are often poor and there may be no integration between agencies. This is a particular problem when young people are sent to custody (see Appendix 1), but it occurs throughout the system. The transition between youth and adult services is difficult for many young people because there is a big gap in the culture and level of support provided by probation as compared with youth offending services (see Box 13).

**Moving in the right direction?**

Since the early 1990s, youth justice policy in England and Wales has been very tough—both in comparison to policy in the 1980s and to approaches in other parts of Europe. Stricter sentencing, police targets and robust enforcement of breaches have resulted from an ethos of ‘*no more excuses*’. This has had the effect of ‘widening the net’ and drawing lots of relatively unproblematic children into the youth justice system and higher numbers into custody—at great cost to society and to young people themselves.

Recent developments have been more encouraging and NPC believes that policy is slowly moving in the right direction. However, problems at the heart of the system—the way custody is funded, the poor continuity between different agencies, the uncertain role of the YJB,\* the political bidding war to sound toughest on crime—still need to be addressed.

If these issues are resolved, there will be greater opportunity to focus on what really works for children and young people. This is the subject of the next chapter.

\* The governance and operations of the YJB are currently under review. Some speculate that it will have a very different and perhaps reduced role in the future, particularly under a possible Conservative government that is likely to favour spending cuts and a more localised, less target-driven approach. NPC understands that the review is expected to say that the YJB’s focus is too much on custody, and that custody budgets should be devolved to local authorities.

# What works?

There is growing but incomplete evidence on how to tackle youth offending successfully. Experts agree that custody does not work for most offenders—it does not rehabilitate them or prevent re-offending. However, the evidence for alternatives also needs to be stronger.

The most promising approaches coming from other countries, such as Intensive Fostering or Multisystemic Therapy, still need to be tested more widely in the UK. Some of the interventions that are most widely used by government and charities—from Intensive Supervision and Surveillance to mentoring—have mixed or incomplete evidence of success. Yet they continue to be encouraged and their impact overstated. There has been an enormous expansion of different programmes and initiatives, but many are still in relatively early stages, and few long-term outcomes are known.

Although someone looking for a cure-all is likely to be disappointed, good interventions do share some common principles, including a focus on the individual and local context, skills development, and highly trained staff.

This chapter outlines what is known about what works in reducing children and young people's offending and anti-social behaviour. It focuses on the evidence base for programmes targeted at children and young people at risk of entering the youth justice system, and then at the most promising alternatives to custody. It highlights where there are gaps in the evidence, and where funders and charities can help by contributing to the research.

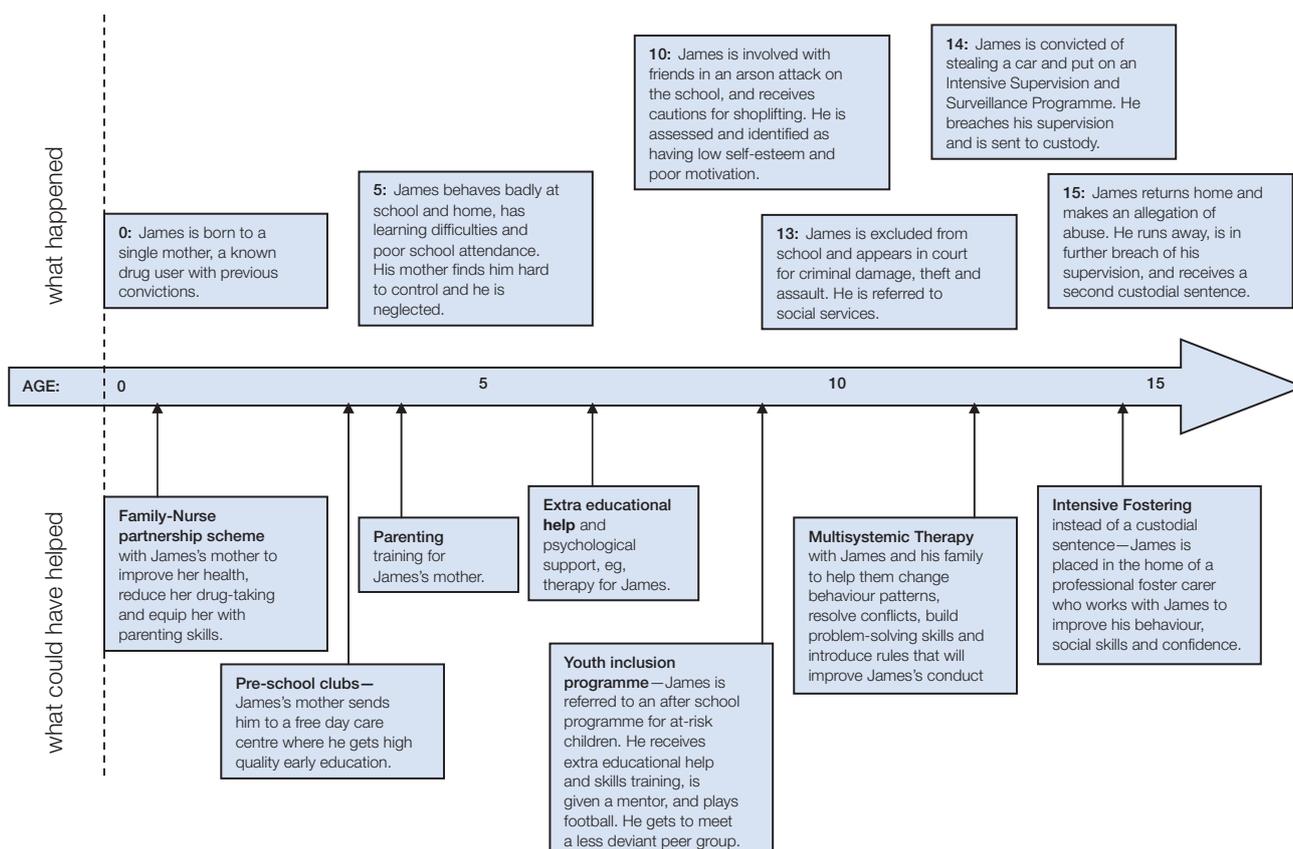
## How can we reduce offending and re-offending?

Stopping a young person from offending is rarely straightforward. A difficult family background, anti-social friendship groups, poor educational attainment and truancy and exclusion from school can all lead a child to crime. To prevent offending, we must be aware of this complexity.

The importance of intervening early and tackling more than one problem is illustrated by the case of James (described in the Introduction), a 15-year-old boy who is serving his second custodial sentence.

If an intervention ends prematurely, it may be damaging and increase re-offending.

Figure 9: James's Story



### Box 14: What children and young people need

There is a basic assumption in developing policy and services that children and young people do not know what is best for them. However, solutions that do not involve the views of children and young people are unlikely to be successful, so it is important that they are taken into account when designing, implementing and evaluating interventions. Charities are at the forefront of this work (see Chapter 4).

When asked, young people say that the trick to effective engagement is to replace offending behaviour with more constructive activities and goals, such as sports or learning new skills. Asked to create the kind of service that would make a difference to their lives, young people unanimously identify the importance of a consistent and reliable adult 'significant other'. They do not mind who it is—social worker, YOT worker, probation officer or mentor. Rather, it is the qualities of tolerance, commitment to the young person's welfare and credibility that young people say are the keys to success.<sup>99</sup> This suggests that mentoring can play an important role in supporting children and young people in trouble with the law (see Box 17).

James had many problems that led to him offending, and a tailored programme tackling as many of these problems as possible at an early stage might have stopped him from offending at all. Figure 9 shows James's life between the ages of 0 and 15, what happened during that time, and the interventions that could have made a difference.

#### A range of approaches

James's story raises questions about the best way to prevent offending. Could it have been tackled earlier, by providing parenting training, help with day care, and extra educational support? Are there better alternatives to custody that can stop James from offending again?

A good strategy for reducing youth offending must work at all stages of a child or young person's criminal career. It must tackle the underlying causes and prevent children from offending in the first place, as well as rehabilitating those who have already offended.

#### Characteristics of successful approaches

There is mixed evidence for prevention programmes partly because an intervention may work in one area but not in another, depending on local context and implementation.<sup>95</sup> As a result, much evidence is ambiguous. While it is difficult to point with total confidence at specific programmes, a number of meta-analyses\* have shown that effective interventions share common characteristics.<sup>72, 96</sup> Successful interventions tend to be:

- **Multi-stranded:** Addressing several of a child's problems at the same time helps him or her to move away from crime. Some of the most effective approaches to reducing youth offending recognise the breadth of challenges facing these young people, target different problems, and use a range of interventions.<sup>96</sup>

- **Skills focused:** Helping young people to gain problem-solving skills, social skills and other kinds of coping mechanisms can help them to overcome problems in the future without reverting to crime.<sup>96</sup>
- **Tailored to individual need:** What works for one young person will not necessarily work for another. The best approaches individually assess the client and tailor the intervention to meet his or her needs.<sup>72</sup>
- **Community based:** Delivering interventions in the community appears to be more effective than delivering them in custody or institutional settings. Interventions carried out closer to young people's home environments are more likely to be relevant to their everyday life.<sup>97</sup> Communities also need to address local problems, such as local gangs being a common route into crime.
- **Intensive:** Programmes must be of appropriate duration and intensity to make a difference.<sup>96, 97</sup> Building a supportive relationship and responding to a young person's needs takes time, and if an intervention ends prematurely, it may even be damaging and increase re-offending.<sup>97</sup> That said, an intervention that is too intensive may be disproportionate to the crime.
- **Well-implemented:** Effective programmes have a clear rationale. They link aims to methods, are adequately resourced, have well-trained and supported staff, and have appropriate monitoring and evaluation.<sup>72, 97</sup>

Experts agree that giving high quality staff the discretion to make choices based on local and individual needs is more likely to be successful than centrally imposing interventions.<sup>98</sup> And as Box 14 explains, involving children and young people in developing and evaluating services is another important factor. Yet these types of interventions are not common enough in the youth justice system.

Young people unanimously identify the importance of a consistent and reliable adult 'significant other'.

The following sections look at the evidence for what works at all four stages of a good crime prevention strategy:

1. **universal prevention** for all children, targeting risk factors that can lead to offending;
2. **targeted prevention and diversion** for children and young people who are vulnerable or at risk of offending, or who commit minor offences;
3. **custody and its alternatives** for children who have been convicted of offending; and
4. **post-release resettlement** for children and young people coming out of custody.

## Stage 1: Universal prevention

'Universal prevention' means broad prevention strategies that are aimed at a wide range of children and families, not just those displaying anti-social behaviour. They range from improving parenting and local communities, to improving early years education.

There is good evidence that universal prevention methods can significantly reduce the likelihood of a child developing anti-social behaviour.<sup>98, 100</sup> Many of the risk factors associated with family background can be lessened by providing support when children are very young.<sup>101</sup> According to the OECD, '*Spending early, when the foundations for a child's future are laid, is key especially for disadvantaged children and can help them break out of a family cycle of poverty and social exclusion*'.<sup>102</sup>

There is good evidence that parenting programmes can significantly reduce children's behavioural problems (see Box 15). The Family Nurse Partnership and The Incredible Years programmes are two such schemes that have been rigorously evaluated in the UK with good results.

Good quality childcare and after school activities can also be effective in reducing offending, as well as improving the lives of children more generally. Appendix 2 covers the evidence for these interventions in more detail and NPC has discussed many such approaches in detail in previous reports (see Box 1).

Parenting programmes are promising when provided as a voluntary service.

### Box 15: Parenting Programmes

Programmes designed to improve parents' responsiveness and skills appear to have a positive impact on the behaviour of both parents and their children.<sup>103</sup>

The Department of Health and Prime Minister's Strategy Unit reviewed six interventions for children at risk of anti-social behaviour, or who had already developed anti-social behaviour.<sup>498</sup> All the interventions included parenting as a major element.

The evidence from all six interventions for reducing anti-social behaviour, including substance abuse and offending, was persuasive. In the few studies that were not found to be effective, there were questions around implementation. Effective programmes tend to be tailored, community-based, relatively intensive, and should also involve a partnership with the families and collaborative working, respecting parents and young people as experts in their own lives.<sup>98</sup>

On the basis of this review, the Youth Justice Board (YJB) developed its Parenting Programme. Unfortunately, an evaluation did not uncover good evidence that the YJB Parenting Programme works to reduce offending. This may be partly because one in six parents on these programmes are forced to attend via a Parenting Order, and only 5% refer themselves.<sup>104</sup> Criticism has been levelled at Parenting Orders for stigmatising parents and largely targeting low-income, stressed mothers, potentially further hampering their situation.<sup>101, 105</sup>

Since then, the YJB has invested in and expanded its parenting programmes, with the number of parenting interventions delivered by YOTs rising significantly. There is no recent research on whether the YJB services are working overall. The most promising parenting programme to have been evaluated in the UK is The Incredible Years. Randomised controlled trials in the US and now UK have shown that it is effective in reducing children's conduct problems.<sup>44, 98, 106</sup> The Department for Children, Schools and Families is supporting the roll out of The Incredible Years and other programmes, such as Triple P (Positive Parenting Programme), to most of the country by 2011.<sup>107</sup>

Parenting programmes are promising but they appear to be most effective when provided as a voluntary service for struggling parents or as one element of a multi-stranded approach.

\*The interventions sampled were: The Incredible Years; Triple P (Positive Parenting Programme); the Family Nurse Partnership home-visiting programme; Multisystemic Therapy; Multidimensional Treatment Foster Care; and Functional Family Therapy.

Such initiatives need to be inclusive and available to all, particularly in deprived areas. However, responsibility for their provision does not lie with the youth justice sector. The next section looks at secondary prevention strategies initiated by youth justice agencies to target children at risk of offending.

## Stage 2. Targeted prevention and diversion

Secondary prevention initiatives target children and young people who are already displaying aggressive or criminal behaviour. These children may not yet have been convicted but will have been identified as at risk of entering the criminal justice system by local agencies, including schools, police, children and family services and YOTS.

The aim of secondary prevention programmes is to prevent young people from entering the criminal justice system and stop them from offending again. While some targeted initiatives can be highly effective, particularly for higher risk cases, there needs to be care not to over-criminalise children and young people. There is a body of literature on diversion (see Box 16), which suggests that some crime prevention strategies can actually encourage offending when targeted at low risk children who would have stopped their delinquent behaviour anyway.

### Current provision

The YJB has a number of flagship prevention initiatives for 'at risk' children. **Youth Inclusion Programmes** provide positive activities and **Youth Inclusion and Support Panels** refer children in trouble to support services. Both are promising when done well; however, the evidence is mixed and their success largely

#### Box 16: Diversion

Diversion refers to alternatives to prosecution for children and young people. As children grow up, they often experiment with risky behaviour and may commit minor crimes.<sup>108</sup> Diversion is based on the belief that many low-level and vulnerable offenders are best dealt with outside the criminal justice system because premature contact with the system can be damaging.

Diversion was a popular concept in the 1980s and was associated with low levels of custody, but it fell out of favour in the 1990s, largely due to rising public concern about youth crime, a belief that there should be '*no more excuses*' for young offenders and the conviction amongst policy-makers that robust early intervention would 'nip offending in the bud'.<sup>2</sup>

However, it is not clear that intervention is always best. There is some evidence that interventions targeting those at risk of offending can accelerate children into the criminal justice system.<sup>43, 109</sup> There is also evidence that severe forms of sanctioning can result in increased offending.<sup>43</sup> Recent sentencing guidelines have recognised the sometimes 'adverse effects' of intervention.<sup>18</sup>

depends on the quality of local implementation. **Safer Schools Partnerships** place police officers in schools, with the aim of tackling anti-social behaviour and crime in and around the school. Though there is some evidence that they reduce truancy, the impact on offending is less promising. Appendix 2 covers these programmes in more detail.

The YJB estimates that since 1999, its prevention programmes have reached 50,000 children and young people '*on the cusp of offending*'—an average of 6,250 a year.<sup>74</sup> Although the number of 'first time entrants' to the criminal justice system is decreasing, with 74,000 new entrants in 2008/2009,<sup>110</sup> it is clear that current efforts are still not reaching all those in need of support.

### Three effective interventions

The most promising approaches are three multi-dimensional tailored treatment programmes: **Multidimensional Treatment Foster Care (MTFC)**, **Multisystemic Therapy (MST)** and **Functional Family Therapy (FFT)**. These programmes are currently being piloted in the UK, in many cases by charities. They originated in the US and are targeted at high risk cases who have already started offending.

Two reviews of practice in the US rated 25 programmes in relation to the strength of their research design and the evidence of effectiveness produced, and gave these three the highest ratings for parents and families of children who are at risk and offend.<sup>111, 112</sup> All three have a strong theoretical basis, are highly tailored to individual need and work intensively with young people and their families. Intensity varies between approaches, which allows for treatment to be 'ratcheted up' to the next level if the initial intervention is not having the desired effect.<sup>98</sup>

There is robust evidence that all three interventions work as cost-effective strategies for preventing offending (see Table 5). MST and MTFC in particular are also potentially good alternatives to custody, or can be part of a community sentence.

### Other promising approaches

Prevention programmes in the UK vary widely from area to area. However, there are common approaches, including mentoring, sports, arts and skills training. Although there is little evidence that these approaches work in isolation, literature reviews indicate that these elements can have good outcomes when included as part of a broader structured approach—for example, as part of a Youth Inclusion Programme.<sup>118</sup>

Table 5: Three effective interventions

Approach	Evidence	What is happening
<p><b>Functional Family Therapy (FFT)</b> targets 11 to 18 year olds engaged in anti-social behaviour, violence or substance abuse. It is suitable for early intervention. Delivered through sessions with the young person and family, with an accredited FFT therapist, it is highly tailored and addresses the specific risk and protective factors at play in the young person's life.</p>	<p>Randomised controlled trials in the US have shown that it is highly effective in reducing delinquent behaviour and preventing young people from entering the youth justice system,<sup>112</sup> as well as being cost-effective.<sup>113</sup></p>	<p>FFT is being piloted in the UK to see if it is transferable to the UK youth justice and social context. There are no results as yet, but if delivered well, it has potential to be an effective and cost-effective prevention strategy.</p>
<p><b>Multisystemic Therapy (MST)</b> is similar to FFT but more intensive, delivered in the home and designed to target young people involved in more serious anti-social behaviour, violence or substance abuse. MST involves a trained therapist working with the child and family to help them change behaviour patterns, resolve conflicts, introduce rules to improve conduct, and reduce opportunities for delinquent behaviour. Practitioners visit the home two or three times a week and are on call 24 hours a day.</p>	<p>International evidence is persuasive that MST is effective at improving outcomes for young people and their families.<sup>98</sup></p> <p>Preliminary results from the first site run by <b>The Brandon Centre</b> in the UK are very promising. Children from families who received MST showed significantly greater reductions in offending, anti-social and aggressive behaviour compared to the control group who received usual services, over two years.<sup>114</sup></p>	<p>The Department for Children, Schools and Families (DCSF) and the Department of Health have committed £17.5m to piloting MST in 12 sites across the UK. Pilots are being led by the Department of Health with support from DCSF and the YJB.</p>
<p><b>Multidimensional Treatment Foster Care (MTFC)</b> has been used successfully with highly vulnerable children and offenders in Oregon since the 1980s. It is very intensive and is provided in the form of a highly-structured regime, tailored to the individual and based on a system of points and rewards, in the home of a professional foster carer. Because it is provided in a foster home, it is the most expensive of these three programmes.</p>	<p>Randomised controlled trials in the US provide strong evidence that MTFC leads to better outcomes for young people and is cost-effective.<sup>98</sup></p> <p>Early evidence from the DCSF pilots published in February 2009 shows significant improvements in violent behaviour and convictions on leaving the programme.<sup>115</sup> It is also cost-effective.<sup>116</sup></p>	<p>MTFC, funded by the DCSF, is being piloted in 18 local authorities with adolescents with complex needs, including offending, anti-social behaviour and severe emotional and behavioural problems. A second set of DCSF pilots focuses on prevention with three to six year olds and is being conducted in six areas.<sup>117</sup></p> <p>The pilots are being coordinated by teams at the Maudsley Hospital in London and the Booth Hall Children's Hospital in Manchester. The evaluation is ongoing.</p>

**Mentoring** can be valuable as part of a multi-stranded approach, when working with young offenders with substance abuse problems, truants and gang members. Its success depends upon the young person's willingness to engage (see Box 17).

**Restorative justice** aims to repair the harm done by the crime and encourage victim-empathy in offenders to deter them from offending again (see Box 18).

**Sports-based programmes** are a good way to get children and young people to engage in prevention programmes. Positive Futures is a national sports-based social inclusion

programme aimed at marginalised 10 to 19 year olds in deprived areas. An evaluation of six Positive Futures pilot projects for the Home Office found that while there is no evidence that sports on their own work to reduce offending, there is value in using sport as part of a wider social and personal developmental approach. As part of a multi-stranded outreach approach, sports programmes are effective in two ways:<sup>119</sup>

1. They engage young people, making them willing to participate.
2. They divert children from offending by giving them something to do in the evening or at weekends, which are times when rates of anti-social behaviour and crime are high.

### Box 17: Mentoring

Mentoring is a popular means of working with disaffected young people. It typically involves a relationship with an older, more experienced mentor who provides support, advice and encouragement with the aim of developing the competence and character of the person being mentored. For more information see NPC's report *Lean on me*.<sup>127</sup>

The YJB supports mentoring of young offenders and young people at risk, and has invested about £10m in mentoring schemes. It is often used as part of Youth Inclusion Programmes and Intense Supervision and Surveillance Programmes.<sup>128</sup> Unfortunately, what empirical research there has been largely fails to meet basic criteria for rigour<sup>44</sup> and the largest and most robust evaluation of mentoring in the UK to date could not provide evidence that it reduces offending.<sup>81</sup>

However, mentoring is nevertheless promising, and young people say that they want it. Evidence from the US shows that it reduces substance abuse, reduces violent episodes and improves school attendance.<sup>129</sup> Research in the UK shows that it can improve education and training outcomes,<sup>81</sup> and the Dalston Youth Project set up by the charity Crime Concern (now **Catch22**) in Hackney to reduce youth crime was widely considered to have been highly successful.<sup>62</sup> There is evidence that mentoring is most effective when: it is one of a number of interventions given;<sup>130</sup> the mentor and mentee spend more time together;<sup>130</sup> and it is used for young people with drug and alcohol problems.<sup>98,</sup>

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Charities report that mentoring is more effective when the mentor has something in common with the person being mentored. Charities such as **St Giles Trust** often use ex-offenders to mentor young offenders, or ex-gang members to mentor children who have joined gangs. The experiences of these mentors gives them credibility and provides a platform on which to build a good relationship and change behaviour.<sup>99</sup>

Despite this, government needs to be careful not to push mentoring as a cheap cure-all. The evidence is still inconclusive and the success of mentoring largely depends on the willingness of the young person to engage. Indeed mentoring can even be harmful and lead to a deterioration in behaviour if the relationship fails. Mentors need to be well trained, well supported and committed to building a sustained relationship.<sup>127</sup>

Sport can also build self-esteem, develop social skills and act as a catalyst for relationship building.<sup>120</sup> Charities such as **Fight for Peace** are using sport to engage young people in personal development classes and education.

**Arts-based programmes** are used as part of prevention programmes, in custodial settings, and in resettlement to help offenders reintegrate into society. The evidence for the efficacy of arts programmes is weak, with most evaluations having small samples and issues with attribution.<sup>121</sup> However, like sports programmes, there is value in using arts to engage young people.

When provided as part of a structured programme of support and development, arts can improve self-esteem, build social skills, strengthen relationships and improve motivation.<sup>121</sup> A study of a dance-led programme run by the charity **Dance United**

found that the intervention is particularly effective at providing a bridge into learning for people detached from or alienated by traditional educational methods (see Box 20 in Chapter 4).<sup>122</sup>

**Social skills training**, often in the form of cognitive behavioural therapy (CBT), seeks to modify young people's behaviour by improving their understanding, empathy and learning skills.<sup>123</sup> A common example is anger management training, which is often included as one element of FFT, MST and MTFC. Meta-analytic reviews have identified CBT as being one of the most effective approaches to reducing recidivism in young offenders, when included in a multi-stranded approach.<sup>96, 124</sup> Although most of the evidence comes from the US, there is widespread use of CBT programmes in the UK, and the evidence from the few UK evaluations is promising.<sup>125, 126</sup>

### Stage 3: Custody and the alternatives

Custody will always be necessary to protect the public from the most serious and violent offenders. However, for most children and young people, custody does not help to reduce re-offending, and it can in fact make things worse. In the words of Sir Alan Beith, the Commons Justice Select Committee chair: *'We know that custody does not work to reduce re-offending, and that it does not have a deterrent effect on young people, because their crimes are usually opportunistic and impulsive, so it is vital that effective alternatives are available.'*<sup>134</sup>

Many young offenders coming out of custody cannot go back into school, find accommodation or access mental health services, and as a result, over 75% re-offend within a year of release.<sup>89</sup> Custody can exacerbate mental health problems, heighten vulnerability and increase the risk of self-harm and suicide.<sup>91</sup> More research needs to be done about the longer-term impacts of custody on children and young people, including remand custody.

Figure 10 shows the one year re-offending rates for children and young people by sentence type. It shows that the more severe the sentence, the more likely the young person is to re-offend. This may be because young people in custody are the most serious and persistent offenders, with the most difficult lives and entrenched behavioural problems; but custody also provides an opportunity to work with young people intensively and for a sustained period of time, which should provide an opportunity to change behaviour and prevent re-offending. High re-offending rates suggest that this is not happening very effectively at present.

## Box 18: Restorative Justice

### What is it?

'Restorative justice' is a way of resolving a conflict by bringing together both sides in a dispute or offence. The aim is to try and restore the relationship and repair the damage through mediation and reparation. In criminal justice, this usually means the offender meeting the victim of the crime and facing up to what he or she has done. They might be brought together for a 'restorative conference' with a trained facilitator, either as an alternative to prosecution or as part of a sentence ordered by the court.

Restorative justice is seen as a positive alternative to conventional punishment. It allows children and young people to take responsibility for their actions, gives victims an opportunity to say how they have been affected, and results in an agreed plan to redress the harm done. Components of a restorative justice plan might include: an apology; reparation (for example, doing something for the victim or community to make up for the harm done); unpaid work; or an activity to address the offending behaviour (such as education or substance misuse treatment).

### Where is it happening?

The YJB has provided funding for YOTs to set up restorative justice schemes. However, they have traditionally been seen as a conventional community service, and have not routinely involved the victim, therefore detracting from the effectiveness of the approach. As a result, the effects on re-offending have been poor.<sup>44, 72, 132</sup> Despite a commitment by the YJB, the use of genuinely restorative practices has so far been limited.<sup>61</sup>

However, restorative justice can be highly effective for certain types of crime when done well and if the victim is willing to engage.<sup>133</sup> In 1989, New Zealand's Children, Young Persons and their Families Act established group conferences as the main method of responding to youth offending. It resulted in far fewer young people going to court or custody. It has also been used successfully in New York as a way of diverting young people from prosecution.<sup>133</sup>

There is also good evidence closer to home. The principles of restorative justice have been at the heart of the youth justice system in Northern Ireland since 1998. A recent report by the **Prison Reform Trust** shows promising evidence that its Youth Conference Service is working well:

- around 90% of victims were satisfied and would recommend it;
- the number of children sentenced to immediate custody dropped from 139 in 2003 to 89 in 2006; and
- re-offending rates for young people on conferences are around 38%, which are much lower than rates for community sentences (52%) and custody (71%).<sup>61</sup>

### What makes for an effective restorative justice programme?

Restorative justice reduces re-offending most effectively when:

- the crime involves a personal victim, is relatively serious, and is a violent crime as opposed to a property crime;
- the process involves the victim and encourages empathy and understanding;
- ongoing support is provided for the victim and offender; and
- reparation agreements are properly followed up and feedback is given by offender and victim.<sup>133</sup>

### Case study<sup>61</sup>

When he was 16, John flooded and vandalised a church with three friends. He was charged with burglary and criminal damage, and agreed in court to participate in a youth conference.

The conference coordinator met with John and his family, and then with the victim: a clergyman representing the local church. The clergyman described how the premises had been damaged and how groups using the church had been affected. He agreed to meet with John to tell him this.

During the conference, John apologised and said that he regretted what he had done. He donated some money to charity and volunteered for the church for ten hours. Supervised by the caretaker, he did cleaning, polishing and painting.

John has not re-offended. He has returned to school and will soon take up vocational training. The clergyman and caretaker are positive about the experience. The caretaker was pleased that he was able to put a face to the offence, and gain closure by working alongside John. All parties involved in the restorative conference believed the outcomes to be fair and proportionate to the offence.

The key to reducing re-offending on release from custody is greater access to services.

So if custody does not reduce re-offending and can even severely damage children, what are the best alternatives? Currently in the UK, the main alternatives in the community are not working much better than custody, as Figure 10 shows. There are some promising alternatives, including Intensive Fostering—the YJB’s pilots of MTFC as an alternative to custody—and MST. However, these are not widely used yet.

**Evidence for the alternatives**

Convicted offenders need high-quality, intensive, therapeutic and multi-stranded programmes delivered in the community. Community sentences are preferable to custody for all but the most serious offenders who pose a danger to society.

As well as being a good prevention programme, **Multidimensional Treatment Foster Care (MTFC)** is also being used as an alternative to custody for young people whose home lives may have contributed to their offending. This is often referred to as ‘Intensive Fostering’. It is being piloted in two areas by **Action for Children** and in one area by a statutory service, with funding from the YJB.<sup>135</sup>

The Intensive Fostering pilots are being evaluated by York University.<sup>136</sup> Anecdotal evidence is positive but the official evaluation has not been published at the time of going to print. It is hoped that the government will roll out Intensive Fostering nationally, despite reduced funds.<sup>137</sup>

The YJB’s flagship community sentencing programme is the **Intensive Supervision and Surveillance Programme (ISSP)**. Lasting about six months, young people on ISSP are subject to intensive monitoring and surveillance, alongside a structured programme of activities for 25 hours a week, including education, training, mentoring, community service and reparation. ISSP

was brought in as the answer to custody for persistent offenders and, according to the YJB, it is ‘the most rigorous non-custodial intervention available for young offenders’.<sup>138</sup>

Unfortunately, the evidence for the effectiveness of the ISSP is a little disappointing. An evaluation by Oxford University showed that it was no better at reducing offending than custody: 89% of the ISSP sample re-offended within a year. However, when the number of previous convictions is factored in, it does slightly better, reducing the severity and frequency of offending compared to custody (although no more than in control groups of young people on other forms of supervision).<sup>139</sup>

ISSP works best when it includes elements of restorative justice (see Box 18), constructive leisure activities and when targeted at the most serious and persistent offenders.<sup>140</sup> It is available to all 157 YOTs across England and Wales, and over 19,000 young offenders were referred onto the programme between 2001 and 2006.<sup>138</sup>

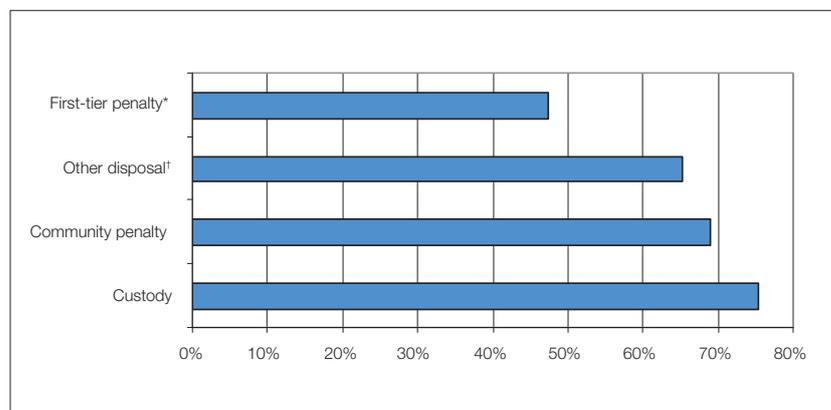
Despite mixed evidence, NPC believes ISSP is better than custody. It allows young people to maintain ties with their family and community and can be successful when done well.

**Stage 4: Resettlement**

The key to reducing re-offending on release from custody is greater access to services in the areas of accommodation, education, training and employment, health, substance misuse, families, finance, and benefits and debt.<sup>44</sup> As Table 6 shows, supporting young people into stable education and housing has a significant impact on reducing rates of re-offending.

Government and charities have developed a number of resettlement models, however, there is no clear example of best practice, and few long term outcomes are known.

**Figure 10: One year re-offending rates<sup>89</sup>**



\* First-tier penalties include discharges where no further action is taken, fines and referral orders (supporting young people and helping them to access other welfare services).

† Other disposals include larger fines and compensation orders, but not community sentences.

Resettlement provision has gradually improved since the introduction in 2005 of the **Resettlement and Aftercare Programme (RAP)** in 50 YOT areas. It was designed to provide a high level of support to the most vulnerable young people coming out of custody. However, because it was only targeted at those with substance abuse and mental health problems, many young people still have had to go it alone on release. The results of an evaluation of RAP are not yet published.

**RESET** (resettlement, education, support, employment and training) was a two-year pilot programme involving 50 youth justice organisations, led by the charity **Catch22**. Working in seven pilot areas, the RESET programme included dedicated resettlement workers placed in the YOT whose responsibility was to coordinate support from the range of agencies involved. This included specialist training, family mediation, volunteer mentoring and help with health and substance abuse problems. They also trained mentors to build relationships while in custody and then provided support on release.<sup>141</sup>

An evaluation published in 2008 largely focused on the process, and the early re-offending data, while not statistically significant, was positive.<sup>142</sup> An analysis by NPC has shown that if RESET reduced offending by 20% it could save millions of pounds (see Box 24 in Chapter 4).<sup>90, 141, 143</sup>

Following the Youth Crime Action Plan and £8.4m of new funding for resettlement services, a new programme of **Integrated Resettlement Support (IRS)** will replace RAP, targeting all young people serving a custodial sentence, not just the most vulnerable. Central to the new provision is the idea of effective inter-agency liaison and an emphasis on local delivery.<sup>144</sup>

### What does not work?

It is important to use evidence to consider which interventions should be avoided or used carefully. While custody works in protecting the public from serious offenders in the short term, it does not work well in reducing re-offending on release.<sup>89</sup> There are a number of other approaches that do not reduce offending, as well as some that can even exacerbate it:<sup>101</sup>

- **Boot camps** offer discipline, structure and hierarchies of respect that respond to the lack of order in a young person's life.<sup>101</sup> An evaluation of two such regimes in the UK, at Thorn Cross YOI and Colchester Military Corrective Training Centre, found that they had no impact on reducing offending unless education and mentoring were included.<sup>145</sup> Research in the US and other countries has found that particularly strict regimes can even increase offending on release.<sup>146</sup>

**Table 6: The impact of good resettlement**

Need	Gap	Impact of good provision
<p><b>Education, employment and skills training</b></p> <p>The reading age of persistent young offenders is often five years behind their peers.<sup>1</sup></p>	<p>A spell in custody doubles the chances that a child will not be in education.<sup>28</sup> Only one quarter have any education, employment or training arranged within the first week of release. Over half still have nothing a month later.<sup>1</sup></p>	<p>Returning to full-time education or employment prevents re-offending. In one study, none of those who went into full-time education immediately after they were released were reconvicted, compared to a third of those who did not go straight into education.<sup>1</sup></p>
<p><b>Stable housing</b></p> <p>Many young people have unstable or unsafe homes, or are homeless. High numbers are living in care, or are care leavers.</p>	<p>In 2004, an estimated 9,000 Youth Offending Team clients were in unsuitable housing, with at least 15% of them leaving custody without suitable accommodation.<sup>1, 86</sup> Charities report that provision is still patchy.</p>	<p>Stable accommodation can reduce re-offending among young people by 20%.<sup>90</sup></p>

- **'Scared straight' programmes** confront teenagers at risk of crime with the reality of the punishment they may face, by taking them into prisons to meet offenders. They have been popular in the US. Yet a systematic review of randomised controlled trials in the US concluded that such programmes could dramatically increase the odds of a child offending by 70%.<sup>147</sup>
- **Curfews** are often used as part of the surveillance element of ISSP and are popular in the US. There is little evidence that curfews work, and one review of experimental studies shows that curfews can actually worsen offending in some cases.<sup>148</sup>
- **Anti-social behaviour orders (ASBOs)** are a key part of UK anti-social behaviour legislation, targeting young people for low-level problem behaviour that is not deemed 'criminal'. Unfortunately, there is little evidence that ASBOs work. Rates of anti-social behaviour have not declined since they were introduced, and data shows that more than half of under-18s breach their ASBO, of which 32% result in a custodial sentence.<sup>19, 149</sup>

NPC believes that the key problem with ASBOs is that they do not always result in a proper intervention to target the needs of young people and the context in which the behaviour occurs. If ASBOs were attached to targeted prevention, they might stop young people from offending in the future.

Most young people breach their ASBO, of which 32% result in a custodial sentence.

**Box 19: Knife crime**

Research suggests that a 'zero tolerance' approach to weapons possession is ineffective in reducing crime or changing attitudes.<sup>96</sup> Custody does not work in the long term, and neither does 'stop and search'.<sup>79, 150</sup>

Despite this, the government's Tackling Knives Action Programme (TKAP) is characterised by exactly these approaches. The Home Office released a fact sheet in 2008 claiming to have reduced hospital admissions for stab wounds by 27% in the TKAP areas.<sup>151</sup> However, these findings have been criticised and discredited by government statisticians.<sup>152</sup>

Policies to disarm weapons carriers tackle the symptoms but not the causes. Instead, interventions need to tackle the fear and insecurities that lead young people to carry weapons in the first place. While there are a number of UK initiatives to tackle knife crime, few have been subjected to rigorous research.<sup>150</sup>

Research from the US on gun crime indicates that local programmes involving education, training and support with a focus on attitudinal change can work in reducing weapons use.<sup>153</sup> Charities have an important role to play working on the ground with young people in local communities to tackle the issues that lead to knife crime.

Custody cannot be avoided for the most serious, violent offenders, and boot camps and 'scared straight' programmes have been phased out. However, curfews and ASBOs are still in use. While they should not necessarily

be stopped, the way they are used needs to be carefully considered to ensure that they do not contribute to young people's offending or accelerate them into the criminal justice system. The same is also true for the government's Tackling Knives Action Programme (see Box 19).

**No easy answers**

Anyone looking for a simple answer to what works in reducing youth offending is going to be disappointed. Much of the evidence is mixed, largely because of the importance of how a programme is implemented locally. The best projects are those that are individually tailored, targeted at multiple needs and based on local knowledge.

As the next chapter shows, it is these kinds of interventions that charities excel at. Yet in order for such initiatives to be scalable and sustainable, charities need to prove their success and funders need to give them lasting support to achieve this. Charities and funders need to work together to overcome the difficulties of collecting or accessing re-offending data. These challenges are discussed in Chapter 5.

The next chapter outlines what charities are doing and the role that they play in the youth justice sector.



Photograph supplied by Dance united

# What are charities doing?

**Charities play a vital role in the youth justice sector. From prevention to resettlement, they divert young people from crime, support those in trouble, and provide alternatives to custody.**

**There is also a strong ‘second tier’ of activity to improve the system: campaigning for change, lobbying government, providing independent training, research and policy work, and involving children and young people in the development of services.**

**This breadth of activity means that there are many different types of charity. Nevertheless, the main charities in the sector work together well, particularly in their campaigning and lobbying efforts. The sector’s other strengths are its independence, its ability to innovate, and its ability to engage with young people in local communities—qualities that many government bodies in the youth justice system struggle to replicate.**

This chapter discusses the role of charities, the structure of the sector, and what different charities are doing.

## The role of charities

Charities are delivering government services, trying to plug gaps, and campaigning to improve the system. As Table 7 shows, charities in the sector range from small specialist organisations and grassroots community organisations, to large crime reduction charities and national children’s charities. These organisations have several qualities that give them a unique and valuable role in the sector.

### An engaging response

Charities provide the qualities that those in trouble with the law want: accessibility, time, non-stigmatising support, and approaches that support their needs, rather than punish their offending. Charities typically work with children and young people in a flexible, informal way and are located in places where young people want to go.

Many charity projects have developed in response to specific, local needs and are staffed with people from the local community who show dedication and commitment to children and young people. This gives them trust, legitimacy, and a knowledge of territorial and family issues, which statutory services struggle to replicate.

### A creative response

One of the sector’s strengths is its capacity for innovation. Charities are using creative approaches, such as dance and boxing, to engage young people; they are researching the impact of nutrition and music on offending behaviour; and they are piloting some of the most promising interventions from abroad, such as MST and Intensive Fostering, in the UK. Charity staff typically do not have to meet the rigid performance frameworks, targets or risk management approaches that stifle innovation in many statutory agencies.

### An independent voice

Charities are located outside the criminal justice system and are not seen as a punitive authority, which enables them to advocate on behalf of children and young people in trouble. They give young people a voice, represent their rights and needs, and ensure that they have access to the services that they are entitled to. They also play an important role in involving the voices of children and young people in the development of services.

### A challenging voice

In political terms, charities act as ‘the Opposition’. The role of critic that might naturally be played by an opposition party is often lacking in criminal justice issues, because the main parties fear looking soft on crime. It therefore falls to charities to highlight gaps in information, hidden or vulnerable groups, and inconsistencies in the system, which are unpopular as political causes. Due to the politically sensitive nature of youth justice, there is a crucial role for charities in championing alternative approaches and ensuring that the debate is informed by independent analysis and research.

Charities provide many of the qualities that those in trouble with the law want.

There is a crucial role for charities in championing alternative approaches.

## The changing role of charities

It is clear that charities play an essential role in the youth justice sector. However, that role is changing as charities are increasingly contracted to deliver government services. Charities that initially developed to respond to the specific needs of young people or a local community, are at risk of drifting to fulfil contract targets or to new activities where funding may be available. These targets and activities may not match the mission and ethos of the charity, its staff or voluntary funders. They may not even meet the real needs of the beneficiaries the charity was set up to support.

Altering activities in response to contracts or funding can compromise the independence of the sector and its ability to criticise government. This has been most controversial when it comes to involving charities in running prisons. These issues are discussed in more detail in Chapter 5.

## The structure of the sector

Table 7 shows the main groups of charities working to address offending by children and young people. It gives an overview of the different types of charities involved, the services they offer and the level of resources available to the sector.

## What are charities doing?

Charities are involved in a wide range of activities, working with young people at different stages of the criminal justice system. The majority of charities work on prevention, helping young people on the cusp of offending. However, in terms of campaigning, the emphasis is overwhelmingly on the minority of serious offenders in custody. A number of activities, such as mentoring and advocacy,

span several stages. The following sections look at what charities are doing in four areas:

- 1. Preventing crime:** This can range from generic youth work to more targeted schemes with known offenders, alternative education and gang mediation schemes.
- 2. Supporting young people in the criminal justice system:** This includes diversion from custody and alternatives to custody, such as fostering or therapy, and support for young people who are behind bars.
- 3. Providing resettlement services:** This includes support for young people leaving custody, especially through mentoring and advocacy, and support in accessing services, such as accommodation, education and health services.
- 4. Changing the system:** There are numerous 'second tier' organisations providing research, training, infrastructure support for the sector, public campaigning, and political lobbying. Many of the larger charities provide a mixture of direct and second tier services.

## Preventing crime

Many children and young people at risk of crime are not involved in education, employment or training. They have little structure in their lives, few positive role models and many have fallen outside the net of government services – they may be truanting or excluded from school, living away from home or in care, and not in touch with social or health services.

For those young people who fall through the gaps in government services, it is often charities that help them get back on track. For example, charities:

- **Provide positive activities** that engage young people, and act as a 'hook' to regularly attending a structured group or activity. This includes community participation through reparation work, volunteering or becoming young ambassadors for a local area.
- **Provide alternative forms of education** to develop the life skills of young people and help them into education, employment or training. These are focused on young people who struggle with formal classroom education, and aim to get them back on track through a more flexible style of learning.
- **Resolve conflicts** and mediate between gangs to address problems in the neighbourhood or at school. This can range from preventing bullying or school exclusion, to helping young people to leave gangs or preventing conflicts escalating into violence. It also involves improving relations between the police and young people in the community.



Photograph supplied by St Giles Trust

Table 7: The structure of the youth justice charity sector

Type of charity	Examples and approximate annual income*	Services provided
<p><b>Large crime reduction charities</b></p> <p>These charities primarily deliver government services. They have a national presence and regional offices. Around 95% of funding for these charities is from statutory sources.</p>	<p>Nacro (£60m)</p> <p>Crime Reduction Initiative (£43m)</p>	<p>Numerous, including:</p> <ul style="list-style-type: none"> <li>Resettlement support</li> <li>Youth Inclusion Programmes</li> <li>Campaigning, research and policy work</li> <li>ISSP</li> </ul>
<p><b>Very large national children's charities</b></p> <p>These charities work with vulnerable children in general, but have dedicated strands of work with young offenders. They also have policy and campaigning teams. Significant funding from statutory sources, but also from grants and donations.</p>	<p>Barnardo's (£215m)<sup>†</sup></p> <p>Action for Children (£210m)</p> <p>The Children's Society (£40m)</p>	<p>Numerous, including:</p> <ul style="list-style-type: none"> <li>Advocacy</li> <li>Fostering</li> <li>Alternative education</li> <li>Youth Inclusion Programmes</li> </ul>
<p><b>National and regional youth charities</b></p> <p>There is a tier of large youth charities that do preventative work and/or are engaged in mentoring and resettlement for offenders. Focus is on 16–25 year olds.</p> <p>There is some overlap between homelessness and offending issues here, in the cases of St Giles Trust, Depaul UK, and YMCA England.</p>	<p>The Prince's Trust (£45m)</p> <p>Catch22 (£44m)</p> <p>YMCA England (£21m)</p> <p>Fairbridge (£11m)</p> <p>Depaul UK (£8.1m)</p> <p>YWCA England and Wales (£5.5m)</p> <p>St Giles Trust (£4.3m)</p>	<ul style="list-style-type: none"> <li>Mentoring</li> <li>Education</li> <li>Housing</li> <li>Positive activities</li> <li>Information and advice</li> <li>Resettlement</li> </ul>
<p><b>Campaigning, research and infrastructure charities</b></p> <p>There are no campaigning charities focused exclusively on the youth justice sector.</p> <p>Advocacy and user participation are key developing areas. Most funding is from grants.</p>	<p>Sainsbury's Centre for Mental Health (£2.4m)</p> <p>Howard League for Penal Reform (£966,000)</p> <p>Prison Reform Trust (£946,000)</p> <p>Clinks (£492,000)</p>	<ul style="list-style-type: none"> <li>Campaigning</li> <li>Research</li> <li>Training</li> <li>Advocacy</li> <li>Youth participation</li> <li>Membership/networks</li> </ul>
<p><b>Small specialist organisations</b></p> <p>This category encompasses a wide range of activities and organisations. Many are testing innovative models that are potentially scalable.</p> <p>These organisations try to address offending behaviour and support young people into education, employment or training.</p>	<p>Dance United (£889,000)</p> <p>The Brandon Centre (£861,000)</p> <p>Fight for Peace (£288,000)</p> <p>Trailblazers (£250,000)</p> <p>Just for Kids Law (£102,000)</p>	<ul style="list-style-type: none"> <li>Mentoring</li> <li>Employment skills</li> <li>Positive activities</li> <li>Therapy</li> <li>Education</li> <li>Literacy</li> <li>Advocacy</li> </ul>
<p><b>Grassroots community organisations</b></p> <p>These charities are developed by members of the community in response to specific local needs, and are often dependent on volunteers. They have high levels of attrition and can be isolated from other parts of the sector.</p>	<p>Voice of Aston</p> <p>Rev and Go</p> <p>FARE</p> <p>All have an income of less than £100,000</p>	<ul style="list-style-type: none"> <li>One-to-one and group work</li> <li>Positive activities</li> <li>Conflict resolution</li> <li>Mentoring</li> </ul>
<p><b>Coalitions</b></p> <p>There are several coalitions and membership organisations in the sector, which are not registered charities in their own right.</p>	<p>Standing Committee for Youth Justice</p> <p>Transition to Adulthood (T2A)</p> <p>Arts Alliance</p> <p>Criminal Justice Alliance</p>	<ul style="list-style-type: none"> <li>Lobbying</li> <li>Research</li> <li>Pilots</li> <li>Information sharing</li> </ul>

\* Income taken from latest available accounts.

<sup>†</sup> It is difficult to determine the level of spending on youth justice work within large children's charities. Barnardo's has around 15 specialist youth justice projects, and The Children's Society has around ten.

‘I come to Fight for Peace to stay off the streets and keep out of trouble. Boxing helps to get my anger out.’

## Positive activities

**Fight for Peace** provides boxing and martial arts classes for young people in disadvantaged communities, with the aim of turning them away from gang involvement, violence and crime. The model was first developed in Rio de Janeiro in Brazil in 2000, and a UK academy opened in east London in 2007. It is designed around five ‘pillars’: sport; personal development and education; mentoring and case work; job training and work access; and youth leadership.

Boxing classes are an incentive for young people to get involved. They provide structured activity and exercise, and personal development classes are compulsory for those who wish to attend the training. Shannah Cummings, aged 13, says: ‘I come to Fight for Peace to stay off the streets and keep out of trouble. Boxing helps to get my anger out.’ A worker from Newham YOT refers young people at high risk of re-offending to Fight for Peace, and says that she has noticed changes in their behaviour due to the personal support they receive.

Boxing clubs are not perhaps the most obvious way to address violence and gang behaviour, but many less conventional approaches are extremely promising and deserve proper attention.

The charity **Dance United** uses dance to engage young offenders and young people at risk of offending. Its Academy offers an intensive 12-week programme (25 hours a week), in which young people are treated as trainee professional dancers who must follow strict principles and routines. This helps to build group cohesion and the programme provides an atmosphere of mutual respect and support

in which young people can thrive. For many young people, the structure of the programme is a challenging and rewarding alternative to their previously chaotic lives.

An evaluation by the University of Manchester shows that Academy participants have higher rates of transfer into education, training and employment, and are less likely to re-offend than their peers.<sup>122</sup> Other outcomes for participants include: *‘increased confidence and self-awareness; more flexibility and self control; the capacity to cope with and adapt to challenges; improved communication skills; a willingness to reflect on and address personal strengths and weaknesses; and the ability to transfer learning between contexts.’*<sup>122</sup> Based on this study, NPC undertook an analysis of the economic savings made by Dance United’s work with young offenders (see Box 20).

While projects such as Fight for Peace and Dance United are scalable, others develop in response to specific local needs. **Rev and Go** is a very small project based in the former mining town of Cotgrave in Nottinghamshire. It proves that trusting young people and exposing them to risks and responsibilities in a controlled way can have enormous benefits in terms of reducing criminal activity and encouraging personal development (see Box 21).

**FARE (Family Action in Rogerfield and Easterhouse)** is a charity in Glasgow run by local people. It leads anti-gang work in 14 primary schools to tackle how and why local territorial issues first arise. FARE also offers clubs and activity groups for around 2,800 children and young people each month, and provides adult mentors for disaffected young people. One



Photograph supplied by Fight for Peace

**Box 20: The costs and benefits of dance**

In 2007, 33 young people were referred to Dance United from the local Bradford and Leeds Youth Offending Teams as a condition of their community sentence.\* In this area, over three quarters of young people on community sentences are expected to re-offend within 12 months—higher than the national average. So in a normal programme, 25 of these 33 would be expected to re-offend.

Of the 33 that were originally referred, 19 stayed on the programme. The 14 young people who dropped out did not receive any treatment. The reasons for these young people dropping out are complex and there is anecdotal evidence that not all re-offended. However, in order to account for the possibility of self-selection onto the programme and to ensure that this analysis is conservative, NPC has assumed that these young people are amongst those who would have re-offended anyway.

Dance United found that of those who engaged with the programme, only half re-offended. In addition, of those who did re-offend, the frequency and severity of their offending was reduced.<sup>122</sup>

Using these figures, NPC estimates that in 2007 nine of the young people who completed the Dance United programme stopped re-offending completely. As for the remaining ten, the frequency and severity of their re-offending behaviour was reduced. This might not sound like a lot, but looking at the costs shows that the impact is significant.

Using government figures, NPC estimates that the average cost to society of one crime committed by someone on a community sentence is £6,260.<sup>154</sup> Ministry of Justice figures state that on average, someone on a community sentence will be reconvicted 4.39 times in the following year.<sup>89</sup> However, during this time he or she is also likely to commit many other crimes, for which he or she will not be caught and convicted. Using a conservative estimate based on a previous evaluation, the actual number of crimes committed is about three times the number of actual convictions (that is, 13 crimes in the following year).<sup>143</sup>

This means that by stopping one of these young people from re-offending, Dance United saves society £82,639. At £7,000 a head, it costs Dance United £231,000 to work with those 33 young offenders. If Dance United reduces the re-offending of the remaining ten from 13 crimes to 11 then the programme breaks even. But if we assume that Dance United reduces their re-offending by approximately half, to seven crimes, the savings are huge—Dance United saves society an additional £413,200 and provides a 215% return for anyone investing in the charity.

However, the financial savings pale in comparison to the other benefits for these young people. For many this is the first time they have been given the care and attention they need to help them move away from a life of crime. For the calculations behind these figures, see Appendix 3.

project aimed at improving relations between local young people and the police led to a 79% drop in reported crime in the area.

NPC's report *Side by side* (2004) discusses charities working with young people in divided communities, and *Local action changing lives* (2004) describes community organisations tackling poverty and social exclusion.

**Alternative education and skills**

Many children and young people who get into trouble have struggled in mainstream schools and have significant gaps in their education. It is not uncommon for excluded pupils to have to wait for a year before they are provided with an alternative. Programmes provided by charities are often more flexible and vocational than traditional classroom learning, and sometimes represent a 'last chance' to stay in education, or get back into it.

**Barnardo's** two 'Wheels' projects in the West Midlands provide alternative education in motor vehicle maintenance for 14 to 19 year olds. Participants gain qualifications that are recognised by the Institute of Motor Industry, through courses in construction and basic joinery. A qualified teacher gives one-to-one support as the young people learn skills in numeracy, literacy, design and construction.

Many young people attending the Wheels project have unstable homes and require high levels of personal and practical support, sometimes just to get basic care and food to eat. Even so, three in four of the under-16 learners who were leaving the service went on to further education, training or employment, and four in five students leave with a qualification. Graduates from the scheme are also able to stay on and help mentor the younger students.

**Fairbridge** supports young people aged between 13 and 24 who are not in education, employment or training, or who are at very high risk of dropping out of school. Through 15 centres in England and Scotland, Fairbridge provides one-to-one personal support, education in basic skills, and challenging activities, such as making music or rock climbing.

Fairbridge aims to give young people the motivation, confidence and skills to make the step to employment or back into education. It works with around 3,700 young people every year, of whom around half achieve a positive outcome, such as gaining a recognised qualification or moving on to employment.

\* NPC has used the figures only for those young people on community sentences who are referred to the programme, as this is the group for whom there is the best outcomes data. Dance United also works with young people who are referred from local schools and prisons. Anecdotally, the outcomes for these groups are also good.

The crucial factors are getting to know young people well, having high staff-to-child ratios, and taking an inclusive approach.



Photograph supplied by Rev and Go

Fairbridge's Bristol centre receives young people released on temporary licence from Ashfield YOI, where Fairbridge is introduced as an incentive for young people to behave. The centre stresses that the crucial factor in its success is getting to know young people well, having high staff-to-child ratios, and taking an inclusive approach — not labelling the more serious few as offenders, but including them with other young people and helping them to slot back into normal life.

A new charity, **Unitas**, has a TextNow programme teaching literacy to young people at risk of detachment from education or training. It works in YOTs, schools and YOIs, with each

young person receiving a 20-minute session each weekday for 12 weeks, supported by a dedicated volunteer coach, a small library and an incentive scheme. An external evaluation showed that during the 12-week programme, the 255 young people in the evaluation group improved in their reading age by 18 months. This took the cohort (mostly aged 11–14) up to an average reading age of 11 years and 2 months, and beyond the threshold of functional literacy.

### Conflict resolution and gang mediation

Conflict and violence between young people is perhaps the area of youth crime that receives most media attention and about which there is

#### Box 21: Getting back on track

In the late 1990s, the teenagers of Cotgrave were getting into trouble. The small, ex-mining town in Nottinghamshire had problems with anti-social behaviour and bike thefts, with teenage 'petrol heads' riding motorbikes dangerously around the woods and streets. The area was seen as 'rough', the boys had a bad reputation in local schools, and the worst were in and out of prison.

Today, these problems have virtually disappeared because of an idea from a group of 12 year olds. A small charity called **Rev and Go** was set up, enabling young people to ride and maintain off-road bikes at local tracks, in exchange for a contract of good behaviour and steering clear of vehicle crime. The local police and youth service consider the charity responsible for dramatic reductions in the joy-riding and anti-social behaviour that had plagued the area.

Rev and Go has an annual income of less than £40,000 per year, which pays for bike parts, safety equipment and other minimal expenses. It has no paid staff. Although parents are involved as trustees and volunteers, there is a high level of trust in the young people involved. They are given considerable responsibility in terms of running the charity, maintaining and servicing motorbikes, applying for funding, and looking after the money. Members gain skills and qualifications in vehicle maintenance and repair, and servicing and safety checks, and they gain experience working in the motor-vehicle industry. Ten young people gained a certificate in vehicle maintenance, equivalent to a GCSE, at age 14.

The risk and potential danger involved in riding motorbikes, together with the trust placed in the young people, gives them a substantial sense of ownership and responsibility. The shared risk has brought the group together and they are very supportive of one another, with some having overcome bullying, bereavement or family difficulties through the support of the group. The group provides an incentive for local young people to behave well in the community and at school, and the project's coordinator describes a significant change in ethos among the young people in the area.

Yet replicating this model elsewhere is a significant challenge, and attempts by youth workers to copy it have not been successful. It relies on the specific local context, the 'village' network of the community in Cotgrave, and the commitment of a number of volunteer parents and coordinators to set the boundaries and encourage the young people to take ownership.

most public concern. Violence among the young is often perceived to be about territorial rivalries between different gangs, but bullying inside or outside school can also be very serious and lead to truancy, exclusion and crime.

Charities can be well placed to resolve conflicts. Small community organisations in particular know local people and circumstances. They have considerable trust and legitimacy with local young people, in contrast to statutory agencies, such as police or youth offending officers, who are seen as authoritative or punitive.

**Voice of Aston** is a grassroots youth organisation running peer mediation and mentoring services for teenagers and young adults in Aston, a Birmingham neighbourhood notorious for high levels of deprivation and crime. According to its founder, Voice of Aston was set up in response to *'an outcry from men in the locality, who had been through the criminal justice system and felt let down by their community'*. Reflecting on their own experiences, the men saw that the lack of activities, jobs and opportunities for young people, together with a lack of positive adult role models, had led them and many of their peers into a vicious spiral of drugs, crime and prison.

To prevent their younger siblings, children and neighbours going down the same path, the men set out to break this cycle and create an organisation that would fill the void in Aston by offering positive activities to every young person. The core of Voice of Aston's work is peer mediation and mentoring for 18 to 25 year olds. The peer mediation is provided by a group of born-and-bred Aston men who volunteer their local knowledge, personal connections and cultural awareness to resolve tensions between individuals, families or gangs before they escalate.

**Street Dreams** works in Oxfordshire and Buckinghamshire providing coaching in personal development and life skills; youth clubs and after school activities; and support for fathers and male carers. In the areas in which the charity works, it reports reductions in school exclusions, increased school attendance and reductions in violent crime and anti-social behaviour. For example, according to a police report, its life skills training led to an 80% decrease in youth-led violent crime over six months. One parent said about her son: *'Since being on the project he has not been in trouble again, he has stressed how much he enjoys Street Dreams and the activities he does. He is also a lot calmer at home.'*<sup>155</sup>

**St Giles Trust's** SOS Gangs project primarily helps to resettle young people leaving custody. Building on this, the SOS Plus project has started to do preventative work with young people at risk of gang crime, with the aim of preventing them from becoming caught up

in this lifestyle. Ex-offenders are working with schools in London to inform students about the dangers of getting caught up in gang crime, particularly with regard to weapons.

**Leap Confronting Conflict** works in schools and communities, providing training to pupils, teachers, gang members and professionals on how to manage conflicts constructively. In its Gangs and Territorialism project, 60% of participants go on to employment or training.

**Restorative Solutions** runs restorative justice approaches in many different settings, including in schools and communities, with the aim of reducing exclusions, racial segregation, bullying and anti-social behaviour.

## Supporting children and young people in the system

Young offenders need support to get back on track. Mentors and advocates can make sure that young people have access to the right services. Charities are also involved in diverting children and young people away from custody, providing alternatives to custody such as fostering, and running trials of new approaches, such as Multisystemic Therapy.

### Diversion

Diverting young people away from the criminal justice system can be effective at reducing re-offending, whether it is at the police station, at sentencing, or when the young person is already on a community sentence.

#### At the police station

Children and young people with mental health problems or learning disabilities are at particular risk of being inappropriately placed in custody, so early identification and treatment are vital. The **Sainsbury Centre for Mental Health** is piloting a range of services funded by the Department of Health, including a Youth Justice Liaison and Diversion scheme. These services aim to ensure that children and young people with mental health problems, speech and communication difficulties, and learning disabilities get the help they need as soon as they enter the youth justice system (see Box 22).

The Rapid Action scheme in Essex, run by **Catch22**, is a good example of a police force and the voluntary sector working together to identify the problems facing children and young people, and take appropriate action. The project places youth outreach workers in police stations to provide support and assistance to young people who become known to the police, and their families. Children and parents identified a range of positive outcomes, including getting in trouble less, improved relationships and social skills, and less aggressive behaviour.

Through St Giles, ex-offenders are working with schools in London to inform students about the dangers of getting caught up in gang crime.

By stopping one young person on a community sentence from re-offending, Dance United saves society £82,639.

Street Dreams' life skills training led to an 80% decrease in youth-led violent crime.

A custody panel in North Hampshire has helped to reduce the number of children sentenced to custody by 42%.

**Box 22: Jason's story<sup>156</sup>**

Jason was 15 when the police arrested him for fighting. At the time of his arrest, he made some comments that concerned the police, so they contacted the mental health worker from the **Sainsbury Centre for Mental Health's** Youth Justice Liaison and Diversion project to assess Jason. The worker visited Jason at home, chatted to him and his mum, and identified some early stage mental health difficulties.

Jason was referred to the Early Intervention in Psychosis team for a full assessment. However, there was a six week waiting list for this service, so the worker supported James with weekly contact in the meantime. Once linked up with the mental health service, the Youth Justice Liaison and Diversion team kept an eye on his attendance at initial appointments. He received medication and support, and did not re-offend.

**At sentencing**

**Just for Kids Law** provides direct representation for children and young people in court, and in proceedings where legal help is not available, such as acceptable behaviour contracts, referral order panels or school meetings where a client is in danger of being excluded. Its youth advocates ensure that young people with mental health problems, learning disabilities or special educational needs are properly assessed and receive the support that they need in the community.

The **Howard League for Penal Reform** established a 'custody panel' in North Hampshire in partnership with the Local Government Association. The panel considers all sentenced custodial cases and analyses the factors leading to custody, as well as problems or gaps in services that might have prevented custody. The panel has seen a dramatic decrease in children sentenced to custody, from 78 children in 2007 to 45 children in 2008—a reduction of 42%. The panel has also led to improvements in the quality of pre-sentence reports in the area.<sup>157</sup>

**Nacro** is working with Youth Offending Teams in areas where use of custody is particularly high, to analyse why custody is being used so much and what can be done to reduce it.

**On community sentence**

Preventing young people from breaching an order is vital to reduce escalation into the criminal justice system. Charities work in the community to engage young people and their families, and help them to meet the conditions of their order.

**The Children's Society's** Right Track project in Bristol arranges for YOT officers to come to its centre for supervision meetings with young people, where they feel comfortable, and in an area that does not involve crossing territorial boundaries. This helps young people to complete appointments and avoid being breached.

NPC believes that there is a gap here where more charities could be involved, providing mentoring and support to help children and young people meet the conditions of their sentence, and to avoid breaching and being placed in custody.

**Support for vulnerable groups and families**

Multisystemic Therapy (MST) is a pioneering programme that works closely with the families of young people with severe conduct problems, including persistent and serious offending behaviour. It is discussed in more detail in Chapter 3. **The Brandon Centre**, a charity in north London, has been providing MST for a number of years, and is currently involved in a randomised controlled trial of MST for the Department of Health. It is one of the best charities that NPC has seen in terms of the quality of its monitoring and evaluation.

A recent analysis of the data showed a number of improvements with a very difficult group of persistent offenders, for example:

- There were significant reductions in the frequency of offending by the group that received MST at one- and two-year follow ups.
- Parents reported improvements in delinquent and aggressive behaviour among their children.
- Parents reported improvements in their ability to discipline their children.
- 51% of young people were in education after the intervention, compared to 29% at the start.<sup>114</sup>

MST at The Brandon Centre currently costs approximately £6,000 per case.<sup>158</sup> The government estimates that the cost of dealing with a prolific teenage offender (in terms of crimes committed and the expense of locking him or her up) is £80,000 a year.<sup>5</sup> So, if this treatment keeps young people out of the criminal justice system, it represents excellent value for money.

There is little specialist support targeted at vulnerable groups within the criminal justice system. For example, other than The Children's Society's Right Track project, NPC struggled to find services tailored for BME groups.

There is also limited provision focusing on girls and young women. **YWCA's** centres provide a valuable 'one stop shop' for vulnerable girls

and young women, for help with homelessness, employment and other basic needs that may have led to or been exacerbated by offending. The charity's Together Women Programme helps young women aged 18 to 30 to break a cycle of crime, and has had promising results. In the words of one young woman, Stephanie:

*'When I was 14 my mum kicked me out. There was nowhere to go but friends' sofas and, eventually, the streets. I drank a lot and started to use drugs. I have been in trouble with the police since I was 17 and when I was 19 I got two years for burglary. After I came out I was referred to the Together Women Programme at the YWCA. The workers have given me advice, helped me get a house and develop my skills and confidence. I am determined not to go back to my old life ... I have given up alcohol and drugs and the workers have helped me stay clean.'*

### Fostering

Many children and young people are remanded or sentenced to custody because of a lack of suitable supported accommodation. Large children's charities such as **Barnardo's** and **Action for Children** run fostering placements that give children support and help them to improve their behaviour whilst avoiding the damaging effects of custody.

**Barnardo's** Albion Court centre in the Midlands provides medium-term remand placements, which offer stability for children and young people who may have had a difficult family background or history in the care system. These placements can contribute to reductions in their offending (see Box 23).

Working with the YJB, **Action for Children** is running two of the three Intensive Fostering pilots (see Chapter 3). It also provides remand and post-custody fostering to support serious offenders. It is currently awaiting the results of a formal evaluation. An internal audit suggests that its services have reduced re-offending, improved behaviour, substance misuse and

relationship problems, re-established links with family, and increased access to education, employment and training. The independent evaluation has not yet been published, but these pilots of Intensive Fostering represent a promising alternative to custody for children who have had difficult family lives.

### Support in prison

Children and young people in prison are often distressed and lack support. Bullying and self-harm are serious problems in YOIs, and many children and young people struggle to get the help that they need to change their behaviour. Charities can play an important role in providing mentors, advocacy, or activities that help them to develop through arts or skills training.

For example, many people entering prison have learning difficulties and may have had problems responding to formal education. **The Irene Taylor Trust 'Music in Prisons'** runs music workshops which help young people to express themselves, improve their confidence and gain skills through activities such as singing and composing. One participant in Feltham YOI said: *'Music does something. In here it's hyper and there's a lot of violence. When you play music those thoughts go out of the window.'*<sup>159</sup>

Work in prisons is not always about reducing re-offending on release; charities also improve the quality of life and behaviour of those in prison. For example, **Aldeburgh Music** has been working with juvenile offenders for ten years (many serving long or life sentences) at Carlford Unit of Warren Hill YOI. It works with around 30 young people in groups led by five or six artists teaching music, performance and technology. The prison officers also get involved in the training, and it has led to improved behaviour and social skills. After the introduction of the project, the use of alarm bells on the unit—for serious incidents of disruption or violence—reduced from 60 times a year to just twice a year.

“I have given up alcohol and drugs and the workers have helped me stay clean.”

#### Box 23: Fostering improvements

Tom was 17 years old and had been charged with a serious assault on an old man. After a week on remand in custody, he was placed with **Barnardo's** Albion Court foster carers. He was also fitted with an electronic tag as a condition of his bail. Because he was charged with a serious offence, the case was dealt with in the crown court, which meant that Tom spent almost eight months with the foster carers.

During this period, the carers worked closely with the local YOT to ensure that Tom got help with his drugs problems, and support in education and training. Because of the positive progress he made, when Tom returned to court for his bail to be renewed after six weeks, the electronic tag was removed as the level of supervision from the carers was thought to be sufficient.

When Tom was eventually sentenced, the judge was impressed by the progress he had made and felt that the case could be dealt with by way of a community sentence rather than a custodial one. Tom remained with his carers for a short period after his sentence, then moved into independent accommodation. He has not re-offended and is now in full-time employment.



Photograph supplied by YMCA

A number of charities provide mentoring within YOIs, to give young people personal support, help with education, and advice on finding accommodation on release. **Trailblazers** supports around 110 young people every year, providing an average of around 30 hours of support to each young person. One young person said of his mentor: *'He gave me advice without telling me what to do and I somehow feel like the pressure's been taken out of my brain now. And he helped me to think that maybe my sentence is a chance to learn, not just a punishment.'*

The **Howard League for Penal Reform's** legal team provides advice for young people in custody. It deals with issues such as treatment and conditions inside prison, the use of segregation, medical treatment, early release, sentence planning and resettlement. It also deals with issues concerning support and accommodation for children on release from custody. It runs a legal helpline for children and young people in prison, and trained lawyers staff the phone lines three days a week.

**Barnardo's** has an advocacy service available to over 2,000 young people in three Secure Training Centres and ten YOIs across the North and Midlands regions. All young people meet with a trained advocate within one week of arriving, and can subsequently self-refer to the service or call a free helpline. In 2008/2009, Barnardo's supported 1,663 young people in the Midlands through advocacy work. Of these, over 95% felt that the advocate helped in the way that they wanted, and said they got most or everything that they needed as a result.

## Providing resettlement services

On release from custody, many young offenders find themselves homeless, out of school and jobless. Some have broken family relationships, and others are not allowed back into school. Good resettlement work is essential to help these young people, yet they are rarely given the support they need to get back on their feet. As Box 24 shows, if done effectively, the potential savings are considerable.

Part of the problem is that local authorities are failing to plan properly for the release of children and young people from custody. Legal pressure and advocacy from charities such as **The Howard League** and **Just for Kids Law** helps young people to access the services they need (see Box 25), but a lot of 'through the gates' work faces significant challenges about continuity of support when young people are resettled in a completely different part of the country.

One radical solution being developed by the **Foyer Federation** is to create new, locally-based custody centres that provide continuous care before, during and after custody (see Box 26). However, as long as custody remains geographically distant from the home of the young person, there will continue to be problems with resettlement, especially around access to stable accommodation. Charities are particularly well-placed to help in this area, especially those that have expertise dealing with housing and homelessness issues, such as **Depaul UK**, **St Giles Trust** and **YMCA England**. However, it is very difficult to determine which schemes are

Music does something. In here it's hyper and there's a lot of violence. When you play music those thoughts go out of the window.

Young person in Feltham YOI.

most effective because few charities measure the long-term outcomes of the support that they provide. All have benefits:

- **Depaul UK's** Outside Link work has an excellent reputation with prison staff for its ability to find accommodation for young people. It provides a high level of personal support, advocates on behalf of young people and exceeds prison targets, with over 90% of the young people it helps getting a placement on release.
- **St Giles Trust** also engages with young offenders before release, then supports them when they are released in south London. The service is delivered by staff who are all qualified ex-offenders, and includes mentoring, motivational work and attitudinal work, combined with practical support in areas such as housing, benefits, employment, training and education.
- **YMCA England** and member YMCAs resettle young people into the community, helping them to find a job, join an education or training course, and live in suitable accommodation. YMCAs have the benefits of national coverage and supported accommodation, and are well-linked to local YOTs through a national alliance with the YJB (see Chapter 5).

**Nacro's** Milestones project provides resettlement support for young people aged 19–21 in Portland YOI. It is highly valued by the prison governor and staff, and provides basic, practical support for young people before and after they leave—from helping them to fill out job applications to giving them a cheap mobile phone so that they can make contact with housing and probation services. Nacro also runs two services called Resettlement Plus Helpline and Resettlement Finder, which provide information and advice about preparing for resettlement and help accessing services.

Skills and employment are also important factors of successful resettlement. **Unitas** runs Summer Arts Colleges funded by the YJB and Arts Council for young people on ISSP and those recently released from custody. The colleges aim to fill the gap in education and training provision during the summer months.

**Switchback** supports a small number of 18 to 24 year olds who have worked in prison kitchens, and links them into voluntary work at the Skylight Café in central London. Though they may not all go on to become chefs, this can provide a stable base, continuity of skills development and some support in the difficult months after leaving prison, when rates of suicide are extremely high.

Charities with expertise in housing and homelessness issues are well placed to help resettle young people leaving custody.

#### Box 24: The value of resettlement work

Many persistent offenders repeatedly go in and out of the prison system on short sentences. Persistent offenders make up just 4% of the youth offending population, yet are responsible for around a third of youth crime.<sup>9</sup> What is the cost of this, and what savings could be made by breaking this cycle?

It is difficult to estimate the true cost of a persistent young offender to society. The government estimates it to be £80,000, yet academics think the real costs are much higher.<sup>5</sup> On top of this, a young person who starts offending between the ages of 14 and 16 will have an average criminal career of 13 years.<sup>160</sup> The Ministry of Justice conservatively estimates the full cost of a 'prolific' offender's criminal career to be £300,000.<sup>5</sup> The true costs are probably even higher.

Effective resettlement work could break this cycle, yet it is poorly coordinated and many young people fall through the gaps. It is clear that the resulting costs are considerable.

**Catch22** worked with a range of agencies to develop an integrated resettlement package in a two-year pilot partnership called RESET. This involved a dedicated resettlement worker who provided personal support and practical help, including education and training, employment advice, specialist family support, volunteer mentoring, accommodation, and help with substance misuse problems.

The extra cost of RESET for a young person with a high level of needs is estimated at £9,544.<sup>143</sup> Unfortunately, there is no robust research on the extent to which this package reduces re-offending. However, NPC has looked at the costs involved, and even with minor reductions in re-offending rates, the service makes financial sense.

Using the most conservative figures available, NPC estimates that resettlement work needs to stop only an extra 12 out of 100 young people from re-offending to break even within a year. If we take £300,000 as the average cost of one of these custody leavers' criminal careers, the resettlement programme would only need to stop one in 20 young people from embarking on a life of crime to make the programme cost-effective.

If done really well, the potential savings are huge. The 2002 Social Exclusion Unit report estimated that good resettlement services could achieve reductions in re-offending of 20% or more.<sup>90</sup> If such services were provided to the 5,000 young offenders leaving custody annually, this could save the taxpayer over £12m in one year.<sup>52</sup> The real value of such work to young people, families and communities is much greater. See Appendix 4 for detail on calculations.

Campaigners in the sector have been influential in keeping children's rights on the agenda.

## Changing the system

### Campaigning for change

The campaigning voice of the sector is coherent and well-focused. There is consensus about campaigning priorities and NPC has been impressed with quality of staff, research and collaboration among campaigners. Because youth crime is not a popular public cause, charity campaigns in the sector are rarely used as an excuse for fundraising; the content is sophisticated and geared towards parliamentary lobbying more than towards a general audience.

Campaigning is overwhelmingly focused on young people in custody, where the numbers are relatively small (compared to the total youth offending population) and the level of need is highest. The **Prison Reform Trust (PRT)** and the **Howard League for Penal Reform** are the two best-known campaigning charities in the sector, and both have developed strands of specialist youth justice work. PRT is undertaking a five-year campaign funded by the **Diana Memorial Fund**, called Out of Trouble, aimed at reducing the number of children in custody. The Howard League also lobbies on this issue and is particularly known for its work on securing legal representation for children and young people in the criminal justice system, which it uses to inform its campaigning.

The three main issues that charities in the sector are campaigning for are:

- reducing the use of custody for children, including the use of custodial remand;
- devolving the custody budget to local authorities; and
- raising the age of criminal responsibility.

The **Standing Committee for Youth Justice (SCYJ)** is the main lobbying coalition in the sector for under-18s. It is an excellent example of what a network of charities can achieve with extremely limited funds. It has agreed on priorities for lobbying and protocols for decision-making, and brings together expertise from all aspects of the youth justice charity sector and professional bodies, including:

- large service providers, such as **Catch22** and **Nacro**, which have a national perspective on service delivery and policy specialists;

- large children's charities, such as **Barnardo's** and **The Children's Society**, which bring capacity, designated parliamentary lobbyists, and a knowledge of broader issues related to vulnerable children that is important in highlighting issues such as child abuse and local authority care;
- organisations such as **Justice**, the **Howard League** and **Just for Kids Law**, which provide legal expertise;
- experienced penal reform charities, such as The **Prison Reform Trust**, the **Howard League** and **Inquest**, which have policy and campaigning knowledge;
- membership and infrastructure organisations, such as the **Criminal Justice Alliance** and **Children's Rights Alliance for England**;
- practitioners organisations, such as the **Association of Youth Offending Team Managers** and the **Secure Accommodation Network**; and
- other networks, such as the **Council for Disabled Children**, which provide specialist expertise.

Member charities allow individual staff to give time to the SCYJ, which is extremely beneficial to the consortium. The coalition also provides a neutral and independent forum for charities to feed into campaigns and contribute to lobbying efforts. (This is important for some charities which may not want to be publicly critical of government.)

Until 2005, SCYJ had limited influence, but with new staff and leadership it has taken on a vigorous lobbying agenda, and achieved some important amendments to legislation with no formal budget. Despite the considerable barriers to achieving political change, and the difficulty of attributing influence, signs are encouraging.

For example, the SCYJ has achieved a number of commitments in relation to the Criminal Justice and Immigration Act (2008). It secured an amendment that ensures that magistrates and judges must explain when sentencing a young person to custody why Intensive Supervision and Surveillance and Intensive Fostering have not been used instead. NPC has heard from a central government department that the work of campaigners in the sector has

#### Box 25: Mark's story

Mark is now 17. His mother became addicted to crack cocaine when he was about 12. His younger sister was taken into care by the local authority when he was 14 and he was left living in a crack den with his mother. He lost a lot of weight, some of his teeth decayed, he developed a severe skin condition and became very withdrawn. His mother's health deteriorated and he resorted to stealing in order to buy food. When he was 16 the police closed down the crack den and he was made homeless.

He was placed in an adult homeless person's hostel with Class A drug users. He was extremely vulnerable and did not realise he was entitled to benefits or how to get them. He had no income and became involved in crime again and was remanded to Feltham YOI. Shortly after his release he contacted **Just for Kids Law**. The charity got him moved out of the adult homeless person's hostel into housing for vulnerable young people and issued a Judicial Review against the local authority for failing to support and accommodate a vulnerable child. The local authority then agreed to support and accommodate him.

been influential in keeping children's rights on the agenda and improving policy on prevention and diversion in recent years. With a modest budget, NPC believes that SCYJ could achieve even more.

### Campaigning on vulnerable groups

Several charities and groups are campaigning on specific issues, some of which have a youth justice focus. These include:

- improving services for young adult offenders aged 18–24 (**T2A Alliance**);
- addressing the over-representation of BME groups in prison (**Clinks** and **Nacro**);
- highlighting the condition of women in prison (**Corston Independent Funders Coalition**);
- arguing for diversion of people with mental health problems and learning disabilities (**The Prison Reform Trust**);
- building recognition for the role of the arts in criminal justice (**Anne Peaker Centre** and **Arts Forum**);
- highlighting the importance of mentoring with young people (**The Prince's Trust**); and
- campaigning for public inquiries into deaths in custody (**Inquest**).

### Infrastructure

Infrastructure organisations are important in 'fixing the plumbing' of the sector: improving collaboration, sharing information, and addressing common challenges. **Clinks** supports voluntary sector organisations working with offenders and their families, and is a vital conduit between statutory and voluntary services. It identifies the role of service users in policy and service delivery and helps to improve collaboration. **Children's Rights Alliance for England** is an alliance of over 380 organisations, including all the major children's charities, which coordinates lobbying and campaigning.

**London Action Trust's** Community Safety Advice Service supports small organisations in London. It has developed an anti-social behaviour database and is active in supporting local groups with capacity-building issues. For example, it is currently working with victims of serious crimes that wish to set up groups to provide the information and support that they found were lacking.

**National Council for Voluntary Youth Services** provides policy briefings for its members via its Speaking Out programme.

Infrastructure organisations are important in 'fixing the plumbing' of the sector.

### Box 26: The Young Offenders Academy

The 'Young Offenders Academy' is an idea for a new type of criminal justice establishment providing a full range of services for young offenders, from arrest, through community and custodial sentencing, to resettlement—all from one site in the local community. The idea was initially developed by **East Potential** and later by the **Foyer Federation**, both of which are charities involved in the 'Foyer' movement. Foyers are centres providing accommodation, training and employment for vulnerable young people who have been homeless or in the youth justice system.

In the late 1990s, East Potential found that any positive developments for young people created by the foyer experience were interrupted if they became involved with the youth justice system, especially if this included remands in custody or sentences spent far from the local community. Progress would stall because young people would not turn up for many months, and the next contact with the foyer staff would be when the young person was discharged and arrived on the doorstep, homeless and ready to begin the journey again.

From this repeated experience, the idea began to emerge of a single, local 'campus' that could provide an integrated range of services for this group of young offenders before, during and after custodial or community sentences.

The idea received support and grant funding was secured for a scoping study, which began in November 2007. The project is now at an advanced stage and the project directors have been presenting their report to ministers, shadow ministers and other key decision-makers, pressing for action on a proposed pilot project in east London. However, it is unlikely that any decision will be made before the next general election.

However, there are some concerns among charities about expanding the secure estate at a time when the juvenile custody population is starting to fall, resources are becoming stretched and the existing estate is not overcrowded. Opponents of the Academy argue that unless there are assurances that custodial places elsewhere would be decommissioned, any new custodial establishments would encourage greater rather than reduced use of custody for children. Opponents also argue that a single establishment would not be able to provide appropriate support for the full range of needs, ages and vulnerabilities from any particular area.

In NPC's view, the Academy proposals attempt to address genuine failings in the current system around the continuity of care and services, the distances of custodial placements affecting resettlement, and the need for local supported accommodation. The scoping and development studies have highlighted a number of issues—around the transparency of custody costs and the way the YJB places young people—that may be influential even if the pilot does not go ahead.<sup>80</sup>

Those who had taken supplements of vitamins, minerals and essential fatty acids committed an average of 26.3% fewer offences than those on placebos.

**YMCA England** has an Offender Services Unit, which supports local YMCAs' to provide services for young offenders and helps to improve engagement with the YJB, prisons and local YOTs.

Where there are gaps in infrastructure, grant-making trusts and foundations are playing a valuable role in helping to coordinate activities, including brokering between statutory and voluntary agencies. For example, Clinks does not work in Scotland, and so part of its role as a coordinator is taken on by the **Robertson Trust**. The **Barrow Cadbury Trust** is active in coordinating campaigning in relation to young adult offenders. The **Corston Independent Funders Coalition** has funded a member of staff to lobby on the recommendations of the Corston Review. This level of involvement is not typical in other charitable sectors.

### Research and policy work

Charities can play an important role as an independent source of research and analysis. For example, **Nacro's** youth crime policy briefings were a valuable source of information and analysis on the latest trends and developments in youth crime. They were used widely by practitioners and charities, until the service stopped due to lack of funding.

As we saw in Chapter 2, research by the **Foyer Federation** has highlighted a number of problems with government costs on custody, which would otherwise have remained hidden. The **Centre for Crime and Justice Studies** has produced research on a number of youth justice areas, including a review of Labour's youth justice reforms, the role of voluntary sector organisations working with black young men, and knife crime among young people. Research by the **Prison Reform Trust**—looking at remand, restorative justice and international approaches to reducing the number of children in custody—is a valuable resource for practitioners, policy-makers and lobbyists.

Professional bodies can also play an important role in changing policy. The **Magistrates Association** is active in highlighting the number of children in care who end up in the courts. It has led to changes in protocols by the Crown Prosecution Service, and has argued that many care cases should be tried in family courts, rather than youth courts, where the emphasis will be on the child's welfare needs.

Charities are also piloting new approaches and conducting primary research. The **Brandon Centre's** pilots of MST, the Foyer Federation's pilot Academy and **Natural Justice's** work on the role of nutrition on behaviour (see Box 27) are good examples of this. **Live Music Now** has recently received funding for research exploring whether music could be used in the youth justice system to reduce re-offending and improve the health of young offenders.

### Participation

Historically, the views and needs of young offenders are not taken into account when decisions are made about what will happen to them. Yet involving young people in decision-making is important in ensuring that services are effective.

The government's 'personalisation' agenda to place users at the heart of services has driven significant changes in health and social care sectors. However, the criminal justice system has, perhaps understandably, lagged behind. Charities are at the forefront of changing this situation, and there is ongoing consultation within the Cabinet Office about whether the principles of personalisation can be applied in criminal justice settings.

One charity very involved in this movement is **User Voice**, which aims to put the voices of ex-offenders at the heart of service development and policy, so that services better meet their needs, and ex-offenders are empowered to influence what happens to them. User Voice was set up by Mark

#### Box 27: Food for thought

The charity **Natural Justice** is pioneering research into the links between diet and anti-social behaviour. In a double blind randomised experiment at HM YOI Aylesbury involving 231 volunteers, those who had taken supplements of vitamins, minerals and essential fatty acids committed an average of 26.3% fewer offences than those on placebos.<sup>161</sup> The positive effects of an enhanced diet on anti-social behaviour have also been reported in the USA and Netherlands.

In 2000, a study estimated that the cost of nutritional intervention across the offender population in custody would be in the order of £3.5m a year. The benefits have not been calculated, but are likely to be much higher than this. A larger study is currently under way at YOIs in England and Scotland.

Johnson, an ex-offender who writes regularly about the issues facing offenders, and advises charities and government on how to involve ex-offenders and design services that are appropriate and responsive to their needs. The charity regularly consults with offenders on behalf of government, and is in the process of establishing councils within prisons and in the community, involving ex-offenders in evaluating services and testing approaches to check that they work from the user’s point of view.

A new programme funded by the Lottery and run by the **Howard League** aims to extend the charity’s legal advocacy work and use this as a platform for young people to become advocates themselves. It aims to develop policy on youth justice with young people’s help, and give them support and training to make their voice heard—whether online, on TV or before a parliamentary committee.

### Training

The law requires special treatment for young people in court, and legal practitioners are often unfamiliar with those procedures and working with young people. **Just for Kids Law** provides training events for law students, solicitors, barristers, lay magistrates and judges, which helps to give practitioners the skills they need to communicate with children and young people and effectively represent them. It actively involves former clients as trainers, so that those

attending the training can get a first-hand assessment of the legal system from those who have been on the receiving end of it.

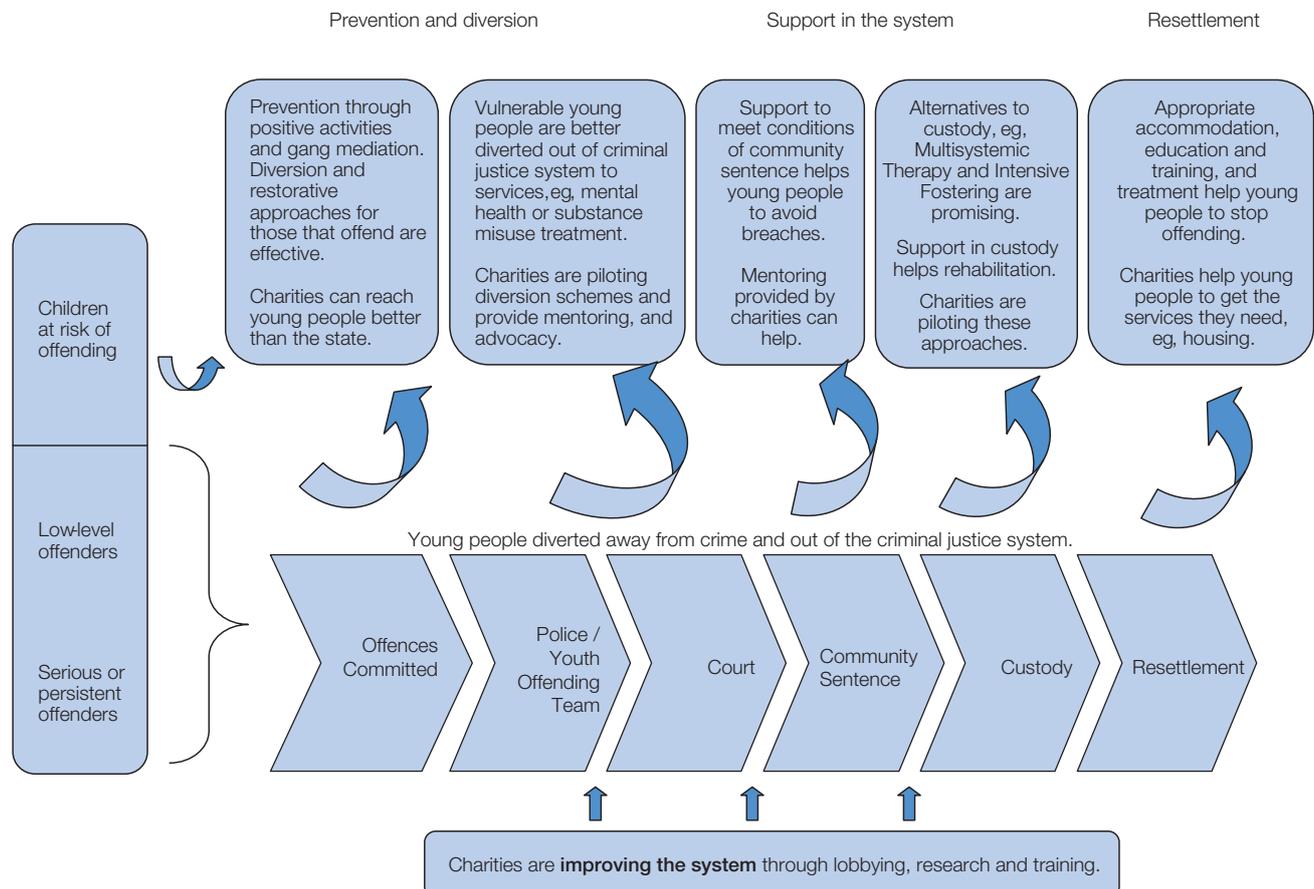
**Nacro** has produced briefing packs for magistrates about YOTs. It has also provided support to drugs, alcohol and cognitive behaviour schemes across the country, and worked in partnership with YOTs in London to promote good practice, develop policy and ensure consistency. However, funding for these areas is very limited.

### Challenges and opportunities

This chapter has shown that there are many charities doing excellent work in supporting children and young people in trouble with the law. Figure 11 shows the different stages at which charities are supporting children and young people.

However, charities could do a lot more if the sector was better resourced, if links between the voluntary and statutory sector were improved, and if the political environment was more conducive. It is a challenging environment for funders and charities to work in, but as the next chapter shows, there are plenty of opportunities for funders to contribute to the development of the sector and support charities to help more children and young people.

**Figure 11: Charities divert young people out of the criminal justice system**





Photograph supplied by St Giles Trust

# Challenges facing charities and funders

The charity sector for youth justice is relatively strong, yet it faces a number of challenges. The areas in which it has traditionally ‘added value’—independence, innovation, user-involvement, flexibility and community engagement—are in danger of being eroded. The government has no clear strategy regarding the role of charities in relation to youth justice, and NPC struggled to find an accessible champion for the sector in government.

Unsurprisingly, funding is the issue that concerns most charities in the sector, and many have specific concerns about the ‘cut-throat’ environment created by new commissioning arrangements. Many charities argue that competition for government contracts is driving down costs and quality, stifling innovation and independence, and undermining collaboration in the sector.

There is also a lack of shared information about what charities provide and what works. Links between voluntary and statutory partners are inconsistent and often fragile, and though there is considerable anecdotal evidence that charities are improving the lives of young people, only a small number are able to produce strong evidence. This undermines the sector’s ability to secure funding, improve its services and, crucially, present more compelling arguments about the alternatives to custody.

This chapter outlines the main challenges facing charities in the sector, grouped into four themes:

- funding is uncertain and inadequate;
- links between voluntary and statutory agencies are fragile;
- the evidence base is thin; and
- the political context is a barrier to charities’ efforts.

## Funding is uncertain and inadequate

### How the sector is funded

Charities working with young offenders and their families are funded by a wide variety of sources, including trusts and foundations, individual donors, government departments and local authorities. They often draw funds from outside the youth justice system and from Europe, as well as from the prison service and Youth Offending Teams. The spread of funding and relationships is disjointed and contributes to a lack of shared information and learning about what charities provide and what works.

Given the relative unpopularity of young offenders as a charitable cause, the scope for ‘retail’ fundraising from the general public and corporate sponsorship is extremely limited. With the exception of large children’s charities, such as **Barnardo’s** and the **Children’s Society**, few charities have access to meaningful amounts of unrestricted funding.\*

There is evidence of instability and mission drift in the sector, particularly among smaller organisations, and with a difficult funding environment this is likely to get worse (see Box 28). There are relatively high numbers of new organisations and pilots. A significant minority of the charities that NPC spoke to were less than five years old, and around one fifth did not yet have annual accounts registered with the Charity Commission.

Similarly, there are many organisations under threat, winding down, or adapting their activities to find secure funding. This is perhaps due to the politically volatile nature of youth crime, and the shifting priorities and funding available within the youth crime agenda (for example, as emphasis shifts from race to community cohesion; from anti-social behaviour to knife crime and gangs).

\* By ‘unrestricted’ we mean funding that can be used at the discretion of the charity. This is often needed for core staff costs and overheads. ‘Restricted’ funding is tied to a specific purpose or project.

Charities are experiencing changes in the way that services are funded.

### Government funding

Charities are experiencing changes in the way that services are funded. Grants from government funders are being replaced by contracts, for which charities have to tender competitively with many alternative providers. Instead of receiving grants to work in flexible ways, they are contracted to meet targets, some of which may not be appropriate for the individuals the charities work with.

One of the effects of the shift is that many charities—particularly the larger ones—have restructured in order to win more bids for government contracts. This means cutting costs and concentrating resources on areas that are likely to be wanted by government, rather than on those that are important to clients and user groups. For example, NPC spoke to one small charity whose roots were in the local church and community, providing one-to-one support for young people and ‘hand-holding’ between services. However, in recent years, in order to attract funding, it has become a generic education provider, delivering job skills classes to greater numbers.

With the introduction of new commissioning processes, problems are emerging in the sector. These include:

- **Collaboration between charities is undermined.** NPC has heard of aggressive competition for funding, and a crowded and ‘cut-throat’ market for certain services (such as mentoring, resettlement and advocacy services in custody). Competition between

service delivery organisations has led to complaints about aggressive expansion and PR-led approaches that are not backed up by effective projects on the ground. The appearance of new funding opportunities has been described as akin to a ‘feeding frenzy at the zoo’.<sup>162</sup>

- **Funding is often not agreed in a timely way** and many schemes (particularly preventative interventions) have to rely on short-term project funding. This makes it difficult for them to become an established part of the community they serve or to retain experienced staff. Even the largest charities in the sector say that services are cut at short notice for no obvious reason and beneficiaries are left unsupported. One major charity complained that ‘few commissioners have any understanding of the Compact’.<sup>\*†</sup>
- **Charities feel that contracts and targets are inflexible**, and that they have no power to negotiate with commissioners, even when it is in the best interests of children and young people. Charities that do have stable funding from YOTs stress the need to frame what they do in ways that suit targets and priorities of statutory funders.
- **The tendering process is complex and difficult to navigate.** Smaller organisations face significant barriers to winning and delivering public service contracts.<sup>163</sup> The charities that are least able to bid for contracts are, unfortunately, small, grassroots organisations that are closest to their local communities and well placed to build trust with children and young people at risk.

#### Box 28: The impact of the recession

The near future is likely to be difficult for charities. Many existing funding arrangements come to an end in April 2010, and cuts to public services and reductions in giving by grant-makers will create a very challenging funding environment. Prison and probation funding have already been cut right back, and there will be little funding available for charities from these sources (although they are a frequent source of referrals). Cuts are likely to be focused on services not required by legislation (such as prevention), which could have a particularly adverse effect on charities. Training and staff development in statutory services may also be cut back, and the YJB is likely to have a reduced role.

Smaller organisations in the sector are likely to struggle, and may face closing or merging to protect their services. Given the competition for the same funds and the potential duplication in the sector, NPC wonders whether there are opportunities for mergers in the sector. However, few organisations have wanted to comment on this, and as with other charity sectors, mergers remain something of a taboo subject. For more information, see NPC’s report *What place for mergers between charities?* (2009).

In one sense, cuts in funding represent an opportunity to argue more strongly for ‘justice reinvestment’—moving money out of expensive and ineffective custodial sentencing for lower-level offences, and putting it into preventative programmes. However, in the run up to an election, it is more likely that political parties will call for an expansion rather than a reduction of the prison population. Lobbying—informed by a good understanding of costs and alternatives to custody—has an important part to play in determining how funds could be better spent.

\* Charities criticising government funding arrangements asked not to be named in this report. They were anxious that being publically critical could harm their chances of securing government funding in the future. It is a concern that charities do not feel that they can give honest and open feedback to statutory funders.

† The Compact is an agreement between government and the charity sector in England. It recognises shared commitments and sets out guidelines for how both parties should work together, including around statutory funding arrangements.

**Box 29: Charities running prisons**

One area of controversy in the criminal justice sector has been whether charities should be involved in running prisons. In September 2008, it emerged that **Nacro** and **Catch22** were bidding in partnership with private companies for the contracts to run new prisons. In 2009, the Alliance of Serco, Turning Point and Catch22 won such a contract to run Belmarsh West and Maghull, with Catch22 running the resettlement services.

At present charities are only involved in running adult prisons, but there may be cases where this occurs in the youth justice sector as well, particularly if there is expansion of the juvenile estate.

These bids have been extremely controversial because charities have traditionally opposed prison expansion and the role of private sector companies in running prisons. Entering into these partnerships has called into question the role of charities in the criminal justice sector, and the independence and integrity of certain organisations as campaigners.

There is concern in the sector that private companies want to partner with charities purely for the legitimacy charities confer, rather than for the expertise that charities can bring. There are also concerns about whether charities should be partners to prison regimes that involve punishing people, for example through pain-compliant restraint techniques and solitary confinement. In the short term, the issue has led to considerable division in the criminal justice voluntary sector.

If charities are able to influence the prison regime and improve the quality of rehabilitation and resettlement, their involvement can potentially be positive. However, the extent to which charities—even the largest—will have any clout in partnerships with enormous private sector companies is questionable. In other sectors where these kinds of partnerships exist, NPC has heard that charities have struggled to have any kind of equal footing, and have found the experience difficult and frustrating.

- **Valuable projects are taken ‘in house’.** Innovative services originally provided on a voluntary basis have come to be delivered or funded by government. This is a mixed blessing for the sector. While many charities believe that their services should be funded by government, they are also concerned about losing good staff to YOTs and the nature of their programmes being changed.
- **Independence is difficult to maintain.** There are conflicts of interest and issues of legitimacy arising for organisations that receive statutory funding, but are opposed to certain government policies. It is worth asking whether staff, volunteers and voluntary funders will continue to support charities that look like any other provider in a market. As Box 29 describes, this has become a particular issue in the controversy of charities running prisons.

### Links between voluntary and statutory agencies are fragile

Many charities that NPC spoke to highlighted problems with the links between charities and government services, often stemming from a lack of shared beliefs or objectives. In one case, the phrase ‘partnership working’ was interpreted as *‘the suppression of mutual loathing in the pursuit of government money’*. Although government and the YJB are enthusiastic about the role of charities, there is little clarity about what role they will have in the future, and how their unique characteristics will be sustained (see Box 30). Charities themselves highlighted the following issues in their relationships with statutory services:

### Inconsistent and unstable partnerships

Charities frequently rely on good individual relationships and contacts, rather than on an established structure or process. Many programmes rely on a ‘champion’ within the prison or YOT (for instance, a passionate prison officer who believes in the charity’s work). However, the movement of these officers for career development means that relationships often break down and projects lose momentum.

There are some exceptions. For example, there is a national alliance between the YJB and the **YMCA England** to develop more widespread local partnership working between YOTs and member YMCAs. This helps young people to access the support services offered by the YMCA, such as accommodation, prevention work, access to education and training as well as mentoring and care support.<sup>164</sup>

In general, however, there is a lack of consistent referral procedures from the statutory sector to voluntary partners, particularly where this involves a referral from a prison in one area of the country to a YOT or charity hundreds of miles away.

### Lack of shared information

A major problem in the sector is lack of information about which charities are out there, who provides what, and how effective different organisations are. Lack of data on costs and performance is a constraint on commissioning decisions, and as a result commissioners tend to favour well-recognised names and larger organisations.

‘Few commissioners have any understanding of the Compact.’

There are currently no mechanisms for identifying the very best schemes and promoting these as exemplars to funders, commissioners and other providers.

Report on the role of the third sector.

A report on the role of the third sector in reducing re-offending highlighted this, describing ‘a lack of shared information and learning about what the third sector delivers and what works. There are currently no mechanisms for identifying the very best schemes and promoting these as exemplars to funders, commissioners and other providers.’<sup>163</sup> This report was focused primarily on the adult sector, but the picture is no better in the youth justice sector—YOIs, YOTs and courts need better information on the various voluntary sector providers available, and what they offer.

**Professional divisions**

Some charities describe an ‘institutionalised cynicism’ about volunteering, and to some extent about the role of the voluntary sector. This is particularly the case for arts-based charities that are having to work increasingly hard to gain access to prisons and to prove themselves in the light of the ‘public acceptability test’ introduced in January 2009.

For charities providing preventative services, competition with statutory youth services is often a problem. NPC has heard several examples of effective charities essentially making the local youth service redundant, causing resentment between providers.

**Representation for smaller charities in the sector**

Small, community-based organisations struggle to participate fully in consultations and partnerships and may need resources or support to do this.<sup>163</sup> Those that do participate often feel that their role is tokenistic—they rarely receive any funding for their input or expertise. Local Crime Disorder Reduction Partnerships tend to be dominated by police, and it is difficult for small voluntary organisations to get involved, even though they might have valuable knowledge of local communities and be able to provide important services to engage hard-to-reach groups, or help police understand local issues.

**The evidence base is thin**

It is vital that charities working to reduce offending provide evidence for the impact of their work. If they do not prove that their programmes work, they will find it hard to gain funding, win government contracts and manage their resources effectively. Commissioners want robust evidence that the programmes they are being asked to invest in reduce re-offending and offer ‘best value’ (although they are not always prepared to pay for monitoring and evaluation).

Charities should be aware that by failing to gather evidence of impact, they are missing out on opportunities for funding. NPC has met many charities that appear to be providing excellent services, but are ‘underselling’ themselves due to poor outcomes measurement. As funding is cut and competition grows, charities will be under increased pressure to demonstrate their effectiveness.

Also, if charities do not properly evaluate what they do, they cannot assess whether they are having a positive impact or where they might need development. In some cases, poor monitoring can mean that harmful services—such as an inconsistent and short-lived mentoring relationship—are not recognised and remedied. Too often, charities rely on anecdotal feedback.

Crucially, given the campaigning interests of the sector, providing evidence of effective alternatives to custody would help strengthen the case for prevention and diversion at a political level. Four in five magistrates say that the ‘effectiveness of local community programmes’ influences their sentencing decision.<sup>1, 81</sup> Demonstrating and communicating this effectiveness should be a priority for charities, because giving courts confidence in community alternatives should lead to a reduction in the use of custody for lower-level offences.

**Box 30: What is government policy on the role of charities?**

Though the government is enthusiastic about the role of the voluntary sector, there is little strategy at a central government level—either from the Joint Youth Justice Unit or the YJB—on what the role of charities should be in relation to youth justice. NPC found it difficult to identify an accessible government champion for the sector, who charities working with young offenders could turn to in order to discuss issues.

A report from the Ministry of Justice, *Working with the third sector to reduce re-offending* (2008), provides a useful analysis of the role of the third sector and the challenges it faces in working to reduce re-offending among adult prisoners.<sup>163</sup> However, there is no equivalent strategy or funding for charities specifically targeting problems in the youth justice sector.<sup>165</sup>

The YJB promotes the idea of community engagement. However, it is down to local youth offending services how they implement this, and how they involve the voluntary sector. There are a number of effective partnerships between YOTs and voluntary sector partners (for example, between YMCA Cambridgeshire and Peterborough and the local YOT), and in some cases YOT workers are seconded into charities, but these depend on relationships developed in individual areas. This means that they are vulnerable to changes in key staff, and are difficult to replicate elsewhere.

## The challenges of proving impact

There are number of challenges that charities working with young offenders face when trying to prove their impact. **The Prince's Trust** hosted an 'Outcomes Matter' event in 2009 for charities and funders to explore these issues.<sup>166</sup> The main challenges identified were:

- **Attribution:** Often the service delivered by a charity is one of several being received by a young person over a period of time. It is therefore hard to attribute change to a particular programme.
- **Transient population:** Young offenders often lead chaotic lives and are difficult to maintain contact with after a programme has finished. This makes it hard to prove long-term impact. Young people who are easier to maintain contact with are less likely to re-offend, resulting in a biased sample. (Nonetheless NPC believes that charities can still gather valuable data and learn about their impact from those young people that do remain in contact, even if they are not a representative group.)
- **Small samples:** Charity projects working with small numbers of children and young people find it hard to collect enough quantitative data to provide robust evidence of impact.
- **Limited resources:** Projects want to ensure that as much money as possible goes to delivery. Funders want evidence of impact, but they do not tend to fund monitoring and evaluation.
- **Maintaining trust:** The relationship with the young person is a critical factor in the success of most interventions. Charities are wary of the impact of data collection on relationships and keen to ensure that it does not harm rapport or trust.
- **Lack of good objective benchmarks of success:** The government looks to the Maryland Scale of Scientific Method,\* yet most charities are unable to meet these stringent criteria. Taking randomised controlled trials as a benchmark of evaluation is completely inappropriate for most services provided by charities, and beyond their resources. The government needs to set realistic minimum targets and provide funding for charities to demonstrate impact.<sup>168</sup>
- **Accessing secondary data sources:** Instead of following up young offenders to find out whether they have re-offended, charities should be able to check administrative records, such as the Police National Computer. Yet this is currently very difficult because of issues around

confidentiality, and because information is held on different databases depending on where the young person is in the criminal justice system. There may also be conflicts of interest around the release of data by local agencies (see Box 31).

- **Emphasis on re-offending outcomes:** Government commissions services on the basis of reduced re-offending rates, yet these are hard for many charities to demonstrate, and may encourage them to 'cherry pick' the easiest young people to help. Charities are keen that the wider impact of their work with young people is also recognised—including personal development, motivation, skills levels, health and aspirations. As one charity said: *'Just reducing re-offending is a pretty low aspiration for us to have for children.'*

It is essential that voluntary and community organisations overcome these barriers, with the help of the government and funders. There are some promising developments occurring:

- **The Ministry of Justice** is commissioning a toolkit for third sector organisations, which includes a method for measuring and recording the distance that young offenders travel in the seven paths to rehabilitation (including employment and housing outcomes).<sup>169</sup>
- **The Youth Justice Board** has changed its targets so that a reduction in seriousness of offending over 12 months is also recognised as a positive outcome, alongside no offending.
- **The Prince's Trust** is running a pilot using the Police National Computer to check the re-offending rates of a sample of young offenders on its programmes. Offending rates are measured for two years before and two years after they join the programme. It is hoped that once the computer programme required has been written, it will be easier for other charities to use the database to prove their impact.

### Box 31: The challenge to collecting data

One small charity that NPC spoke to described its frustrations at trying to get official data on its impact from the local authority. A police report showed that violent youth crime had fallen by over 75% after the charity's work with a number of difficult young people in the area. This charity's success was initially included in a draft copy of the region's Community Safety Strategy Report, but the data was then removed prior to publication because the local authority felt that such examples of success would lead to reduced funding from central government: if the area was seen to have solved all its problems with crime, it would receive less money from central government. The charity made repeated requests for an official document on its impact, but official data has not been published so the charity is denied a valuable piece of evidence that it could have used to bid for funding.

Four in five magistrates say that the 'effectiveness of local community programmes' influences their sentencing decision.

\* The Maryland Scale of Scientific Methods (MSSM) is a scale for classifying the strength of methodologies used in evaluations. It has five levels. Using a one-off questionnaire at the end of an intervention would fall into level one (weak evidence) and randomised controlled trials would be in level five (strongest evidence). Although developed for the criminology field it has wider application.<sup>167</sup>

## Funders must factor the cost of evaluation into their grants and contracts.

Despite these developments, still more needs to be done. The need for good evidence must be balanced with the need for an affordable and manageable process. While it is important to set minimum standards, government must also refrain from being too prescriptive in order to allow for local innovation. Charities should collaborate to develop common metrics and increase the size of the data sets. Existing research needs to be more widely communicated, and funders must factor the cost of evaluation into their grants and contracts.

### The political context is a barrier to charities' efforts

One of the biggest challenges for the sector is the political environment that charities are working in. Work to help offenders is often unpopular, and media attitudes towards offenders can be hostile. Changing the system is difficult because the present government is heavily invested in seeing its reforms as a success.

The political climate is also a challenge for charities delivering services, which face public and media scepticism, and struggle to raise funds from the public. They have difficulty building credibility and gaining access to young offenders. This came to attention in January 2009 when, following a tabloid story about a charity using stand-up comedy classes with prisoners, Justice Minister Jack Straw announced that interventions must pass a 'public acceptability test'. This has compounded an already highly risk-averse

culture, making it even more difficult for certain charities working in prisons—particularly those using the arts or 'alternative' approaches—to gain funding and access to work with offenders.

A number of charities are doing specific work to redress public perceptions—for example, the **Prison Reform Trust** and SmartJustice have surveyed the public, the **Reclaim** project in Manchester gives young people an opportunity to work with media, and the public performances of charities such as **Dance United**, **Clean Break** and the **National Youth Theatre** showcase the talents of young people previously at risk of offending. However, it is extremely difficult to take messages to the right audiences.

NPC believes that charities could do more to engage with victims groups, which are used as a justification for much government policy. One positive development is that charities are increasingly getting young people involved in campaigning, and using new media to reach different groups of people.

### Meeting these challenges

The challenges facing charities working with young offenders are significant. However, there are many ways in which charities and funders can help to develop the sector and provide more and better support for children and young people. The next chapter helps funders to think about priorities for their giving to meet the needs and address the challenges of the sector.

# What should funders do?

Charities are good at reaching the most difficult individuals and minority communities.

There are many good charities working to improve the lives of children and young people in trouble with the law, and there are opportunities for funders to make a difference across the sector. However, the needs of young people in the criminal justice system are complex and funders should not expect cheap or quick fixes.

Funders should look for projects responding to specific local needs; engaging with vulnerable groups; and piloting promising approaches. NPC also believes that mentoring and advocacy services are a priority, especially when they help children and young people to access housing, education and training, and mental health treatment.

NPC recommends that funders support charities that are genuinely independent. The sector is well served by strong research and policy work, and is supported by an engaged group of grant-making trusts and foundations. However, the scale of the challenge is considerable. More funding for targeted policy and lobbying work is needed, particularly where it involves the views of children and young people, attempts to influence practitioners, and takes the messages to new audiences.

This chapter talks through how funders can prioritise their funding and choose between different interventions. It highlights the main needs of the sector, gaps in provision and opportunities for funding.

## Priorities for funding

There are needs across the sector and many good charities so narrowing down priorities for funding is difficult. NPC has identified five main areas of charitable activity that are responding both directly to the needs of children and young people in trouble with the law, and to the failings of the public sector to solve the problems.

These are:

- Locally tailored prevention projects;
- Support for vulnerable groups;
- Innovative approaches to preventing offending and reducing use of custody;
- Advocacy for individuals; and
- Lobbying and campaigning.

## Locally tailored prevention projects

Charities are often much better than statutory youth services at reaching the most difficult individuals and minority communities. NPC sees



Photograph supplied by Fairbridge © Claudia Janke 2009

Criminal justice services are averse to risk, so innovation is a priority for voluntary funders.

small, responsive community organisations as a priority for voluntary funding for three reasons: it is these organisations that are most disadvantaged by current commissioning arrangements; preventative services are most likely to be scaled back if budgets are cut; and the potential for making a big impact through intervening early and preventing a life of crime are considerable.

Funders need to take time to investigate the specific issues in their local area and work out which projects are meeting these needs and diverting young people away from the criminal justice system. Effective examples that NPC has seen are **Rev and Go**, **Street Dreams** and **Voice of Aston**. However, there are numerous community organisations engaging young people at risk of offending. Speaking to local police, Youth Offending Teams, and young people gives a good indication of how projects are valued in the area.

Although systematic evaluation is generally weak within such small projects, this is a relatively low risk area for funders if they are prepared to get to know a project. The main risk here is an over-reliance on key members of staff. Also, funders should not always expect to scale up effective interventions, because problems are often very locally specific. However, some charities are able to provide valuable training and advice to others on the best ways of engaging young people.

### Support for vulnerable groups

In general there is a lack of specialist provision for girls and young women, black and minority ethnic young people, and those with learning disabilities and special educational needs. Providing support to one of these groups would be a relatively discrete challenge and one where the population of young people affected is of a manageable enough size to make a difference. **YWCA**'s work with girls and young women and **Children's Society**'s Right Track project with young BME people are two examples that have a good reputation in the sector and may be expanded nationally.

There is a large overlap between offending and mental health problems, and government services are hugely overstretched and under-resourced in this area. **The Brandon Centre** is an excellent example of a community-based charity doing both preventative work through parenting support and therapy, and more intensive work with known young offenders.

Early indications from its Multisystemic Therapy (MST) trial have shown encouraging reductions in offending, improved behaviour and returns to education.

### Innovative approaches to preventing offending and reducing use of custody

There are numerous examples of charities testing new approaches—using everything from arts to sport, literacy to nutrition, therapy to fostering—in many cases with great success. NPC believes that many informal and less conventional approaches are extremely promising and deserve proper attention.

Projects with good or emerging evidence, such as **Dance United** and **Fight for Peace**, need flexible core funding and non-financial support to help them expand. Other pilots such as **Natural Justice** and **Live Music Now** are promising examples of how innovation and research may be able to bring about improvements in offending behaviour. NPC believes that innovation is a priority for voluntary funding because many charities using alternative approaches struggle for funding from government. Unconventional approaches are often seen as risky and lacking credibility, so it can also be difficult for new projects to get off the ground or expand beyond a certain size.

Where government is funding charities to deliver pilots, the role of voluntary funding is less clear. However, the examples of **Action for Children's** Intensive Fostering programmes, the **Brandon Centre's** MST trial, the **Howard League's** custody panels and **The Sainsbury Centre for Mental Health's** mental health diversion pilots, attest to the sector's ability to deliver innovative research and new approaches in partnership with government departments. And if funding does not follow from successful pilot outcomes, it may be down to charities and voluntary funders to lobby for the implementation of these approaches as cost-effective alternatives to custody.

### Advocacy

Independent personal support in the community, at court and in custody is invaluable in helping to protect children's rights, help them access services and divert them from custody.

NPC believes that legal advocacy in particular is a priority because the quality of legal representation in the sector can be poor, and is

under threat as legal aid budgets are cut. Good legal advocacy from charities can provide a voice to young people and help them to access vital services (such as access to education, mental health care and housing). Legal support puts pressure on local authorities to recognise the rights of offenders, and strategic litigation can set legal precedents that have a wider impact on legislation.

The legal services provided by the **Howard League** and **Just for Kids Law** are highly respected in the sector and both charities have won a number of important cases securing important benefits for young people. Both charities are increasingly linking legal advocacy to mentoring and campaigning—supporting young people in informal ways and helping them to make their voices heard.

### Lobbying and campaigning

NPC believes that lobbying is a priority because many problems with the youth justice system cannot readily be changed except through government policy and action—for example, the way that custody is funded, inconsistencies in sentencing, and provision of accommodation.

The quality of research underlying campaigns in the sector is strong. In general, there is not the unconstructive shouting—sometimes aimed

at raising funds or profile for the charity—that typifies campaigns in some other sectors. However, without successfully engaging support from a broader coalition of groups (civil society groups, victim groups, conservative politicians and media, magistrates and judges), it will be difficult to secure significant changes.

The **Prison Reform Trust** and **Barnardo's** campaigns to reduce the number of children in prison are coherent, well targeted and supported by detailed research. This work is relatively well funded at present. However, it is striking that the **Standing Committee for Youth Justice** has no formal budget and relies on resources drawn from its members. With a relatively small amount of funding, NPC believes that the coalition could have an even stronger voice and play a more active role in the sector.

NPC believes that the key to funding lobbying and campaigning in this sector is supporting organisations that are genuinely independent, that are not wilfully sensationalist and provocative (because government simply switches off to these voices), and that attempt to take messages to different audiences. Lobbying that is based on thorough research and casework (such as that done by **Inquest**), and focuses on specific issues, such as the deaths of children in custody, needs support.



Photograph supplied by YWCA

## Weighing up the options

### What to fund

All the charities listed here would benefit from additional funding. The decision about what to fund depends on a funder's interests, priorities, attitude to risk and size of donation, and the level of non-financial involvement they wish to have with charities. But the first decision for funders to make is whether to support young people directly, or to help to improve the sector.

In terms of direct support, funders can think about targeting help towards specific issues, regions, or groups of children and young people. The risks of funding direct support are lower than funding campaigning, and the impact is more immediate. But funders should be aware that securing funding from government to roll out or continue a good service is a considerable challenge and is likely to become tougher. Where successful services are taken 'in house', many of the unique benefits of charitable provision are lost. This means that funders should be committed to long-term support: to fewer more sustainable organisations, rather than many short-term projects.

Changing the system is not an easy option for funders. Although the quality of campaigning activity is high, the challenges of changing government policy and improving services in the youth justice sector are considerable. However, a change of leadership or policy in central government may provide opportunities for influence here. And, despite the challenges, NPC believes that campaigners are helping to move policy slowly in the right direction.

### How to fund

There are relatively high numbers of new organisations in the sector—particularly doing preventative work—that would benefit from flexible core funding and non-financial support, such as help finding good trustees, advice on forming local partnerships, and support on knowing which outcomes to measure and how to measure them. Fortunately, many grant-making trusts in the field are engaged and have a good understanding of the issues. However, more could be done to improve the representation of smaller organisations and bring certain parts of the sector together.



Photograph supplied by Street Dreams

Among the more established charities, there are safer options. But with large, service-delivery organisations funders should take time to consider whether they are funding independent work rather than subsidising bids for public services. If necessary, they may need to restrict donations to projects that they feel will make a difference.\*

### Looking more widely

Due to the range of needs that young offenders are likely to have, charities from a range of sectors (such as mental health, housing and substance abuse) are likely to have relevant strands of work with young offenders. Readers should refer to NPC's other reports for more detail in these areas (see inside back cover). Funders should be aware that tackling specific risk factors and solutions also lie outside the youth justice sector but would have a beneficial impact on crime reduction.

### Gaps and opportunities

In addition to the priorities listed above, NPC identified a number of gaps where there might be a role for charitable activity and funding, but where activity is currently limited. These include:

- **Support in the community to avoid breaches.** The robust enforcement of breach legislation is a major factor contributing to high rates of custody. NPC believes that there is a role for charities here in supporting young people to meet the conditions of their community sentence or bail, providing a neutral space for YOT officers to meet young people, and liaising between young people, families and YOTs. However, activity here is currently limited.
- **Work with the children of prisoners.** Given the strong links between a parent who is a prisoner and his or her child getting involved in crime, the potential to make an impact by working with the children of offenders is considerable. However, relatively little is known about this group and the scale of funding and charitable activity here is

quite limited. **Barnardo's** is currently doing research in this area, and there are a number of charities that work with the families of prisoners, but there is potential to develop specialist services to this high-risk group of children.

- **User participation.** One priority for funders who want to improve the sector is giving a voice to young people in the criminal justice system. This is an area that is becoming increasingly important and could be usefully linked to campaigning efforts in the sector. There are several charities, including **User Voice**, which are involved in this area, and small amounts of funding could pay for a forum, or a discrete piece of research or evaluation that would be valuable to the sector.
- **Improving the evidence for mentoring and resettlement services.** There are many good mentoring and resettlement services competing for scarce government funding and struggling to prove their impact. Voluntary funders could encourage these services to collaborate, and provide support and expertise in order to help them develop common outcomes and larger data sets that could strengthen the case for better funding from government. In addition, providing a regional database or map of charities' activities would be a valuable resource for YOIs and YOTs, which often struggle to identify and link up different sources of support. The **Prince's Trust** and **Clinks** are involved in making the case for mentoring but more support from charities and funders is needed.
- **Independent research and policy analysis.** NPC was struck by the lack of robust data on costs (such as the costs of crimes and of custody) and the opaque and contested nature of many statistics within the youth justice sector. Voluntary funding could support independent research and analysis that would aid policy-making and charities' ability to measure and communicate the effectiveness of their own interventions.

More could be done to improve the representation of smaller organisations and bring certain parts of the sector together.

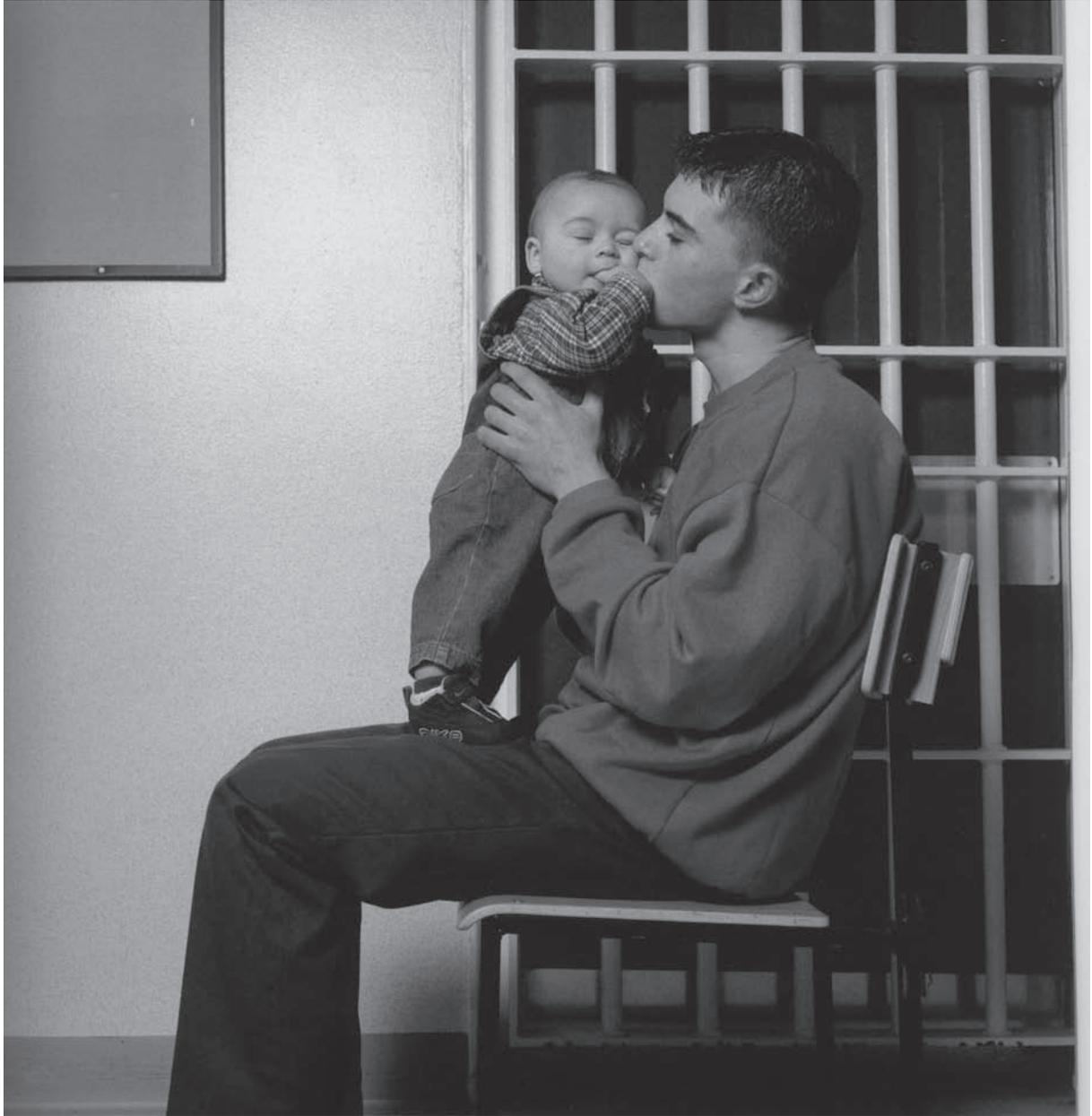
\* Restricted funding is designated for a specific use rather than for the organisation as a whole. For more information on different types of funding, see NPC's report *Granting success* (2009).

Table 8 draws together the main needs that NPC has identified in the sector, together with gaps in government provision and areas where charities and independent funders can make a difference.

**Table 8: Summary of main needs, gaps and charitable activity**

	Need	Gaps in government provision	Charitable activity	Evidence of effectiveness	Priority for philanthropy?
Prevention	Prevention of truancy and exclusion from school	No agency has overall responsibility and individual schools lack incentives to keep difficult pupils.	Numerous, including restorative approaches, mentoring and family support. See NPC's report <i>Schools out?</i>	Mixed. Better for individual support than whole-school approaches.	Yes—potential for big impact and cost savings.
	Positive activities and gang mediation	Youth services, YOTs and police struggle to reach the most difficult children, particularly BME groups.	Considerable. Many community schemes engaging hard to reach groups.	Often anecdotal among smaller organisations, though some have promising evidence.	Yes—a clear need, and charities are good at this.
	Identification and support for mental health problems and learning disabilities	Child and Adult Mental Health Services are overstretched and underfunded. Early identification and referral in schools is patchy.	Some charities help schools to identify problems early. Diversion from police stations, prevention in the community, and services for known offenders.	Individual programmes such as MST and mental health diversion are being piloted and have growing evidence in UK.	Not yet—wait to assess impact of government strategy and results of existing pilots.
	Services for children in care, who are hugely over-represented in the criminal justice system	Some care homes call the police for difficult children. Police discretion is limited by targets and cautions. Care leavers lack support and transition planning.	Children's charities and Magistrates Association involved in this area. Lobbying and research.	Not known—NPC to research further in future.	Unknown—an area of real need, but impact of funding not known.
	Family support and parenting skills	Sure Start and other initiatives often struggle to engage families who are most in need.	Charities provide parenting skills, family support and alternatives such as fostering.	Good when done well. Evidence for compulsory parenting classes less good.	Yes—though best model of support not clear.
Support in the system	Specialist services for vulnerable groups, such as BME young people, girls, and young people with learning disabilities	Most provision is relatively generic and has been developed for boys and young men.	Limited. A few projects such as YWCA and Children's Society's Right Track. Need for campaigning on these issues.	Few specialist projects exist, but for those that do the evidence is promising. There is a need for more research.	More research needed but size of groups is manageable so potential to achieve change.
	Services to address unstable or unsafe homes, or homelessness	In 2004, an estimated 9,000 YOT clients were in unsuitable housing.	Advocacy, advice and emergency accommodation. Fostering.	Stable accommodation can lead to a reduction of 20% in re-offending among young people. <sup>170</sup>	Yes—high level of need, especially for remand fostering.
	Services to address substance misuse	Provision has improved considerably, though specialist alcohol services are rare. Provision is sometimes aimed at adults, but there has been significant improvement of provision from YOTs. <sup>171</sup>	Usually information and signposting rather than direct treatment services. Some pilots, research and awareness raising.	Not known. It is estimated that for every £1 spent on drug treatment, £3 is saved by the criminal justice system. <sup>172</sup>	Unknown—NPC to research further in future.
	Advocacy and legal representation	Legal representation is often poor and underfunded.	Charities provide legal support and advocates, but provision is still patchy.	Impact not collated, but individual cases suggest positive outcomes and can make precedents.	Yes—funding could expand existing work. Lots of unmet demand.
	Consistent adult relationships and consistent support for children and young people who have many problems	Continuity between services can be poor—children are passed between professionals, and it is often not clear who is responsible.	Charities train mentors to hand-hold between services, provide support and advocate on behalf of children and young people.	Anecdotally positive, and young people say that they want mentors; but charities need to work together to strengthen evidence.	Yes—funding to improve collaboration and prove impact would be valuable.
	Support for young people who lead chaotic lives and struggle to meet conditions of sentence	There is little flexibility in dealing with breaches. Government offices are not places that young people want to attend. YOT officers are often stuck doing paperwork.	Limited. Charities provide neutral space and non-coercive support, and help young people to meet conditions of sentence.	None. Anecdotes suggest charities can help, but little research in this area.	Yes—potential for developing services in this area.

	Need	Gaps in government provision	Charitable activity	Evidence of effectiveness	Priority for philanthropy?
Resettlement	Stable, safe accommodation on release from custody	Local authorities should provide accommodation, but there are often gaps. Extending resettlement provision should improve the situation.	Advocating on behalf of offenders; providing advice and emergency accommodation; and providing alternative forms of accommodation, such as fostering.	Strong. Stable housing reduces re-offending by 20%. The evidence for Intensive Fostering is strong internationally, and is currently being evaluated in the UK.	Yes—housing is a priority at all stages of the justice system.
	Education, employment and training	Provision in YOIs is poor and often interrupted. Young people struggle in classes. Only one quarter have any education, employment or training arranged within the first week of release. Over half still have nothing a month later. <sup>1</sup>	One-to-one mentoring and tailored literacy programmes. Alternative education programmes and vocational training.	Good. In one study, none of those who had full-time education immediately after they were released were reconvicted, compared to a third without provision. <sup>1</sup> Literacy programmes often well-evaluated.	Maybe—not for mainstream classroom provision, but for one-to-one mentoring and vocational schemes.
	Mental health services	There are long waiting lists and high thresholds for specialist mental health services. <sup>93</sup> Up to 300 young people in secure establishments require transfer to mental health facilities at any one time. <sup>1</sup>	Community centres (such as Youth, Information, Advice, Counselling and Support services) can connect young people to support.	Little research on the specific impact on resettlement and re-offending.	No—wait for implementation of government strategy and results of Sainsbury Centre pilots.
Improving the sector	Collaboration and information sharing	Links between government and charities are often fragile.	Capacity support and improving collaboration.	Infrastructure bodies are valued in the sector, but it is difficult to evaluate their role.	Yes—particularly for building evidence.
	Users' involvement in services	There is little government work here, although the Cabinet Office is exploring the potential for more 'personalised' services.	User participation is a strength of charities and there are strong examples in the sector. This is a growing area of work.	None yet, although anecdotal feedback and evidence from other sectors is positive.	Yes—though look out for possible government involvement in future.
	Independent research and policy analysis	Many costs are not known or are contested. The political opposition does not want to look soft on crime, so the welfare issues of children often not raised.	Charity sector plays role of 'Opposition' to government and is valuable source of independent information and ideas.	Quality of research in the sector is high. There is some evidence that campaigns have improved situation in recent years.	Yes—some areas well funded at present, though need to keep pressure up.
	Improved transition between children's and adults' services	Many adult services, such as substance misuse treatment, are inappropriate for young adults.	Research, lobbying and developing services for young adult offenders through T2A Alliance.	T2A work welcomed by government, but little change yet.	Not yet—wait and see what happens with T2A.
	Workforce development	Magistrates and judges get little specialist youth court training. There is inconsistency across the system. Links with YOTs are sometimes poor.	Charities are good at involving young people in training, and helping YOTs reduce use of custody.	Good evidence that high quality staff make all the difference to interventions.	Maybe—engaged funders may want to tackle specific issues.
	New approach to custody	Services for offenders are low-priority and there is a lack of local authority funding for alternatives to custody.	Lobbying and campaigning on this issue. However, a detailed solution to how local authority funding of custody would work has not been established.	It is being considered among senior policy-makers, but may need a change of government.	No—although an important issue, the solution and role of philanthropy is not clear.



Photograph supplied by Prison Reform Trust

# Final word

Young people who get involved in crime are often from the most troubled backgrounds. Many have grown up in abusive families and in care; high numbers have mental health problems, learning disabilities and problems with drugs and alcohol; and the vast majority have been excluded from school.

Recognising this is not to condone offending. The impact of youth crime is considerable: victims are traumatised; communities become divided and fearful; and the costs to society run into billions of pounds. But since the roots of most adult offending lie in childhood, an enormous difference can be made early on: by supporting children at risk, diverting them from crime and improving their opportunities.

Whilst government has committed significant resources to tackling youth crime and policy is now starting to move in the right direction, many children and young people still lack the kind of support that they really need: positive activities, educational help, mental health treatment, stable housing and supportive relationships.

NPC believes that charities are filling gaps in government services and reaching some of the most difficult children and young people. They are:

- Diverting children and young people away from anti-social behaviour and crime, by providing positive alternatives tailored to local needs.

- Supporting vulnerable groups, such as those with mental health problems and learning disabilities; children in care; those from BME communities; girls and young women.
- Testing new approaches, including promising alternatives to custody.
- Advocating on behalf of children and young people in the criminal justice system, so that they are able to get the support and services that they need.
- Campaigning to change the way the current system works.

The case for charities to intervene and for funders to provide support is compelling and additional funding is desperately needed. In a sector averse to risk, fearful of tabloids, and concerned to look 'tough' on crime, the voluntary sector has a particularly important role to play, and funders can ensure that innovation and effectiveness are not stifled by a sense of what is 'publicly acceptable'. By targeting support at gaps where help is needed, and to organisations that are making a real difference, charities and funders can prevent children from a life of crime and get offenders back on track.

# Appendices

## Appendix 1: Jury's narrative verdict to the inquest into Liam McManus's death

*'Liam McManus was verified dead on the morning of the 29<sup>th</sup> November 2007 at Lancaster Farms, Far Moor Lane, Lancaster. Liam McManus died from hanging which caused his death.*

*Lancaster Farms was chosen as the most suitable placement on the understanding that a range of protective factors would be in place during his sentence. External circumstances, such as illness, sickness, absence and confusion, meant that during his 22 days in custody, no-one from outside the prison visited him. Over 3 weeks, he wrote 7 letters to family and friends and repeatedly asked when his Youth Offending Team worker would visit.*

*A range of witnesses gave evidence to suggest that maintaining links with the outside world was the key to young people settling well, stabilising and coping well with custody. None of these links or positive factors were maintained and this contributed to the actions of Liam McManus that led to his death.*

*A DTO planning meeting should have taken place within 10 working days. This did not happen. Had the meeting been arranged, those who knew Liam well; his family, his YOT worker, his CAMHS worker, his prison case-worker, his family-links worker etc., would have had an opportunity to share their knowledge of him. This holistic view would have helped prison staff to support Liam appropriately during his custody. None of the agencies involved took the lead in organising the DTO meeting and each agency was unsure whether it was their responsibility to lead on this.*

*The DTO planning meeting not taking place was only one of a number of departmental and procedural inadequacies identified that contributed to the actions of Liam McManus that led to his death.*

*Liam McManus was transferred to Windermere 2 on the 28<sup>th</sup> November during a lock down training day. Liam's care was compromised due to this transfer, but evidence did show that this was not best practice. An evening of reduced staffing levels led to a lack of association on Windermere 2. As Liam liked to keep himself to himself by eating in his cell and watching television, the impact on Liam would have been minimal. However, the containment, for a sustained period, did affect the actions of others, resulting in a level of prolonged shouting.*

*The content of the shouting ranged from a general "shout out", asking where new prisoners were from, to vicious and nasty abuse including invitations to "string up". Whilst some of the shouting, for example, "shout out" was obviously directed at cell 44, extreme phrase such as "string up" and "bag you out" were common parlance on juvenile wings. On the balance of probabilities, it is likely that these words were directed at the new boy in cell 44 and were not intended as a personal attack on Liam. Words and phrases such as these are intimidating and were likely to have affected Liam's frame of mind and will have contributed to the actions of Liam [word illegible] that led to his death.*

*Before Liam went into custody at Lancaster Farms, St Helens Children and Young People's Service assessed Liam as a high risk case but still reintroduced him to his birth mother who, evidence showed, lived a problematic and chaotic lifestyle. When Liam's social worker was about to leave the service, lack of human resources meant that there was no replacement and Liam's case was closed without consideration for the potential consequences.*

*Child Adolescent Mental Health Services (CAMHS) supported the decision to reintroduce Liam to his birth mother and were identified as a key protective factor when Liam was in custody. Whilst it was clear that CAMHS had supported Liam previously through difficult issues and times, in this instance, there was no contact with Liam and no provision to cover sickness absence.*

*The Youth Offending Service are expected to act as the lead agency whilst offenders are in custody and beyond. The Youth Offending Team had identified themselves as one of the protective factors that needed to be in place if Lancaster Farms was a suitable placement. In every phone call Liam made, he asked when his Youth Offending Team worker would visit. However, an increased and complex workload and an inspection of the service, compromised the team's ability to communicate and function effectively.*

*Poor communication with the prison, managers not noticing that the 10 day deadline for the DTO planning meeting would not be met; and no cover for a period of planned absence during and beyond Liam's sentence were defects in the YOT system.*

*The Youth Justice Board's (YJB's) target setting and policy processes adopted a 'top down' approach. This led to targets driving behaviour rather than a caring culture with time built in to address an individual's needs. For example, the one hour target in prisoner reception led to important paperwork being completed and signed in advance. Some of the processes and procedures within the prison were inappropriate for the reception, induction and day to day management of a vulnerable 15 year old boy.*

*Liam's late arrival, hurried reception and admission onto a wing to meet an 8:30pm lock down deadline, resulted in his risk level and previous history not being accurately digested and understood. Officers took Liam's word and relied on his responses without referring to important and critical documentation such as: the Asset, vulnerability Alerts, Pre Sentence Report, Post Court Report etc. These documents were kept in the case-work office which was completely separate from the wing.*

*An ineffective interpretation of the Personal Officer Policy, officers with incomplete and inconsistent JASP training [Juvenile Awareness Staff Programme], an induction process with sessions where trainers failed to attend; and where modules were inappropriate for the length of Liam's sentence and his age; all contributed to an accurate picture of Liam and the full extent of his needs never being established.*

*Each of the organisations and agencies involved had individual interpretations of the definition of vulnerability and risk, and no common scale of recording or understanding. Despite the constraints of a plethora of policies, procedures and guidelines, a number of individuals went above and beyond what was required of them whilst supporting Liam both in the community and within the prison system.*

*Whilst some of the defects and factors identified may appear to have had a minimal impact, collectively, they contributed to systemic failings in the care and support of Liam that contributed to the action so of Liam McManus that led to his death.'*

To view the full text source see [www.inquest.org.uk/pdf/narratives/Liam\\_McManus\\_verdict.pdf](http://www.inquest.org.uk/pdf/narratives/Liam_McManus_verdict.pdf)

## Appendix 2: Preventing offending and re-offending

Table 9: Promising universal prevention approaches

Approach	Evidence	What is happening
<p><b>Prenatal care and home visits to parents of young children:</b> Family Nurse Partnerships is an intensive scheme used in the US to provide support to deprived first-time mothers. It aims to prevent health and parenting problems that can lead to children's anti-social behaviour.</p>	<p>A 15-year randomised controlled trial follow-up in the US proved that it significantly reduced anti-social behaviour and substance abuse.<sup>173</sup></p>	<p>It is currently being piloted by the Department for Children, Schools and Families (DCSF) and the Department of Health. Early results are promising if inconclusive. The government wishes to expand to 70 new pilot sites by 2011.<sup>174</sup></p>
<p><b>Parenting training,</b> such as The Incredible Years programme.</p>	<p>There is good international evidence that parenting classes can help struggling parents and reduce children's behavioural problems if well-implemented and offered on a voluntary basis (see Box 14).<sup>98</sup></p>	<p>The DCSF is supporting the roll-out of parenting programmes, including the Incredible Years and Triple P, to most of the country between 2008 and 2011, through its Parenting Early Intervention Programme.<sup>107</sup></p>
<p><b>Provision of high quality childcare and daycare:</b> Daycare centres with a programme for pre-school age children provide high quality early education for children from low socio-economic backgrounds.<sup>98</sup></p>	<p>A randomised controlled trial on the Perry Pre-School project in Michigan demonstrated a 39% reduction in arrests in the experimental group compared to the control.<sup>175</sup></p>	<p>In the UK, Sure Start Children's Centres aim to integrate early education and childcare. Although promising, there is no evidence as yet of the long-term impact of these centres on crime.<sup>176</sup></p>
<p><b>After-school activities:</b> These are voluntary evening and weekend activities, such as homework clubs, sports, arts and crafts, drama and IT. They aim to develop skills, and build confidence and relationships.</p>	<p>Participation in after-school activities is associated with reduced problem behaviour, including aggression, anti-social behaviour, crime<sup>177</sup> and substance abuse.<sup>129</sup> The success of such activities is explained by the opportunity to mix with better-behaved peers, be mentored by adult leaders, and learn social skills. Also, activities are challenging and exciting and contribute to overall well-being.<sup>101, 178</sup></p>	<p>NPC analyses after-school activities in more detail in its report <i>After the bell</i>.<sup>179</sup></p>

Table 10: Targeted prevention initiatives

Approach	Evidence
<p><b>Youth Inclusion Programmes (YIPs)</b> are aimed at the most deprived estates (114 of them). Programmes vary from area to area, but can include: education and training; arts, culture and media; mentoring; skills training; sport; and family programmes.<sup>180</sup> Children who are at most risk of offending and delinquent behaviour are referred to the programme, but participation is voluntary and any child can attend. YIPs started in 2000.</p>	<p>Impact has been mixed. There is some evidence that YIPs can be effective when done well—the most successful interventions are targeted, tailored and intensive.<sup>180</sup></p>
<p><b>Youth Inclusion and Support Panels (YISPs)</b> target children at risk and refer children and their families as early as possible to local services, such as parenting programmes and YIPs.</p>	<p>An evaluation by Newcastle University for DCSF focused on process rather than outcomes, providing no evidence for the long-term impact of YISPs.<sup>181</sup> However, YISPs seem a good way of coordinating services.</p>
<p><b>Safer Schools Partnerships (SSP)</b> is an initiative run jointly with the DCSF and Association of Chief Police Officers. It targets schools in high crime areas and aims to improve behaviour by placing police in schools, identifying children at risk and referring them to other services.</p>	<p>The Policy Research Bureau found a significant reduction in truancing and improved GCSE performance, but no evidence of the impact on offending.<sup>182</sup> There is also the concern that placing police in schools contributes to the criminalisation of youth and might even encourage delinquent behaviour.</p>

### Appendix 3: The costs and benefits of dance

This appendix outlines the calculations that NPC used to estimate the economic value of Dance United’s programme for young people on community sentences. The data sources are included at the end of the Appendix in Table 13.

#### What is the cost of Dance United?

It cost £560,000 to run Dance United’s Academy in the year 2007/2008, including core costs. The Academy worked with 80 young people in that year, so it cost **£7,000** per user.

In that year, 33 young people were referred from Bradford and Leeds Youth Offending Teams to Dance United’s programme. At £7,000 a head, it cost **£231,000** to work with these young people.

#### How many young people does Dance United stop offending?

NPC used the figures for the 33 young people on community sentences who were referred to the programme in 2007/2008, as this group has the best outcomes data.

Normally, 77.1% of these 33 young people would re-offend. So without Dance United, **25** of these young people would be expected to re-offend within a year.

Of the 33 YOT referrals, 8 from Bradford and 11 from Leeds (a total of **19**) significantly engaged or completed the programme. By following up a cohort of ten, Dance United found that of those who complete the programme, only half will re-offend. For the 19 who completed the programme, it is therefore estimated that **9** did not re-offend. (This has been rounded down from 9.5 to remain conservative and to do the calculations on the basis of actual individuals.) Also, of those who do re-offend, the seriousness and frequency of their offending is reduced.

The **14** young people who dropped out of the programme did not receive any treatment. A common concern is that self-selection can result in the actual impact of a programme being overstated. The reasons for young people dropping out are complex and there is no evidence that the 14 young people who dropped out of Dance United’s programme were more likely to re-offend than the ones who remained. However, in order to be as conservative as possible, NPC has included them in the analysis and assumed that all **14** did re-offend.

Based on these assumptions a total of **24** young people are likely to have re-offended, 1 fewer than without Dance United. However, in addition to this, **10** young people’s offending will have been reduced.

Table 11 shows how NPC has estimated the situation with the 33 young people on a community sentence with and without Dance United’s programme.

**Table 11: Re-offending rates**

	Number who re-offend	Number whose re-offending is reduced	Number who do not re-offend
Community sentence only	25	-	8
Community sentence and Dance United	14	10	9

#### How much do these young people cost society?

NPC has calculated that **£6,260** is the average cost of a crime committed by someone on a Supervision Order. This figure comes from calculating the weighted average cost of the top six crimes a young person on a Supervision Order is likely to have committed. The 2007/2008 costs were calculated using 2003/2004 costs published by the Home Office in 2005 and revised upwards using ‘the GDP deflator’.<sup>183</sup> This is the inflation measure used to adjust economic statistics to present-day values. The steps in the calculation are set out in Table 12.

Table 12: The costs of crimes

Offence type	Number of sentences	% of total sentences	Average cost (£) per crime	Prison cost (£) per crime	2003/2004 costs without prison (£)	2007/2008 costs without prison (£)	2007/2008 relative costs (£)
Criminal damage	939	7.9%	866	6	860	1,053	82.69
Domestic burglary	1,363	11.4%	3,268	309	2,959	3,624	413.00
Robbery	1,481	12.4%	7,282	851	6,431	7,877	975.30
Theft and handling	2,795	23.4%	844	18	826	1,012	236.41
Vehicle theft	897	7.5%	4,138	63	4,075	4,991	374.30
Violence against a person	4,486	37.5%	10,407	411	9,996	12,243	4,591.88
<b>Total</b>	15,607	100%	-	-	-	-	<b>6,260.59</b>

Ministry of Justice figures show that young people on Supervision Orders are caught committing an average of 4.39 crimes each. Evidence from self-report surveys show that young people commit many more crimes than they are caught for—three times as many, according to one evaluation.<sup>3, 6, 143</sup> NPC therefore estimates that the actual number of crimes committed is  $3 \times 4.39 = 13.17$ . So young people on Supervision Orders who re-offend will commit **13.2** crimes each in the following year at an average cost of **£6,260** per crime.

So the total annual cost of crime that someone on a Supervision Order is likely to commit if he or she re-offends is therefore **£82,639**. This means that the cost of the one young person Dance United stops from re-offending in one year is approximately **£82,639**.

### By how much does Dance United need to reduce the offending of the remaining 10 to break even?

The total cost of working with these 33 young people at £7,000 a head is **£231,000**.

For all young people who engage with the Dance United programme, the severity and frequency of their offending is reduced. The point at which the programme breaks even is when it reduces the offending of the remaining 10 young people by **18%**—that is, stopping them from committing just over 2 crimes each. This reduction saves society **£148,750** ( $10 \times £82,639 \times 0.18 = £148,750$ ), which, together with the **£82,639** saved by stopping one young person from re-offending altogether, is a total saving of £231,389, exceeding the cost of running the programme.

### What are the potential returns if Dance United reduces the frequency of offending of those who complete the programme by 50%?

£82,639 is saved by stopping one young person from offending. If the offending of the remaining 10 young people who engaged but re-offended is reduced by a half (or if they commit 6.6 fewer crimes each) then each of these 10 young people costs £41,320 less a year, which is **£413,200** in total.

This means that, on top of the £82,639 saved by stopping one young person from offending, Dance United saves society **£494,839** annually. This means that if you put £1 into a charity such as Dance United, the potential saving for society is £2.15, and the return on investment is **215%**.

**Table 13: Data sources**

Reference	Description	Data																					
Dance United annual accounts for the year 2007/2008	Figures on the annual costs of the Academy.	It cost <b>£560,000</b> to run the Academy in the year 2007/2008, including core costs. The Academy worked with <b>80</b> young people in that year.																					
Miles, A. (2008) <i>The Academy: A report on outcomes for participants (June 2006–June 2008)</i> . University of Manchester	An evaluation of outcomes of Dance United’s programme.	<p><b>Retention and completion rates (p.13)</b></p> <table border="1"> <thead> <tr> <th>Referral agency</th> <th>Significant engagement</th> <th>Number of young people</th> </tr> </thead> <tbody> <tr> <td>Bradford YOT</td> <td><b>61.5%</b></td> <td><b>13</b></td> </tr> <tr> <td>Leeds YOT</td> <td><b>55%</b></td> <td><b>20</b></td> </tr> </tbody> </table> <p><b>12-month re-offending rates (p.23)</b></p> <table border="1"> <thead> <tr> <th>Recidivism rate</th> <th>All YOT referrals</th> </tr> </thead> <tbody> <tr> <td>Expected rate</td> <td><b>77.1%</b></td> </tr> <tr> <td>Actual rate</td> <td><b>50.0%</b></td> </tr> <tr> <td>N</td> <td>10*</td> </tr> </tbody> </table> <p>The expected 12-month re-offending rates are calculated using local re-offending rates for the specific orders that those ten young people were given. The actual 12-month re-offending rates were supplied by the YOTs. In addition, of those five who did re-offend, ‘two did so only once, and three of the five show declining gravity scores both in terms of the level of their most serious offence and their average scores’.</p> <p>* The sample size is very small and so the difference is not significant. However, the figures give an indication of the sort of improvement Dance United might be having. This is still the best data that NPC has seen from an arts-based programme. NPC has based the cost calculations on these figures. The resulting economic analysis therefore needs to be viewed with some caution.</p>	Referral agency	Significant engagement	Number of young people	Bradford YOT	<b>61.5%</b>	<b>13</b>	Leeds YOT	<b>55%</b>	<b>20</b>	Recidivism rate	All YOT referrals	Expected rate	<b>77.1%</b>	Actual rate	<b>50.0%</b>	N	10*				
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Ministry of Justice (2007) <i>Re-offending of Juveniles: results from the 2007 cohort</i>	The results on re-offending—frequency, severity, actual and predicted rates—for juveniles aged 10–17.	100 young people who have completed a supervision order will commit 439 offences in the following 12 months. This means they commit an average of <b>4.39</b> offences each.																					
Youth Justice Board Annual Workload data (2007/2008)	Annual data on youth justice disposals.	<p>The most common offence types for Supervision Orders:</p> <table border="1"> <thead> <tr> <th>Offence type</th> <th>Number of sentences</th> </tr> </thead> <tbody> <tr> <td>Criminal damage</td> <td><b>939</b></td> </tr> <tr> <td>Domestic burglary</td> <td><b>1,363</b></td> </tr> <tr> <td>Robbery</td> <td><b>1,481</b></td> </tr> <tr> <td>Theft and handling</td> <td><b>2,795</b></td> </tr> <tr> <td>Vehicle theft</td> <td><b>897</b></td> </tr> <tr> <td>Violence against a person</td> <td><b>4,486</b></td> </tr> </tbody> </table>	Offence type	Number of sentences	Criminal damage	<b>939</b>	Domestic burglary	<b>1,363</b>	Robbery	<b>1,481</b>	Theft and handling	<b>2,795</b>	Vehicle theft	<b>897</b>	Violence against a person	<b>4,486</b>							
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Renshaw, J. (2006) <i>The costs and benefits of effective resettlement</i> . RESET	The estimated costs and benefits of providing effective resettlement services.	Young people on ISSP are likely to commit <b>three</b> offences for every one that they are convicted for.																					

## Appendix 4: The value of resettlement work

This appendix outlines the calculations used to estimate the potential savings of resettlement work. The data sources are included at the end of the Appendix in Table 14.

### Calculations of how much resettlement work needs to reduce offending to break even

This section shows how NPC calculated by how much resettlement work needs to reduce re-offending in order for the cost of the programme to be balanced by the savings made. This is a 'break-even' calculation.

It is estimated that the average persistent young offender costs £80,000 a year and £300,000 over their criminal career.<sup>5</sup> NPC has conducted two 'break-even' calculations looking at a group of 100 young offenders coming out of custody. The first is based on the potential savings made over one year and the second on the potential savings made over the 100 young offenders' criminal careers, if they receive resettlement work on release.

#### 1) Over a year

75.3% of young offenders coming out of custody will re-offend within a year. So of 100 young offenders leaving prison, 75.3 will re-offend. The annual cost of these young offenders without resettlement work is 75.3 multiplied by £80,000, which is **£6,024,000**.

With resettlement work, these 100 young people will cost an additional **£954,400**. £954,400 divided by £80,000 is 11.9. So resettlement work needs to stop an extra 12 out of 100 young offenders from re-offending to break even. This is a reduction of 16% in re-offending.

#### 2) Over a criminal career

75.3% of young offenders coming out of custody will re-offend within a year. Assuming that most young offenders coming out of custody are near the beginning of their criminal career and that they have a usual criminal career, the cost of 100 coming out of custody will be 75.3 multiplied by £300,000, which is **£22,590,000**.

With resettlement work, these 100 young people will cost an additional **£954,400**. £954,400 divided by £300,000 is 3.18. So resettlement work needs to stop an extra 3 out of 100 young offenders from embarking on a criminal career to break even. This is a reduction of 4% or one in 20.

### Savings calculations, given a 20% reduction in re-offending

The Social Exclusion Unit estimated that resettlement work could in fact reduce re-offending by 20% or more.<sup>90</sup> Given that 75.4% of young offenders coming out of custody will re-offend within a year, if resettlement work succeeds in reducing re-offending by 20% only 60.3% will re-offend.

Approximately 5,000 young people leave custody annually.<sup>52</sup> NPC has conducted two calculations. The first estimates the potential savings over one year, and the second over their criminal career, if these 5,000 young people all receive resettlement work on release.

#### 1) Over a year

The relative cost of one young offender with resettlement work will be 0.603 multiplied by £80,000, which is £48,240, plus the cost of resettlement work at £9,544, which is **£57,784**.

This means the savings per young person who has resettlement work is £60,240 minus £57,784, which is **£2,456**. If these resettlement services were given to all 5,000 young people leaving prison, a saving of **£12.7m** could be made annually.

#### 2) Over a criminal career

The relative cost of one young offender with resettlement work will be 0.603 multiplied by £300,000, which is £180,900, plus the cost of resettlement work at £9,544, which is **£190,444**.

This means the saving per young person who has resettlement work is £225,900 minus £190,444, which is **£35,456**. If these resettlement services were given to all 5,000 young people leaving prison, a saving of **£177.3m** could be made over their criminal careers.

Table 14: Data sources

Reference	Description	Data
Home Office, Department for Children, Schools and Families, Ministry of Justice (2008) <i>Impact assessment of the Youth Crime Action Plan</i>	The Youth Crime Action Plan outlines government policy for tackling youth crime. The impact assessment document covers the likely costs, benefits, savings and impacts of the options in the plan.	The estimated cost to society of a high-category offender is: <ul style="list-style-type: none"> <li>• <b>£80,000</b> over a year; and</li> <li>• <b>£300,000</b> over a criminal career.</li> </ul> <p>These costs are calculated using Home Office and Ministry of Justice figures on criminal careers and the costs of crime.</p>
Renshaw, J. (2006) <i>The costs and benefits of effective resettlement</i> . RESET	This paper describes the estimated costs and benefits of providing effective resettlement services, based on published evidence on the costs of and likely reduction in offending.	The estimated cost of a high level of resettlement support is <b>£9,544</b> . <p>This figure is calculated using the additional costs to an existing Youth Offending Team of dedicated resettlement support on top of existing services.</p>
Ministry of Justice (2007) <i>Re-offending of Juveniles: results from the 2007 cohort</i>	This report contains the results on re-offending—frequency, severity, actual and predicted rates—for juveniles aged 10–17.	The actual one-year re-offending rates for young people coming out of custody in 2007 was <b>75.3%</b> .
The Social Exclusion Unit (2002) <i>Reducing re-offending by ex-prisoners</i>	On the basis of existing research, this report sets out the best methods by which to reduce re-offending by ex-prisoners.	It is estimated that housing and resettlement work on release could reduce re-offending by <b>20%</b> . <p>This is calculated using unpublished Home Office data.</p>
Prison Reform Trust (2009) <i>Bromley Briefings: prison factfile</i>	This report gives an overview of the current situation in UK prisons and how things are planned to change.	Over <b>5,000</b> 15–17 year olds entered prison under sentence in 2007.

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Nacro	Tim Bateman
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Paul Hamlyn Foundation	Rob Bell
Pecan	Steve Rawlins
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Prison Reform Trust	Penelope Gibbs
Rev and Go	Roger Edwards
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# Other NPC publications

## Published research

Research reports are focused on specific areas of charitable activity in the UK unless otherwise stated.

### Community

- **Breaking the cycle:** *Charities working with people in prison and on release (2009)*
- **Short changed:** *Financial exclusion (2008)*
- **Lost property:** *Tackling homelessness in the UK (2008)*
- **Hard knock life:** *Violence against women (2008)*
- **When I'm 65:** *Ageing in 21<sup>st</sup> century Britain (2008)*
- **Not seen and not heard:** *Child abuse (2007)*
- **A long way to go:** *Young refugees and asylum seekers in the UK (2007)*
- **Home truths:** *Adult refugees and asylum seekers (2006)*
- **Inside and out:** *People in prison and life after release (2005)*
- **Grey matters:** *Growing older in deprived areas (2004)*
- **Side by side:** *Young people in divided communities (2004)*
- **Local action changing lives:** *Community organisations tackling poverty and social exclusion (2004)*
- **Charity begins at home:** *Domestic violence (2003)*

### Education

- **Getting back on track:** *Helping young people not in education, employment or training in England (2009)*
- **Inspiring Scotland:** *14:19 Fund (2008)*
- **After the bell:** *Out of school hours activities for children and young people (2007)*
- **Lean on me:** *Mentoring for young people at risk (2007)*
- **Misspent youth:** *The costs of truancy and exclusion (2007)*
- **Read on:** *Literacy skills of young people (2007)*
- **On your marks:** *Young people in education (2006)*
- **What next?:** *Careers education and guidance for young people (2005)*
- **School's out?:** *Truancy and exclusion (2005)*
- **Making sense of SEN:** *Special educational needs (2004)*

### Health and disability

- **Rights of passage:** *Supporting disabled young people through the transition to adulthood (2009)*
- **Heads up:** *Mental health of children and young people (2008)*
- **A life less ordinary:** *People with autism (2007)*
- **What price an ordinary life?** *Financial costs and benefits of supporting disabled children and their families (2007)*
- **Don't mind me:** *Adults with mental health problems (2006)*
- **Valuing short lives:** *Children with terminal conditions (2005)*
- **Ordinary lives:** *Disabled children and their families (2005)*
- **Out of the shadows:** *HIV/AIDS in Burundi, Democratic Republic of Congo and Rwanda (2005)*
- **The hidden assassin:** *Cancer in the UK (2004)*

- **Caring about dying:** *Palliative care and support for the terminally ill (2004)*

- **Rhetoric to action:** *HIV/AIDS in South Africa (2003)*

### Environment

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### International

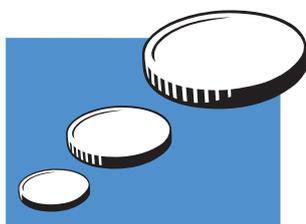
- **Giving in India:** *A guide for funders and charities (2009)*
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- **Funding success:** *NPC's approach to analysing charities (2005)*
- **Full cost recovery:** *A guide and toolkit on cost allocation (2004, published by NPC and acevo)*
- **Surer Funding:** *Improving government funding of the voluntary sector (2004, published by acevo)*
- **Funding our future II:** *A manual to understand and allocate costs (2002, published by acevo)*



# New Philanthropy Capital

New Philanthropy Capital (NPC) is a consultancy and think tank dedicated to helping funders and charities to achieve a greater impact.

We provide independent research, tools and advice for funders and charities, and shape the debate about what makes charities effective.

We have an ambitious vision: to create a world in which charities and their funders are as effective as possible in improving people's lives and creating lasting change for the better.

- For charities, this means focusing on activities that achieve a real difference, using evidence of results to improve performance, making good use of resources, and being ambitious to solve problems. This requires high-quality leadership and staff, and good financial management.
- For funders, this means understanding what makes charities effective and supporting their endeavours to become effective. It includes using evidence of charities' results to make funding decisions and to measure their own impact.

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## New Philanthropy Capital

3 Downstream 1 London Bridge London SE1 9BG

t: +44 (0)20 7785 6300 f: +44 (0)20 7785 6301

w: [www.philanthropycapital.org](http://www.philanthropycapital.org) e: [info@philanthropycapital.org](mailto:info@philanthropycapital.org)

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