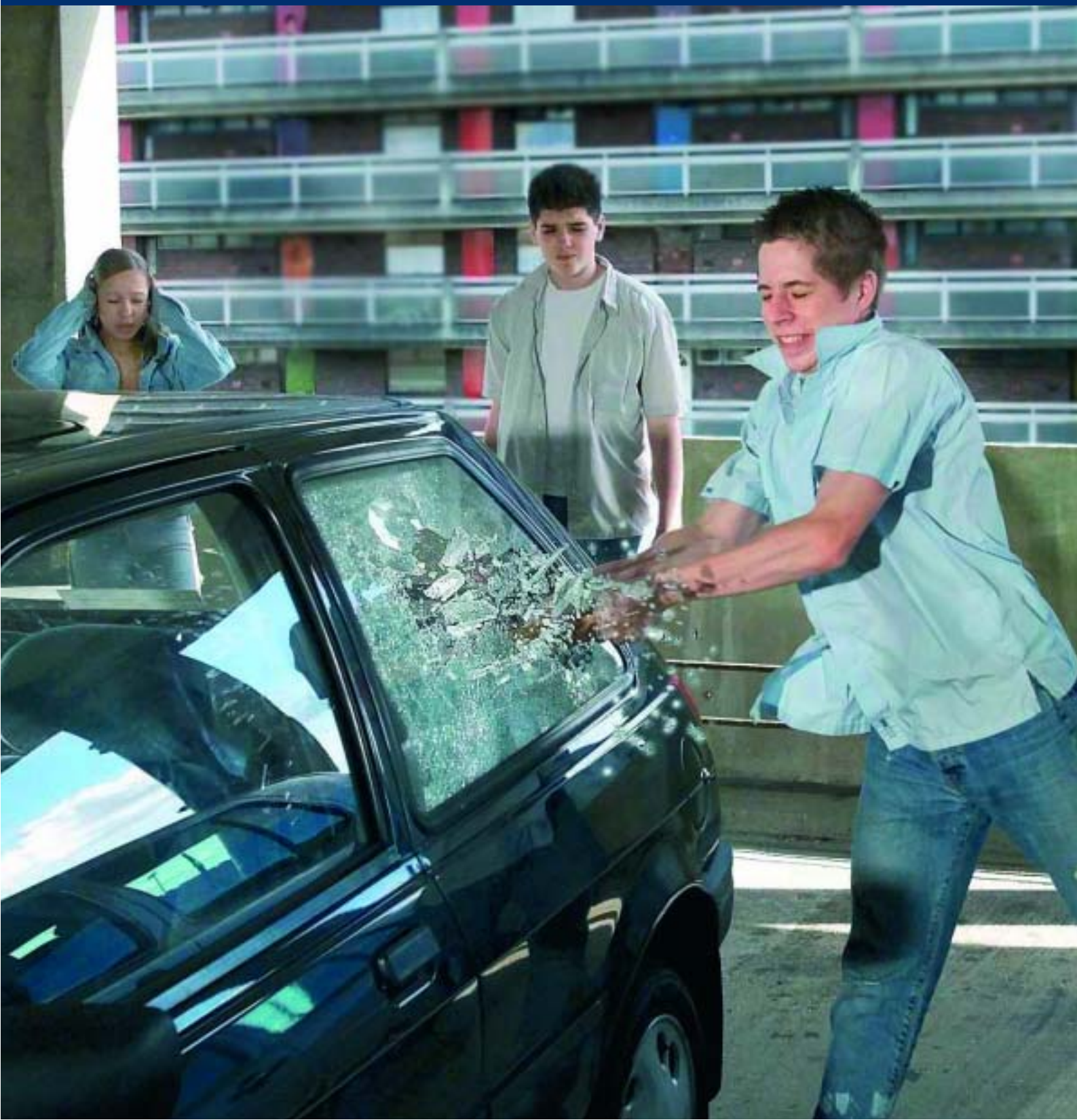
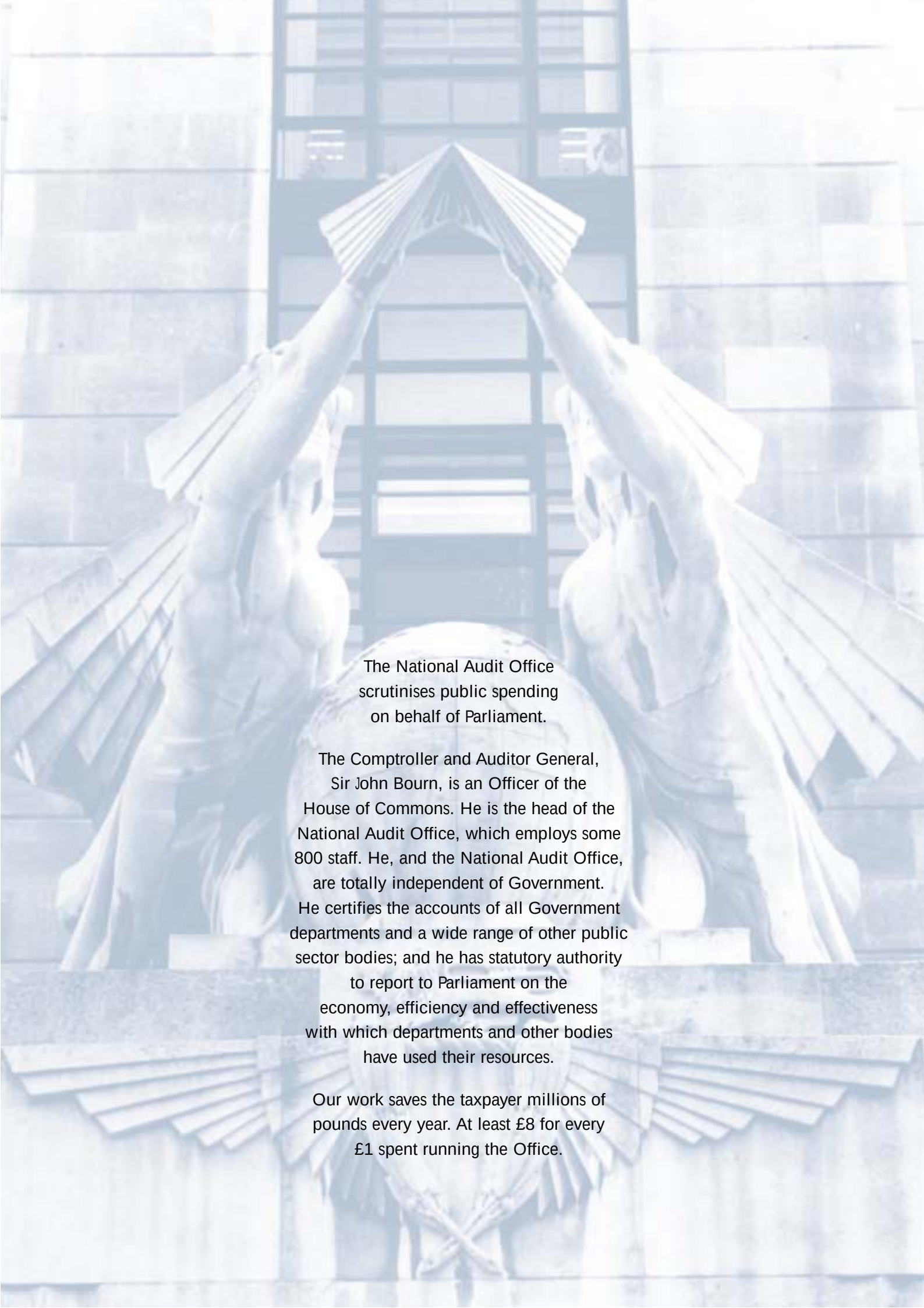
NATIONAL AUDIT OFFICE

Youth Offending:

The delivery of community and custodial sentences

REPORT BY THE COMPTROLLER AND AUDITOR GENERAL
HC 190 Session 2003-2004: 21 January 2004





The National Audit Office scrutinises public spending on behalf of Parliament.

The Comptroller and Auditor General, Sir John Bourn, is an Officer of the House of Commons. He is the head of the National Audit Office, which employs some 800 staff. He, and the National Audit Office, are totally independent of Government. He certifies the accounts of all Government departments and a wide range of other public sector bodies; and he has statutory authority to report to Parliament on the economy, efficiency and effectiveness with which departments and other bodies have used their resources.

Our work saves the taxpayer millions of pounds every year. At least £8 for every £1 spent running the Office.

Youth Offending:

The delivery of community and custodial sentences

REPORT BY THE COMPTROLLER AND AUDITOR GENERAL
HC 190 Session 2003-2004: 21 January 2004

LONDON: The Stationery Office
£10.75

Ordered by the
House of Commons
to be printed on 15 January 2004

This report has been prepared under Section 6 of the National Audit Act 1983 for presentation to the House of Commons in accordance with Section 9 of the Act.

John Bourn
Comptroller and Auditor General

National Audit Office
14 January 2004

The National Audit Office study team consisted of:

Philip Gibby, Stephanie Woodrow and Sarah Mason under the direction of Peter Gray

This report can be found on the National Audit Office web site at www.nao.gov.uk

For further information about the National Audit Office please contact:

National Audit Office
Press Office
157-197 Buckingham Palace Road
Victoria
London
SW1W 9SP

Tel: 020 7798 7400

Email: enquiries@nao.gsi.gov.uk

Contents

Summary and conclusions 1

Part 1

Introduction 9

The Government has introduced measures to try to prevent offending and targets for reducing reoffending amongst young offenders 12

The Youth Justice Board was set up to lead and support the implementation of the youth justice reforms 12

Scope of the National Audit Office study and study methods 16

Part 2

Delivery of custodial sentences 17

(i) The Youth Justice Board's arrangements for commissioning custodial places 17

(ii) The arrangements for addressing the needs of young offenders whilst in custody 19

(iii) Raising the performance of custodial establishments 25

Part 3

Oversight of young offenders in their community 29

(i) Initiatives to prevent reoffending 29

(ii) The integration of young offenders into their community to prevent reoffending 33

(iii) The enforcement of community sentences 38

Appendices

1 Reasons why young people commit crime and their experiences in the youth justice system 39

2. The range of non-custodial sentences available 41

3. The Crime and Disorder Act 1998 42

4. The secure estate for young offenders 43

5. Audit approach 44

6. A summary of the Audit Commission report on Youth Justice 46

7. Key targets for secure facilities set by the Youth Justice Board for 2002-03 47

All photographs courtesy of the Youth Justice Board except on page 1 courtesy of ID8.

summary & conclusions

1 In 2002-03, the police and courts in England and Wales dealt with nearly 268,500 offences committed by young people aged 10 to 17 years[1]. In the same year, the police issued 73,700 warnings and reprimands to young offenders and the courts imposed 93,200 sentences. Of the latter, 64 per cent received a sentence to be served in the community, 7 per cent were sent to custody and the remainder received a fine or discharge.

2 Dealing with young offenders is a key priority of the Home Office. The Crime and Disorder Act 1998 set out a number of reforms to the youth justice system. Key initiatives included the creation of a network of youth offending teams across England and Wales to work with young offenders. The teams are funded from a variety of sources and are located within local authorities. The Government also pledged to halve the average time taken to deal with persistent young offenders from arrest to sentence from 142 days to 71 days or less. The Home Office reported that the target had been met in June 2001[2].

3 The Youth Justice Board was established in September 1998 as a non-departmental public body to lead and support the implementation of the youth justice reforms. The aim of the Youth Justice Board is to prevent offending by children and young people by: preventing crime and the fear of crime; identifying and dealing with young offenders; and reducing reoffending.

4 This report focuses on the Youth Justice Board's arrangements for commissioning custodial accommodation and its oversight of the delivery of higher tariff community sentences. A separate report by The Audit Commission[3] has examined the work of the youth justice system, in particular the work of the courts, the role of youth offending teams and the delivery of services by other agencies.

1 *Youth Justice Annual Statistics 2002-03, Youth Justice Board.*
2 *The average time taken in June 2001 was reported to be 71 days. A joint inspection by Her Majesty's Crown Prosecution Service Inspectorate, Her Majesty's Magistrates' Courts Service Inspectorate and Her Majesty's Inspectorate of Constabulary examined progress in reducing delay, and identified key factors to assist agencies in meeting the target. A joint follow up inspection, published in February 2002, identified a range of good practices to help all court centres to meet the target.*
3 *Youth Justice 2004: A review of the reformed youth justice system, available at www.audit-commission.gov.uk.*

Overall conclusions

5 Our work suggests that, within a comparatively short time, the Youth Justice Board has developed and introduced a range of new non-custodial sentences and programmes for young offenders. Whilst the number of young people sentenced to custody has remained relatively stable since 1997, limited spare capacity within the custodial estate has meant that targets for delivering education and other programmes are sometimes missed and that young offenders have been transferred around the estate, disrupting efforts to address their needs. Our work suggests that there is scope for the Board to improve the arrangements for forecasting custodial numbers, deciding placements and agreeing common aims and objectives with the Prison Service for establishments. In the medium term, the Board needs to develop a clearer plan for guiding the development of the custodial estate, including the type and location of establishments.

6 The Board has introduced improvements to the arrangements for assessing offenders needs at the start of a sentence. However, the action needed to address these needs is not always taken, leading to fragmented support. Youth offending teams face major challenges in engaging local services to play their part in dealing with this often problematic group of youngsters. Our work suggests that the Board should assign clearer responsibility for managing delivery of the sentence, including custody, promote more frequent inter-change of staff between the community and custodial environments, work towards more consistent provision of programmes within custodial establishments, and work with other Departments to engage other services such as mainstream education, health, housing and social services in addressing the needs of this group of young people.

On reducing the use of custody

7 One of the Board's key aims is to reduce the numbers of young people in custody. Over two-thirds of the Board's £394 million budget for 2003-04 is for secure accommodation for the 7 per cent of young offenders dealt with by courts who are sentenced to custody and those on remand. The Board believes that any reduction in custodial numbers could therefore release significant resources for prevention and earlier interventions to help deter young people from becoming involved in serious crime. Up to date reconviction figures for young offenders released from custody will not be available until early 2004, but an earlier study found that 84 per cent of male young offenders discharged in 1997 were reconvicted within two years[4].

8 If the Board is to succeed in its aim of reducing the number of people placed in custody, it will need to improve the credibility and effectiveness of higher tariff community sentences. Figures published by the Home Office have suggested that the introduction of police reprimands and final warnings, and new lower tariff non-custodial sentences have begun to have an impact on reconviction rates. However, latest reoffending rates[5] amongst those on higher tariff community sentences have remained high at around 60 per cent, although this excludes the Intensive Supervision and Surveillance Programme covered in paragraph 9.

4 Reducing Prisoner Reoffending, Committee of Public Accounts, 53rd Report, 2001-02.

5 The reconviction data are for those young offenders sentenced in the first quarter of 2001, prior to the introduction of the Intensive Supervision and Surveillance Programme.

9 The Board has introduced the Intensive Supervision and Surveillance Programme as a potential alternative to custody. The impact of the Intensive Supervision and Surveillance Programme on the numbers entering custody is not easy to predict and no clear pattern has yet emerged. However, magistrates have welcomed the higher level of contact hours the programme provides - 25 hours per week contact time compared to two hours per week, for example, for supervision orders. Youth offending teams are expected to apply the criteria developed by the Board to ensure only suitable young offenders are placed on the scheme. Some areas have reported that over half the young offenders had breached the conditions of the programme with some re-sentenced into custody. The programme is directed at some of the most serious and persistent young offenders and the Board's guidelines expect young offenders to be breached if they do not comply with the terms of the programme, which may mean the person is re-sentenced to custody by the courts. An evaluation by Oxford University of the Intensive Supervision and Surveillance Programme is due to be completed in mid 2004.

10 Any reduction in the number of custodial places commissioned each year by the Board must balance the financial saving achieved against the risk that too few places might result in overcrowding or higher numbers of movements of young people within the estate. The Board has commissioned sufficient places since April 2000 but the secure estate was close to full operational capacity in 2002, particularly in South East England. The limited spare capacity meant young offenders were often moved to provide places for new arrivals - there were 2,400 such moves between April 2002 and January 2003 - and more vulnerable boys than usual had to be placed in young offender institutions. To minimise the potential difficulties associated with commissioning fewer places, the Board needs to improve its forecasts of likely numbers sentenced, for example, to take account of planned wider criminal justice initiatives. Whilst it is difficult to reduce the volume of movements within the secure estate, the detrimental impact on young offenders of such moves might be reduced if the Youth Justice Board and the Prison Service agreed criteria to determine which offenders should or should not move and when.

On targeting the causes of offending behaviour

11 The Youth Justice Board has strengthened the arrangements for assessing the needs of offenders by introducing a standard assessment tool, known as ASSET across all youth offending teams. Our work suggested that ASSET was being used to good effect to plan the content of community sentences although youth offending teams were often reluctant to identify suitable programmes at the pre-sentence stage for the more serious and persistent offenders entering custody. In general, youth offending teams had not made sufficient use of accumulated data on needs to help determine local priorities and the allocation of resources.

12 A custodial sentence is an opportunity for many young offenders to lead a more structured life style and to return to education or training. The Board, the Prison Service and other providers have sought to improve the education and other interventions available for young offenders, although the extent of provision still varies between establishments. The variations in provision are partly due to differences in expenditure, which the Board estimates range from £4,300 to over £16,000 a place per year, and because some establishments missed targets set by the Board because of pressures on the number of custodial places and facilities. At times, differences between the objectives and targets set respectively by the Board and Prison Service have resulted in a lack of clarity in what individual establishments have been expected to achieve.

13 Effective rehabilitation of young offenders into their community requires closer co-ordination between youth offending teams and the secure estate. Although youth offending teams regularly visit young people in secure establishments, work with young offenders is often disrupted during their transition to the community. Only 6 per cent of youth offending teams said that young people were able to continue education started in custody after release, mainly because of the logistical problems in finding suitable courses, a reluctance by some young people to attend, and difficulties in persuading schools to accept young people that might have previously been excluded. Youth offending teams have found it difficult to arrange suitable accommodation for young offenders released from custody and without a stable home to return to - 29 per cent of teams said accommodation was often arranged on the day of release or after release. The difficulties in arranging accommodation are mainly due to a lack of housing provision for 16 and 17 year olds and a policy of some providers not to make arrangements until the person is physically homeless.

14 To improve the co-ordination of custodial and community sentences, the Youth Justice Board needs to specify clear responsibilities for who might manage both stages of a sentence and improve communication between youth offending teams and the secure estate. Better communication might involve providing youth offending teams with a clear expectation of what custody might deliver and encouraging feedback to the Youth Justice Board on the performance of each establishment.

On working with agencies outside the criminal justice system

15 Many of the factors that may increase the risk of offending lie in the hands of agencies outside the criminal justice system. Whilst this report examines the performance of the criminal justice agencies in meeting their objectives, it is important to acknowledge that effective action to tackle fully the issues posed by young offenders depends on the ability of a much broader range of agencies to work together before young people become caught up by the criminal justice system.

16 Youth offending teams play a key role in co-ordinating the involvement of different public services, such as education, social services, housing and health services, in order to help young people resettle and hence reduce the likelihood of further offences. Agencies working with young offenders often face challenges in providing holistic support to those young people who frequently lead chaotic lives and face numerous problems. Some progress has been made, for example the Youth Justice Board and the Connexions Service National Unit have agreed the key principles of inter agency working to improve local co-ordination in helping young offenders find employment or training. However, the Home Office, other departments, the Youth Justice Board, and local authorities need to improve the readiness of all agencies supporting this client group to work together to provide mainstream education, health, housing and social services, in particular to ensure a return to education, overcome the difficulty of finding accommodation for 16 and 17 year olds and improve the availability of substance misuse services for young offenders.

17 The Youth Justice Board has stressed to youth offending teams the importance of rigorous enforcement of community sentences. A lack of up to date records meant, however, that we could not always determine whether contact hours were met or establish what work had been done with young offenders. Forty two teams said they were unable to meet some commitments due to staff shortages. The Youth Justice Board estimates there were 472 vacancies (3.1 per cent of the workforce) of all youth offending team staff in September 2003, of which 325 vacancies were amongst front line practitioners (6.5 per cent of all front line staff).

Recommendations

We recommend that:

(i) The Youth Justice Board should work with the Home Office and other bodies in the criminal justice system to ensure that its forecasts take account of new initiatives and developments which may have an impact on the number of offenders entering custody.

(ii) If transfers between establishments are necessary to accommodate new offenders, the Youth Justice Board and the Prison Service should take account of the extent to which offenders have engaged with their sentence plans - in addition to their age, sex and vulnerability - before deciding which individuals should be moved.

(iii) The Youth Justice Board should, in consultation with the Prison Service and other providers of custodial places, develop a longer term plan of how it wishes to develop the custodial estate including the type of establishments required and where they might be needed and use this to guide any investment decisions.

(iv) To help improve the transition between custody and community, and the delivery of programmes, the Youth Justice Board should assure itself that youth offending teams are taking responsibility for coordinating the delivery of both the custodial and community elements of sentences, and for chasing up any failure to provide agreed programmes.

(v) For cases where offenders are likely to be given a custodial sentence, the Youth Justice Board should require youth offending teams to state more clearly in pre-sentence reports what offending behaviour work should be provided in custody and how this work might be followed up in the community.

(vi) The Youth Justice Board should improve communication between youth offending teams and the secure estate by setting out more clearly what should be expected from custody, encouraging more frequent discussion of performance between custodial providers and youth offending teams, and more frequent inter-change of staff between the custodial and community settings.

(vii) The Youth Justice Board should, working with the Prison Service, use the re-letting of the education contracts in 2004 to improve consistency in the range of programmes provided in the different establishments. The Board should take the opportunity to consider whether it might increase the provision of vocational courses, as well as basic skills, to engage more young offenders in education and equip them with better skills on release from custody.

(viii) The Youth Justice Board should, in consultation with the providers of custodial places, encourage more custodial staff responsible for supervising young people to gain suitable professional qualifications, for example the Professional Certificate in Effective Practice.

(ix) As part of the Youth Justice Board's ongoing evaluation of the Intensive Supervision and Surveillance Programme, the Board should identify the main reasons why some young people do not complete the programme and take action to address these issues. The Board should examine whether existing standards governing attendance on the Programme are being interpreted consistently and whether other sanctions, short of custody, are available to the courts for dealing with non-compliance.

(x) Once the impact of the Intensive Supervision and Surveillance Order on reoffending levels and other measures of outcome become known, the Youth Justice Board should apply lessons arising to less intensive community sentences.

(xi) The Youth Justice Board should place greater emphasis on the need to achieve appropriate outcomes, such as educational achievements, when setting targets for custodial establishments and youth offending teams.

(xii) The Home Office, Department for Education and Skills, Department of Health, Office of the Deputy Prime Minister and Youth Justice Board should examine the barriers currently hindering the entry of young offenders back into normal community life, including full-time education and training, suitable accommodation and help with substance misuse. They should put in place sufficient incentives to encourage education establishments to assist these young people, such as shared targets and continuing youth offending team caseworker support.

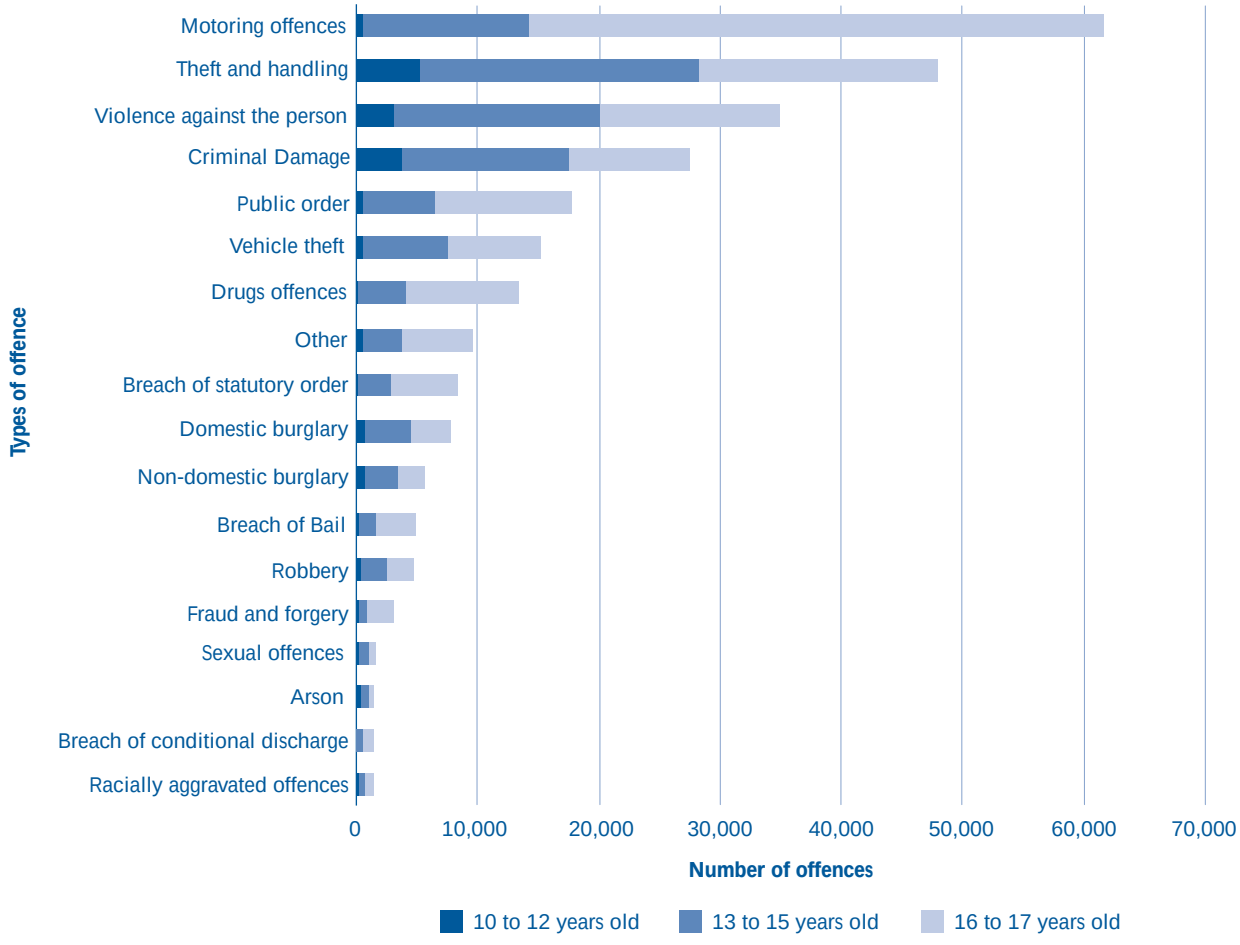
(xiii) The Youth Justice Board should remind youth offending teams to maintain adequate evidence of compliance with the requirements of community sentences and, periodically, obtain independent assurance on compliance with standards.

(xiv) The Youth Justice Board should review vacancy levels amongst front line youth offending team workers and facilitate efforts to recruit staff, by offering advice or by encouraging collaboration between teams.

Part 1 Introduction

1.1 In 2002-03 the police and courts dealt with almost 268,500 offences committed by young people under the age of 18, according to Youth Justice Board data[6]. The most common recorded crimes dealt with by the youth justice system included motoring offences, theft and violence against the person - see **figure 1**. Typical characteristics of young offenders include family problems, such as a lack of parental supervision and a lack of commitment to school - see Appendix 1.

1 The types of offence committed by young people, by age group in 2002-03



Source: NAO analysis of Youth Justice Board data

6 *Youth Justice Annual Statistics 2002-03, Youth Justice Board. The Board's data are up to date although, unlike official Home Office statistics on youth justice, have not yet been fully validated. The Board expects youth offending teams to undertake validation checks, however, and the Board undertakes spot checks.*

1.2 Young people in England and Wales become subject to the criminal law at 10 years of age. In 2002-03, 73,700 young offenders received a reprimand or warning from the police and the courts handed out 93,200 sentences. The number of young people given a community or custodial sentence increased by 80 per cent between 1993 and 2001 **(**see **figure 2)**. Over the same period, the number of young people in the 10 to 17 years old age group rose by 10 per cent to 5.4 million.

1.3 Many young offenders (44 per cent in 2002-03) are dealt with outside the court system by police reprimand and warnings. For those offenders who go to court and are guilty of an offence, a number of disposals are available:

- **A discharge**. This can either be absolute, where no punishment is required or conditional, where a further offence within a set period will result in the person being re-sentenced. There were 3,900 absolute and 6,800 conditional discharges in 2002-03, equivalent to 12 per cent of cases dealt with by the courts.
- **A fine or compensation payment**. The courts imposed over 10,000 fines for young offenders in 2002-03, 2,000 bind overs - where a further offence would lead to a fine, and 3,600 orders to pay compensation to a victim (together representing 17 per cent of cases dealt with by the courts). Fines and compensation payments are usually the responsibility of the parent or guardian to pay and can be up to £1,000 for an offender aged 15 to 17, although the majority are significantly less.
- **A non-custodial sentence**. There were 59,400 such sentences handed out to young people in 2002-03 (64 per cent of cases dealt with by the courts), including 27,800 community sentences, 27,400 referral orders and 4,200 reparation orders. The introduction of the referral order in April 2002 - which involves an offender appearing before a panel comprising two lay people drawn from the community plus a youth offending team worker and agreeing a programme to address their offending behaviour - has increased the number of non-custodial sentences handed out compared to 2001 and coincided with a reduction in the number of fines and conditional discharges. Appendix 2 summarises the range of non-custodial sentences available.
- **A custodial sentence** (7 per cent of sentences imposed by the courts). Detention and Training Orders last for a maximum of 24 months and are spent partly in custody and partly in the community. The sentence is available for 12-17 year olds, although there is statutory provision for the Home Secretary, subject to Parliamentary approval, to extend the Order to 10 and 11 year old offenders. Certain serious offences, mainly those that carry a maximum sentence of 14 years or more in the case

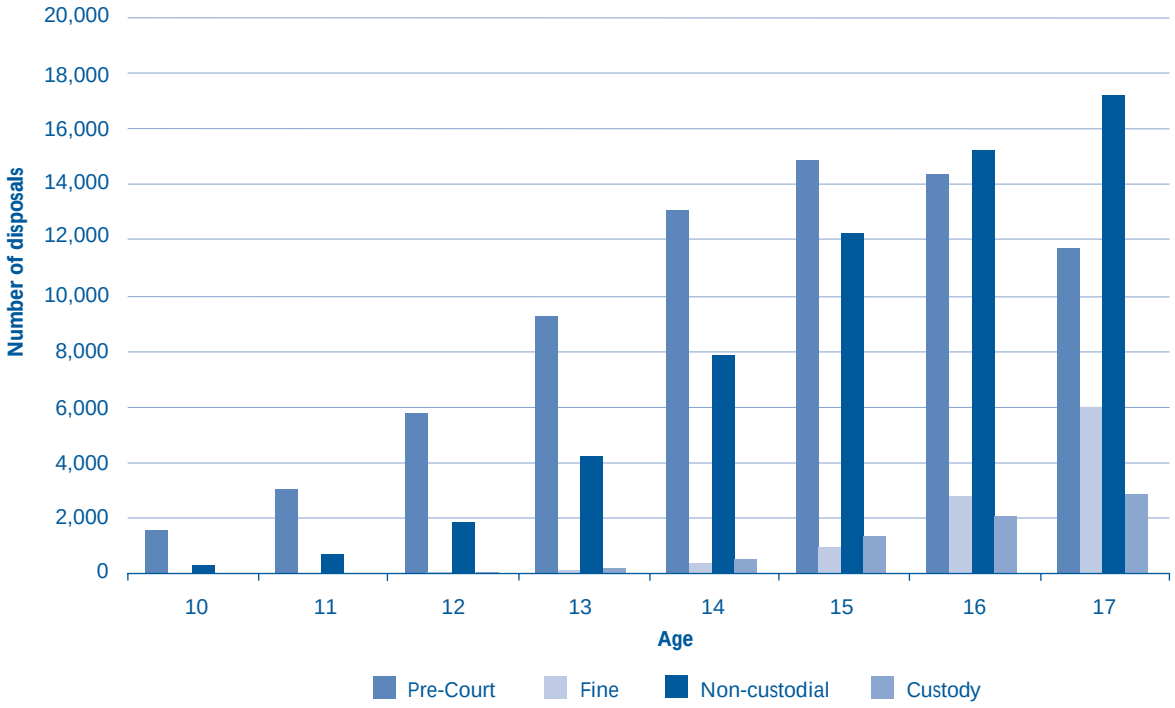
2 The number of boys and girls aged 10 to 17 given a community or custodial sentence each year

NOTE

These figures exclude cautions, reprimands and warnings, discharges and fines.

Source: Criminal Statistics, England and Wales

3 Actions taken to deal with young offenders in 2002-03, by age



NOTE

Pre-court actions comprise police reprimands and final warnings.

Source: Youth Justice Board

of an adult, can result in a longer sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000. Section 90 of the Act provides for detention at Her Majesty's pleasure for juveniles convicted of murder. Youth Justice Board records show there were 6,500 Detention and Training Orders and 487 serious offence sentences imposed in 2002-03.

1.4 A breakdown of how the disposals were applied across the different age groups is shown in **figure 3**. The number of fines, non-custodial and custodial sentences imposed by the courts increase with the age of offenders, whilst the use of police reprimands and final warnings peaks at the age of 15. There would also appear to be variations in the proportion of young offenders sentenced to custody across England and Wales - youth offending teams reported that, on average, around 8 per cent of young offenders were sentenced to custody in 2002, although the rate varied from less than 5 per cent for 34 teams to over 15 per cent in five - Cornwall, Lambeth, Luton, Merthyr Tydfil and Southwark. Some of the differences may be due to the number and gravity of the cases considered by courts, although research by Nacro[7] suggests that communication between the court and the youth offending team is a key factor in convincing sentencers of the quality of community sentences. According to Youth Justice Board data, 79 per cent of young offenders sentenced to custody in 2002-03 were White, 15 per cent Black or Asian, and the remainder of mixed race, Chinese or other ethnic origin. By comparison, 84 per cent of young offenders that received a non-custodial sentence in 2002-03 were White and 10 per cent Black or Asian.

1.5 Persistent young offenders[8] are responsible for a significant proportion of youth crime. The Department of Constitutional Affairs reported 25,900 cases involving persistent young offenders in 2002-03, equivalent to 28 per cent of juvenile cases dealt with by the courts. Research by Nacro[9] has suggested that such young people typically lacked close parental supervision, were regularly absent from school and were likely to have experimented with drugs.

7 *Differential sentencing across England and Wales, report to the Youth Justice Board, April 2002.*
8 *Defined administratively, for the purposes of the pledge (see box 1), as a young person aged 10-17 years old sentenced by any criminal court in the United Kingdom on 3 or more separate occasions and who has been arrested again within three years of the last offence.*
9 *Research Briefing 1: Persistent young offenders, research on individual backgrounds and life experiences, Nacro, September 2002.*

The Government has introduced measures to try to prevent offending and targets for reducing reoffending amongst young offenders

1.6 The Government White Paper on youth crime, published in November 1997, and the subsequent Crime and Disorder Act 1998 introduced a number of reforms to the youth justice system in England and Wales. Key initiatives have included:

- **A greater emphasis on preventing offending and reoffending**. The aim of the legislation was to prevent offending by young people. The Act placed a duty on all agencies involved in youth justice, including police, social services, courts and custodial establishments, to have regard to that aim.
- **More structured pre-court interventions**. A two step reprimand and final warnings scheme replaced repeat police cautioning.
- **National and local reorganisation**. The Youth Justice Board for England and Wales was created to lead the reform at national level, and multi-agency youth offending teams were established in all local areas.
- **Widening the range of non-custodial penalties**. The legislation introduced a number of new non-custodial penalties to deal with young offenders.

Further details of the reforms are at Appendix 3.

1.7 The Government also pledged itself to halve the average time taken to deal with persistent young offenders from arrest to sentence from 142 days to 71 days or less - **see box 1**. The Home Office also set itself a target to reduce reoffending amongst young offenders by 5 per cent by 2004 compared to a predicted rate based on the criminal history and characteristics of young offenders convicted or cautioned in the first half of 1997. The Home Office reported in March 2003[10] that it had achieved a 22.5 per cent reduction for young offenders serving non-custodial sentences.

1.8 Scotland has its own programme of work to tackle youth offending. The Scottish Executive published an Action Programme to Reduce Youth Crime in January 2002 which included a key role for multi-agency youth justice teams led by each local authority, as well as priorities for better planning, improved early intervention and increased work to divert more young people from offending more quickly. In summer 2002, Ministers supplemented this with a ten point Action Plan to tackle priority areas such as piloting youth courts and fast track hearings to deal more effectively with the most persistent young offenders; the introduction of a national system of police warnings; and plans for a review of the secure estate to increase accommodation, including girl-only provision. In December 2002 the Executive published national standards for Scotland's youth justice service which had been agreed with delivery agencies. The aim is for all the national standards to be met by 2006.

The Youth Justice Board was set up to lead and support the implementation of the youth justice reforms

1.9 The Youth Justice Board was established in September 1998 as a non-departmental public body to lead and support the implementation of the youth justice reforms in England and Wales. The Board advises Ministers on service provision and standards for service delivery, and monitors the performance of the youth justice system. The aim of the Youth Justice Board is to prevent offending by children and young people by: preventing crime and the fear of crime; identifying and dealing with young offenders; and reducing reoffending.

1.10 The main activities of the Youth Justice Board include:

- **Identifying ways of improving the effectiveness of the youth justice system in preventing offending and reducing reoffending**. The Board commissions and promotes new approaches to tackling youth justice issues, including developing new programmes such as the Intensive Supervision and Surveillance Programme - **see Box 2 (on page 14)**. The Board also provides advice and guidance on effective practice to youth offending teams, custodial establishments and others working with young offenders. It has drawn upon 500 local programmes between 1999 and 2002 to develop 10 effective practice guidance notes in November 2002. The guidance covers the assessment and supervision of offenders, as well as education and offending behaviour programmes. The Board plans to issue a further five guidance notes in 2004.
- **Commissioning custodial places and improving the performance of the custodial sector**. The Board has a service level agreement with the Prison Service to provide places at young offender institutions. The Board also has agreements in place with 22 local authorities to provide places in local authority secure children's homes and contracts with the private sector - Rebound ECD and Premier Training Services - to provide secure accommodation in three secure training centres - **see Box 3 (on page 14)**. The Board seeks to place younger and more vulnerable children in secure training centres and local authority secure children's homes rather than young offender institutions, although the need to place a

10 One year juvenile reconviction rates, first quarter of 2001 cohort, March 2003.

BOX 1

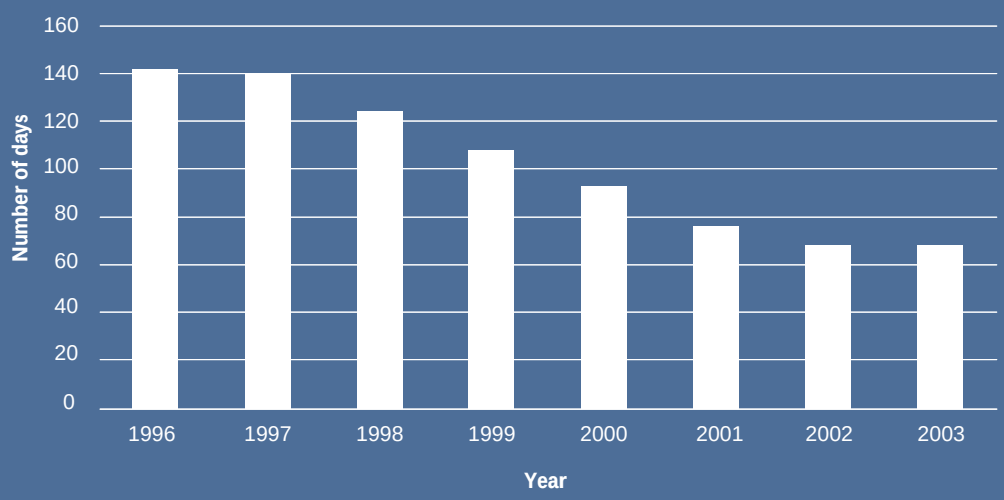
Target to halve the time taken to deal with persistent young offenders

Target: To reduce the average time for the youth justice system to deal with a persistent young offender from 142 days to 71 days or less including those cases going to the Crown Court.

A small core of persistent young offenders are thought to be responsible for a disproportionate amount of crime - Home Office research[11] suggests 3 per cent of young offenders commit 26 per cent of youth crime. However, during the 1990s, cases involving such young people were taking a long time to be dealt with by the criminal justice system. The Home Office reported the average time delay from arrest to sentence in 1996 was 142 days.

The Youth Justice Board, Home Office, Department for Constitutional Affairs and other criminal justice agencies co-ordinated activities to identify prosecutions of persistent young offenders and proactively managed those cases to minimise delays. The target was met in June 2001 **(see figure 4)** when the average time was reported to be 71 days. A joint inspection by Her Majesty's Crown Prosecution Service Inspectorate, Her Majesty's Magistrates' Courts Service Inspectorate and Her Majesty's Inspectorate of Constabulary examined progress in reducing delay, and identified key factors to assist the agencies in meeting the target. A joint follow up inspection, published in February 2002, identified a range of good practices to help agencies meet the target in all criminal justice areas[12].

4 The average number of days from arrest to sentence for persistent young offenders in England and Wales



NOTE

Data for 2003 are for January to June only.

Source: Department of Constitutional Affairs

11 *Young people and crime, Graham and Bowling, Home Office research study 145, 1998.*

12 *A report on the Joint Inspection of the Progress made in Reducing Delay in the Youth Justice System, Her Majesty's Crown Prosecution Service Inspectorate, Her Majesty's Magistrates' Courts Service Inspectorate and Her Majesty's Inspectorate of Constabulary, February 2001.*

young offender close to home and ensuring co-defendants are not placed together are also taken into account. A list of the 18 young offender institutions and the secure training centres used by the Board is at Appendix 4. The Board has sought to reduce the demand for custody by meeting the chairs of youth court panels to discuss the differential use of custody in some areas, providing advice to youth offending teams in high custody areas, and seeking to reduce unnecessary custodial remands.

- **Providing grants to youth offending teams**. Funding from the Board for youth offending teams is conditional on satisfactory progress being made by the teams against national standards and the Board's key performance targets, as well as the provision of data and a satisfactory youth justice plan.
- **Working with other key organisations in contact with young offenders**. The Youth Justice Board works closely with other key parties in the criminal justice system, including the Home Office, police, courts and local authorities, to deliver youth justice. The Board also works with other departments, such as the Department of Health and the Department for Education and Skills, to ensure that youth justice issues are considered when formulating national policies.

1.11 In 2003-04, the Board expects to spend around 72 per cent (£283 million) of its £394 million budget on providing custodial places for the minority of young offenders committed to custody **(Figure 5)**. Decisions on the numbers placed in custody rest with the courts and therefore the Board cannot wholly control the proportion of its budget devoted to custody. However, the Board has set itself a target to reduce the number of under-18s remanded and sentenced to secure facilities by 10 per cent from the October 2002 total by March 2005. In the Board's view, the Intensive Supervision and Surveillance Programme should reduce reliance on custody. Just over £24 million (6 per cent of the total budget) has been allocated to the Intensive Supervision and Surveillance Programme in 2003-04.

BOX 2

The Intensive Supervision and Surveillance Programme

The Intensive Supervision and Surveillance Programme is a 6 month programme targeted at the most serious and persistent offenders with a requirement for 25 hours of supervision per week during the first 3 months and a minimum of 5 hours thereafter. Each young offender is subject to a curfew which is monitored through electronic tagging and voice verification or through police monitoring.

The Youth Justice Board has funded Intensive Supervision and Surveillance Programmes in four stages, starting with pilot schemes in the second half of 2001 and with the final phase of the roll out by January 2004. By November 2003, there were 75 Intensive Supervision and Surveillance Programmes in place covering all 155 youth offending teams.

BOX 3

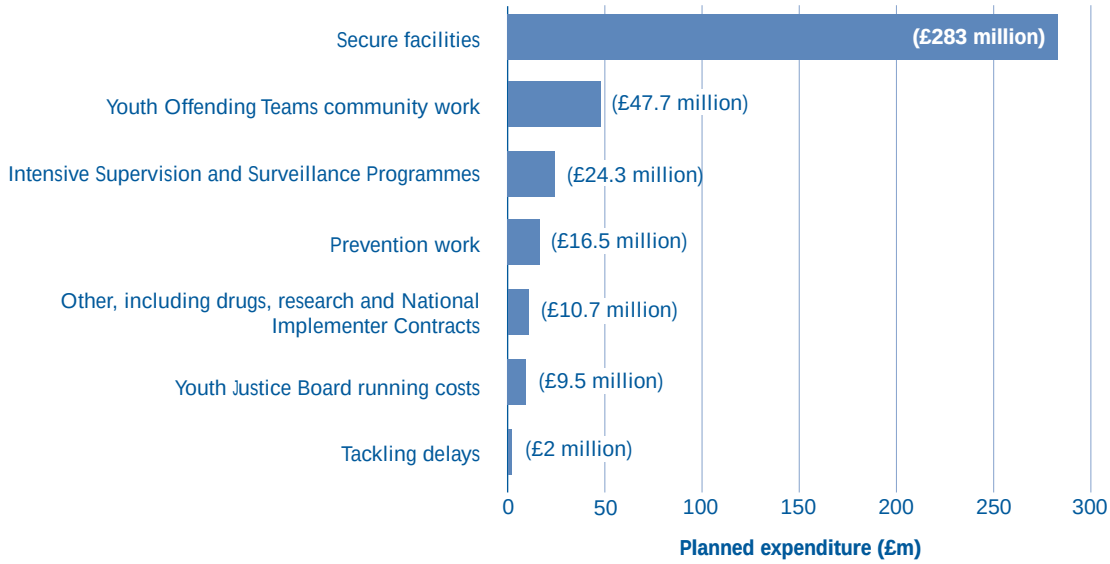
Secure facilities for young people

Young Offender Institutions. There are 18 establishments run by the Prison Service, taking juveniles aged 15 to 17 years old. The Prison Service had 3,190 spaces available for juveniles at the end of March 2003, equivalent to 87 per cent of the total number of places commissioned by the Board.

Secure Training Centres. These are purpose built centres run by private contractors. There are three centres, based in County Durham, Warwickshire and Kent and they provided 194 places in March 2003, equivalent to 5 per cent of the secure estate. Secure Training Centres seek to provide tailored programmes for young offenders and are aimed at 12 to 14 year old boys, 15 and 16 year old vulnerable boys and girls up to 17 years old.

Local Authority Secure Children's Homes. The Units are used by social services for children in care at risk of causing injury to themselves, or others, and to accommodate young offenders aged 10 to 15 years and, on occasion, 15 to 17 years depending on vulnerability. The Units have a high staff to children ratio and are generally small facilities - ranging from 5 to 38 beds. The Units had 254 places in March 2003, equivalent to 7 per cent of the juvenile secure estate serving the youth justice system.

5 Youth Justice Board planned expenditure on activities in 2003-04



Source: NAO analysis of Youth Justice Board data

Youth offending teams play a key role in making the youth justice system work at local level

1.12 Since April 2000, 155 youth offending teams have been established covering every local authority in England and Wales and have taken over functions previously carried out by probation and social services. The teams formed a key part of the youth justice reforms and were introduced by the Crime and Disorder Act 1998. Youth offending teams work with children and young people involved in offending behaviour at all stages in the system from pre-court to those serving custodial sentences. Their duties include:

- **Bail support**. Responsibilities include liaising with the courts to arrange bail for young people, ensuring there are adequate bail supervision and support arrangements available and meeting those on bail regularly to monitor progress.
- **Preparing pre-sentence reports**. The youth offending team interviews the young offender and key parties to examine the circumstances of the crime and to suggest possible sentences for the courts. The report should also outline what needs to be done to prevent the young person from reoffending.
- **Administering non-custodial sentences**. The youth offending team monitors each young offender on a non-custodial sentence and reports back to the courts if sentence conditions are not met. The team also arranges offending behaviour programmes to address identified needs and helps the young offender to return to full time education, training or employment.
- **The resettlement of young offenders in custody**. The youth offending team attends regular meetings with the young offender in the secure estate to arrange suitable offending behaviour work and to organise suitable accommodation and education or employment on release.

1.13 The teams vary significantly in size, both in terms of their caseload and their geographical area, with London encompassing 32 teams whereas Birmingham has just one. The teams include caseworkers from social services, seconded staff from the probation service, police, the health authority and education, and sometimes staff from other agencies.

1.14 Youth offending teams are locally based organisations subject to locally driven priorities and are not directly managed by the Youth Justice Board, although the conditions of grant enable the Board to influence performance and working practices. In 2002-03, funding from the Youth Justice Board accounted for 23 per cent of overall youth offending team funding. Other sources of funding were local authorities, the police, the National Probation Service, local education authorities and the National Health Service. The amount of funding from the Youth Justice Board is based on deprivation factors (50 per cent of the total amount is allocated in this way), the population of 10-17 year olds in the area (40 per cent of the total) and size of the area covered by the team (10 per cent). Funding is conditional on the receipt of data and a satisfactory youth justice plan, as well as progress against the Board's performance indicators. There is no national formula for the funding expected from local partners and therefore the overall level of resources available at local level will vary.

Scope of the National Audit Office study and study methods

1.15 The Youth Justice Board seeks to reduce the numbers of young offenders in custody and improve the credibility and effectiveness of higher tariff community sentences to help meet its aim to prevent offending by children. Even a small reduction in numbers could release significant resources for prevention and early intervention work. Our report, therefore, examines the Youth Justice Board's oversight of custodial and higher tariff community sentences. The report is divided into two parts:

- *Part Two: The delivery of custodial places.* This part examines the effectiveness of the Board's arrangements for commissioning custodial accommodation, the delivery of programmes, and the Board's oversight of the performance of the custodial estate.
- *Part Three: The oversight of young offenders in their community.* This part examines initiatives to prevent reoffending, the integration of young offenders into their community and the enforcement of community sentences.

1.16 In carrying out this study, we interviewed key staff in the Youth Justice Board, Prison Service and the Home Office; conducted surveys of the judiciary and youth offending teams; visited 13 secure estate institutions and nine youth offending teams; commissioned the Policy Research Bureau, drawing on data from a number of its recent studies[13], to examine the views of young offenders; and sought the views of interested parties, and advice on our approach and findings from an advisory panel. We have changed the names of the young offenders mentioned in the report to protect their identities. Further details of our audit approach are summarised in Appendix 5.

1.17 This study was undertaken in collaboration with the Audit Commission. The Audit Commission report, entitled 'Youth Justice 2004: a review of the reformed youth justice system', follows up the key messages of a previous report, Misspent Youth published in 1996. The latest report focuses, in particular, on the work of the courts, the role of youth offending teams and the delivery of services by other agencies. A summary of the Commission's main findings is at Appendix 6.

13 *Hazel N, Hagell A and Brazier L (2002) Young Offenders' Perceptions of their Experiences in the Criminal Justice System (www.regard.ac.uk), funded by Economic and Social Research Council; Hazel N and Hagell A (Unpublished 2003) Evaluation of Custodial Regimes in Secure Establishments for Young People Under 18 Years (funded by Youth Justice Board); Hazel N, Hagell A, Liddle M, Archer D, Grimshaw R and King J (2002) Assessment of the Detention and Training Order (funded by the Youth Justice Board).*

Part 2

Delivery of custodial sentences

2.1 This part examines:

(i) the effectiveness of the Youth Justice Board's arrangements for commissioning custodial accommodation for young offenders;

(ii) the arrangements for addressing the needs of young offenders whilst in custody; and

(iii) the Youth Justice Board's oversight of the performance of custodial establishments.

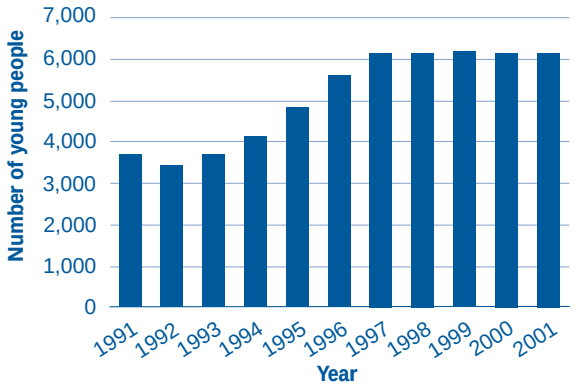
(i) The Youth Justice Board's arrangements for commissioning custodial places

The Youth Justice Board has been able to meet the demand for custodial places but young offenders have not always been placed in the most appropriate establishment

2.2 Since April 2000, the Youth Justice Board has been responsible for allocating each young offender sentenced to custody with a custodial place. However, the Board has no direct control over the number of young people placed in secure facilities and must respond to the numbers referred by the courts. The number of young offenders sentenced to custody increased between 1992 and 1997 but has since levelled off at between 6,000 and 7,000 a year - **see figure 6**. The number of custodial places the Youth Justice Board contracts for is based on forecasts of the numbers sentenced and remanded by the courts and the average length of sentence. The Board's forecasts extrapolate recent trends and are adjusted to take account of recent initiatives, such as the introduction of Intensive Supervision and Surveillance Programmes. However, the forecasts take no account of underlying changes in reconviction rates or planned wider initiatives within the criminal justice system to deal with crime.

2.3 Since April 2000 the Board has commissioned sufficient places to accommodate those young offenders referred by the courts without the need to double up offenders in cells. However, an unexpected increase in the average number of young offenders in custody from 2,805 in 2001-02 to 3,030 in 2002-03, which coincided with the introduction of the Street Crime Initiative, meant the demand for secure accommodation for juveniles was greater than the agreed number of places plus contingency reserve purchased by the Youth Justice Board. In response, the Prison Service agreed to provide up to 600 additional places in 2002-03. The Youth Justice Board used 246 of these places, mainly at Feltham and Lancaster Farms for boys. There was also a shortfall of suitable places for girls, which averaged at 14 places a month between January and November 2002, and the Prison Service provided additional places at New Hall for girls. More vulnerable boys than usual had to be placed in young offender institutions, because of the extra demand for places for younger vulnerable children at Local Authority secure children's homes and Secure Training Centres. According to Youth Justice Board data, the average number of young offenders in custody subsequently reduced each month to 2,784 in June 2003, compared to 3,071 12 months earlier.

6 The number of young people sentenced to custody



Source: NAO analysis of Home Office data

2.4 The limited spare capacity in the secure estate meant young offenders had to be moved around to provide places for new arrivals. Twenty of the 74 young offenders in our examination of case histories were moved around the estate **(Box 4)**. A review by the Youth Justice Board[14] established there had been over 2,400 young offender moves between establishments from 1 April 2002 to 31 January 2003 mainly to avoid over-crowding and to deal with the lack of sufficient places in the South of England. The increase in numbers at some establishments would also have had an impact on the delivery of regimes. Lancaster Farms did not meet its education targets in 2002-03 and staff said that they had insufficient facilities and resources to provide education and training for the increased number of young offenders.

The Board has had some success in reducing the number of young people remanded to custody, although an increase in the average time on remand has meant there has been little impact on the demand for custodial places

2.5 The Board has sought to reduce the immediate demands placed on the custodial estate by reducing the number of defendants remanded in custody. Youth Justice Board data indicate the number of remands made to custody each month has decreased from 572 in September 2002 to 506 in September 2003. The average length of remand across England and Wales, however, has increased from 40 days in September 2002 to 44 days in September 2003. At the end of August 2003, there were 589 young people on remand, equivalent to 21 per cent of those in custody. The number of young people on remand fell between March and December 2000, from 721 to 496 people **(see figure 7)**; partly due to the reduction in time taken by the courts to deal with persistent young offenders. The numbers of young people on remand remained relatively stable between January 2001 and January 2002 and have since increased.

2.6 Whilst some young people will need to be held in custody pending trial because the seriousness of the offence may suggest they are a danger to the public, other reasons for holding a young person on remand can reflect, for example, a lack of suitable accommodation outside custody for the young person. In 2002-03, the Youth Justice Board set youth offending teams a target to reduce the number of remands to the secure estate to 30 per cent of all young people considered for remand by the courts by the end of 2004. Twenty four youth offending teams reported that they had met the target by the end of 2002, and the average across England and Wales was 43 per cent.

2.7 Since April 2002, the Youth Justice Board has encouraged the secure estate to establish remand liaison teams to work with youth offending teams to minimise the number of young people on remand. Our visit to Feltham young offender institution established that their collaboration with Surrey youth offending team had made a difference. Common problems encountered by the team at Feltham included, for example, young people being brought to court without the local youth offending team being informed and therefore missing the opportunity to make suitable arrangements for a bail application. The remand team reported that it had reduced the average amount of time spent by young people on remand from 38 days in November 2002 to 26 days in March 2003.

BOX 4

An example of a young offender being moved around the secure estate

Martin was sentenced to an 8 month Detention and Training Order in March 2002 and sent to Onley Young Offender Institution near Rugby. He had to return to court for a separate offence and was sentenced in May 2002 to a further 18 months. He was held at Feltham Young Offender Institution for 2 days due to the late hour of sentencing, before being sent to Warren Hill Young Offender Institution near Ipswich. In September 2002 he was transferred to Castington Young Offender Institution in Northumbria. The movements meant he was not visited by a Hertfordshire youth offending team caseworker for 3 and a half months. When Martin did see his caseworker in mid December 2002 he requested a move to be closer to home, but this could not be arranged. Each time he moved the secure estate had to develop a new set of training objectives and undertake a drug assessment.

Source: NAO case file examination

14 *Progress Report, The Implementation of the National Specification for Learning and Skills for Young People on the Custodial Phase of a Detention and Training Order, May 2003.*

7 The number of young people on remand each month

Source: NAO analysis of Youth Justice Board data

2.8 The introduction of remand liaison teams to the secure estate has taken time to put in place. The Prison Service had some difficulty recruiting seconded youth offending team workers in the secure estate, and by Summer 2003 Lancaster Farms and Hindley had yet to have a remand liaison team set up. Lancaster Farms said that they were planning to get youth offending team caseworkers on site, but discussions with the County Council over funding had delayed recruitment. The Board confirmed in December 2003 that these difficulties had now been resolved.

(ii) The arrangements for addressing the needs of young offenders whilst in custody

2.9 The three types of establishment - young offender institution, local authority secure children's home and secure training centre - are intended to serve a different range of needs or age groups and therefore they differ in how they look after young offenders in their care. Since taking on responsibility for commissioning secure places in April 2000, the Youth Justice Board has stated its intention to raise aspects of performance in the custodial estate. A key aim, amongst others, has been to improve the provision of education and other purposeful activities within the custodial settings.

2.10 In its corporate plan for 2002-03 the Board set ten performance targets for all secure facilities - see Appendix 7. The Board uses standards specified in its service level agreement with the Prison Service and contracts with the secure training centres to monitor performance. The Board has not been able to reach agreement with its providers to incorporate all the standards in its agreements. We identified weaknesses in the arrangements for monitoring performance against the standards that are specified, with implications for the Board's ability to enforce its agreements.

- **Young offender institutions**. The service level agreement with the Prison Service specifies a wide range of standards and Youth Justice Board staff regularly visit establishments to monitor performance. Key aspects of performance in 2002-03 included, for example, the amount of time out of cell for offenders, the amount of purposeful activity and the number of hours of education provided. Several of the performance measures specified by the Youth Justice Board were not consistent, however, with those required by Prison Service headquarters. The Prison Service definition of purposeful activity, for example, includes work activity (such as cleaning the wing) and excludes unstructured time; whereas the Youth Justice Board definition excludes work - unless it is training - but includes association time, such as playing board

games or watching a documentary on television. Problems in defining what proportion of structured association time represents purposeful activity meant there were inconsistencies in the accuracy of the data collected by each young offender institution. And difficulties in collecting information on the number of hours of education and training provided meant young offender institutions were unable to provide the data required for this performance measure in 2002-03.

- **Secure training centres**. The Youth Justice Board was able to monitor performance of the private sector contractors running secure training centres using data which the firms are contractually obliged to provide. This data is examined by staff employed by the Youth Justice Board and located on-site. As a consequence, the performance data were considered by the Board to be more reliable, and monthly reports included a list of possible contractual breaches identified by the monitor. The contract monitor at Medway secure training centre identified 46 contractual breaches in 2002-03, including failure to provide minimum staffing levels, a breach of security (keys were taken off the premises by a staff member) and 25 cases when offenders were found to have prohibited items - mainly cigarettes. The Youth Justice Board fined Medway £5,400 in 2002-03 for poor performance.
- **Local authority secure children's homes**. In April 2003 the Board introduced a self-reporting system for local authority secure children's homes. Prior to 2003-04 the Youth Justice Board did not require units to provide management data on their performance, although Board staff visited the units to spot check performance against the specification.

Sentence plans are prepared for each young offender on entering custody. However, the needs of young offenders need to be more clearly defined in pre-sentence reports prepared by youth offending teams

2.11 Youth offending teams and prison staff agree on a programme of actions in a sentence plan once the young person has entered custody. We found that these plans had been prepared for all the cases examined by us. However, the programmes available within establishments varied significantly. As a result, the plans reflected the best match between what was available at that establishment and the individual's needs.

2.12 At the pre-sentence stage, youth offending teams are often reluctant to specify the ideal package of programmes that might be delivered whilst in custody. Some teams have a policy of not recommending custody in any circumstances - 48 out of the 146 teams responding to our survey - and therefore do not specify what might be needed if the courts decide upon custody. Less than 10 per cent of youth offending teams considered the detention and training order to be effective in deterring reoffending, compared to over 60 per cent of the Magistrates and District Judges who responded to our questionnaire. Better specification of needs in the pre-sentence reports would help the Prison Service and Youth Justice Board more clearly identify gaps between current provision and needs within the custodial estate.

The Prison Service has reported that most establishments met the Youth Justice Board's target on educating juveniles in custody, although the extent and range of education provided varies between young offender institutions

2.13 A large proportion of the young people who come into custody have not previously attended school on a regular basis and lack basic reading, writing and numerical skills. Youth Justice Board research[15] published in November 2001, indicated that just under half of the custodial population had literacy and numeracy levels six years below their actual age and a quarter had numeracy skills ten years below their actual age. In December 2002, Wetherby young offender institution estimated that 90 per cent of the 1,041 boys sent to the establishment in 2002 lacked sufficient reading and writing skills for everyday life and 79 per cent lacked necessary numeracy skills. Other research has demonstrated a strong relationship between truancy, educational achievement and offending behaviour - see Appendix 1.

15 *Education, Training and Employment, ECOTEC research and Consulting Ltd, Youth Justice Board.*

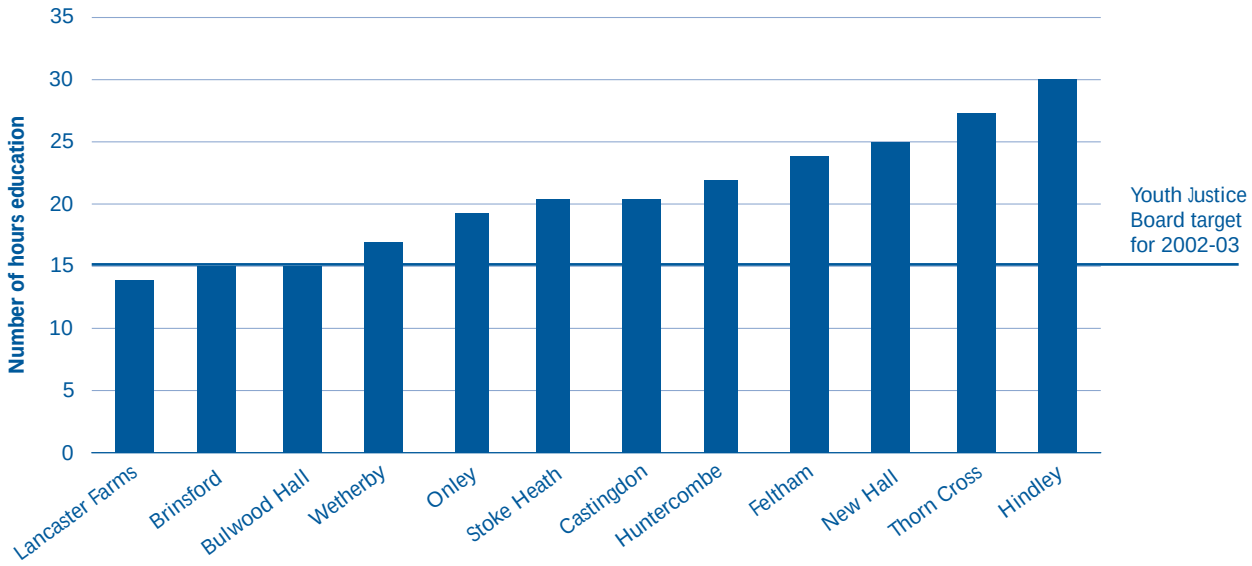
2.14 A custodial sentence is an opportunity for many young offenders to return to education and training. A number of children have spoken with pride about what they have achieved during custody. Much of the education provided focuses on key skills, such as reading, writing and numeracy. There are vocational courses available at some establishments - Huntercombe, for example, has a Kwikfit course in basic car maintenance that has enabled some young offenders to find employment after release. Our visits to young offender institutions, however, established that the range of educational and vocational courses available to young offenders varied. Lancaster Farms, for example, did not provide any vocational courses at the time of our visit, because resources were stretched to provide additional places. Access to practical courses, such as cookery, carpentry or car maintenance depended on whether such facilities were available and the security risk of allowing young offenders to use the tools and equipment required. In the last two years the Prison Service recorded expenditure of £1.9 million on new or extended workshops in three establishments.

2.15 In its service level agreement the Youth Justice Board set a target for the Prison Service to provide 30 hours purposeful activity for young offenders each week in 2002-03, including a minimum of 15 hours education. Purposeful activity includes domestic work, eating with staff, organised and supervised games and watching some television programmes. The Prison Service reported that it delivered an average of 35.6 hours purposeful activity a week in 2002-03 and 38.2 hours a week for each young offender in April to June 2003. The results should be interpreted with caution because of the counting difficulties noted in paragraph 2.10.

2.16 The Prison Service was unable to provide accurate performance data on the number of hours of education provided in 2002-03. Eleven of the young offender institutions include wings for young men aged 18 to 21 as well as young offenders and could not differentiate the number of hours of education provided for each group. Similarly, three women's prisons with units holding girls could not differentiate the number of hours of education provided for each group. As part of a progress report on education commissioned by the Youth Justice Board in April 2003, the Prison Service conducted a census for one week in 2003 across twelve establishments. The census found that every institution except Lancaster Farms had provided the minimum of 15 hours education, and seven had provided at least 20 hours education - **see figure 8**.

2.17 Our visits to young offender institutions suggested that higher than anticipated numbers of young offenders, shortages of staff and the capacity of classrooms were the key constraints on the number of hours of education delivered **(see Box 5 on page 22)**. In 2001-02 the Youth Justice Board provided the Prison Service with an additional £9 million revenue funding to improve education. In addition, capital funding totalling £13 million was provided in 2001-02 and 2002-03. The extra monies were to be spent on new classrooms and workshops and to recruit 260 additional learning support assistants and special educational needs staff. By the end of March 2003, the Prison Service reported that it had appointed 207 assistants and 14 special educational needs co-ordinators and had spent £11.8 million on new education buildings at six young offender institutions and workshops at three establishments. A further £1.1 million was being spent at Wetherby in 2003-04 to improve its educational facilities.

8 The average number of hours education provided, compared to the Youth Justice Board target for 2002-03



Source: NAO analysis of Youth Justice Board data

BOX 5

Education provision at three young offender institutions

Wetherby. There were 330 young boys held at this Young Offender Institution at the time of our visit. The establishment had found it difficult to recruit educational staff - whilst it had funding for 36 learning support assistants there were only 20 in post. The classrooms were old and there was insufficient space for classes. A new educational block, funded by the Youth Justice Board, became operational in December 2003.

Lancaster Farms. There were 130 young boys held at this Young Offender Institution at the time of our visit. The educational block had a capacity for up to 96 young people. As a consequence, the establishment provided education for those boys assessed as below level 1 in the mornings and provided classes for those above level 1 in the afternoon. The establishment is building a new education block, funded by the Youth Justice Board, to increase its capacity and to enable the prison to run vocational courses from Autumn 2004.

Bullwood Hall. There were 24 young girls held at this establishment on behalf of the Youth Justice Board at the time of our visit. Girls received one and a half hours education each morning and afternoon. The establishment is seeking to increase the number of hours but is constrained by the number of educational staff available and the small classrooms. The Youth Justice Board has provided additional funding to increase staffing levels but there has been no additional capital investment due to the uncertainty of the Board's long term commissioning intentions for this establishment.

BOX 6

The National Specification for Learning and Skills

The specification sets out the expectations of the Youth Justice Board for the delivery of learning and skills to young offenders held in Young Offender Institutions. The core principle underpinning the specifications is that standards should be comparable with those in mainstream schools and colleges.

Each young offender is to be assessed to determine their educational needs. Teaching will be highly structured and involve clear objectives, high levels of interaction and group work as well as individual tasks. The curriculum includes literacy and numeracy, vocational training, private study and offending behaviour programmes.

The Youth Justice Board, working with the Offenders' Learning and Skills Unit at the Department for Education and Skills and the Prison Service, is developing management information systems to monitor progress and to assess performance.

"I knows how to play certain tunes on the keyboard. I knows how to cook. I knows how to cook this and that, and I've never been able to cook in my life!"

"I never went to school, yeah, but I come here and I sit an exam and it's like college"

"I think they should give more opportunity to do education in prison, because they've only got a set course and I did a couple of courses twice and sometimes three times over, and they need to get more there."

Young offenders aged 15-17

2.18 In exchange for the increased funding, the Youth Justice Board's service level agreement for 2003-04 with the Prison Service requires each establishment to work towards implementing the National Specification for Learning and Skills **(see box 6)** and to provide 20 hours education a week for each young offender in custody by March 2004, rising to 30 hours a week by 2006. The new targets are broadly comparable with the number of hours of education provided to children under the age of 16 regularly attending school.

2.19 Whilst changes are planned, substantial progress is not likely to be made until existing education contracts come up for renewal in 2004. The Prison Service's existing education contracts with Further Education Colleges do not require the structured approach set out in the

National Specification. And the Howard League for Penal Reform has expressed concern that teachers in prisons often lack the qualifications and experience to work with school-age children[16], although the majority of juveniles in custody are above school leaving age. The secure estate has reported difficulties in retaining staff due to the difficulties in getting young offenders engaged in education and because conditions of service are perceived to be better elsewhere in the education sector. The Youth Justice Board is working with the Offenders' Learning and Skills Unit at the Department for Education and Skills to ensure the new contracts address the particular needs of children in this age range.

The Youth Justice Board and Prison Service are seeking to address the causes of offending behaviour when offenders are in custody, but our work suggests some needs go unmet

2.20 Research by the Youth Justice Board[17] has suggested that most young offenders (83 per cent) rush into things without thinking and over 70 per cent have said that they get stressed, angry and lose their temper. The National Specification for Learning and Skills, and the target hours for the provision of programmes, include programmes designed to address offending behaviour. These activities may range from the provision of standard group activity programmes, taken from accredited courses for adult prisoners, to one-to-one counselling. The Board's National Specification advocates a closer relationship between offence-related work and the education and training curriculum offered in custody, which includes citizenship and personal health and social education.

2.21 The Youth Justice Board advocates a range of interventions to tackle offending behaviour, including encouraging social interaction as well as offending behaviour programmes. The Prison Service did not hold data, however, on the number of offending behaviour programmes run by young offender institutions in 2002-03, although it has since undertaken an audit of provision in October 2003. The results of the audit indicate that the range and type of programmes available vary between establishments, although the results have not yet been validated by the Prison Service. Our examination of case files in 2003 found six out of 31 cases where the course did not meet the needs originally identified by the youth offending team case worker. Youth offending team workers we interviewed suggested there were insufficient programmes available to meet demand and a shortage of sufficiently trained staff. Our work within establishments suggested that some specialist needs were still to be met although efforts were being made to address some of the gaps. A pilot sex offenders treatment programme had, for example, been established at the Carlford Unit at Warren Hill. Pending the outcome of the pilot, there were no similar programmes elsewhere for the 71 young sex offenders held in custody in May 2003.

Each young offender is assessed for substance abuse and the risk of self-harm on arrival in custody

2.22 Research commissioned by the Mental Health Foundation[18] suggested estimated rates of mental health problems in the general population of adolescents of 13 per cent for girls and 10 per cent for boys. The report, drawing upon other research studies, suggested a large proportion of young people in custody had mental health problems, although estimates varied from 46 per cent to 81 per cent amongst the studies reviewed. In September 2001, the Prison Reform Trust reported that 9 out of ten young offenders in custody suffer from at least one, or a combination of personality disorder, psychosis, neurotic disorder, or substance abuse[19]. Youth offending teams identified substance abuse and emotional health problems as very likely to lead to further reoffending in 6,000 and 5,000 respectively of the 34,000 assessments made in 2002-03. A Home Office survey of 293 young offenders aged 12 to 18 years[20] established that 91 per cent had taken alcohol in the past, 85 per cent tobacco and 86 per cent cannabis. Forty-four per cent of respondents had taken ecstasy, 18 per cent crack cocaine and 11 per cent heroin. The mean age of initiating substance abuse was 11 years old. Substance abuse is likely to be a cause of offending behaviour - over 40 per cent of respondents felt there was some relationship between their substance use and their offending.

2.23 The Youth Justice Board's service level agreement with the Prison Service specifies that each young offender should be assessed for substance abuse and the risk of self harm on arrival at an establishment. Our case file examination confirmed these assessments were carried out. The Prison Service set young offender institutions targets for the number of Counselling, Assessment, Referral, Advice and Throughcare services (CARATs) delivered. In 2002-03, all establishments exceeded their target and 4,600 CARATs were completed compared to an overall target of nearly 3,400.

16 *Children in prison, an independent submission to the United Nations, 2002.*
17 *Speaking Out. The views of young people, parents and victims about offending, the youth justice system and interventions to reduce offending. Youth Justice Board, October 2002.*
18 *Hagell A (2002) The Mental Health of Young Offenders. London: Mental Health Foundation.*
19 *Prison Reform Trust, Troubled Inside: Responding to the Mental Health Needs of Children and Young People in Prison, September 2001.*
20 *Home Office Research Study 261, Substance abuse by young offenders: the impact of the normalisation of drug use in the early years of the 21st century, February 2003.*

2.24 There have been no self-inflicted deaths of young offenders in custody since October 2002 although the number of self-harm incidents increased from 288 incidents in 2000 to over 460 incidents in 2002. Of the latter, 150 incidents were reported by Ashfield prison, although Premier Prison Services Ltd pointed out that the establishment is required to report all incidents, however minor, and that none of the young people involved required hospital treatment. The Prison Service said the reduction in self inflicted deaths (there had been eight between May 2000 and October 2002) was mainly due to improved first-night reception procedures to deal with anxieties and help the child become accustomed to custody. Her Majesty's Inspectorate of Prisons consider that being locked in a cell for too long is a key factor likely to increase the likelihood of self harm incidents or suicide attempts. As a consequence, the Prison Service set young offender institutions a target to allow young offenders out of their cells for a minimum of 10 hours a day in 2002-03. Eight young offender institutions were unable to meet this target in 2002-03, and the reported average across the estate was 9.5 hours.

Secure training centres and local authority secure children's homes provide more education and offending behaviour programmes than the Prison Service, although at a much higher cost

2.25 Of the 3,580 custodial places contracted for by the Youth Justice Board in 2003-04, 194 are for places in three secure training centres run by private contractors and 320 in local authority secure accommodation. The Youth Justice Board contracts secure training centres to provide 25 hours of education and 7 hours of crime avoidance programmes each week. A typical day will involve classes from around 9.00 am until mid-day and from 2.00 pm until around 4.00 pm. The crime avoidance programmes, which might include group work or one-to-one sessions, are typically undertaken during the lunch break or after classes have finished. The performance data collected by the Youth Justice Board suggested that each of the three centres had met the target number of hours in 2002-03. Our examination of 19 case files at the secure training centres established that in all except three cases the courses provided had met the needs identified by the youth offending team case worker.

2.26 The local authority secure children's homes are contracted by the Youth Justice Board to provide 25 hours of education and seven hours of offending behaviour programmes. Agreements with the Youth Justice Board prior to 2003-04 did not require the units to provide management data on their performance, although the Board did introduce a self-reporting system from April 2003. Whilst the units provided data for the first quarter ending June 2003 results were not comparable because of inconsistencies in the data collected. **Box 7** illustrates how local authority secure children's homes have sought to meet the needs of two young offenders.

2.27 The three types of custodial setting serve differing needs, have different levels of resources and, therefore, some caution is needed when making comparisons between them. Younger or particularly vulnerable offenders - such as those at risk of self-harm, for example, will require more support than others. In general, youth offending teams tended to be more positive about the match between needs and provision in secure training centres and local authority secure children's homes than young offender institutions, although these assessments might reflect a lack of knowledge of some types of establishment **(figure 9)**. There are wide differences in the amounts spent on education in the different custodial settings. Youth Justice Board data suggest that in 2002-03, secure training centres and local authority secure children's homes were able to spend considerably more on education and programmes per place than the Prison Service **(figure 10)**.

BOX 7

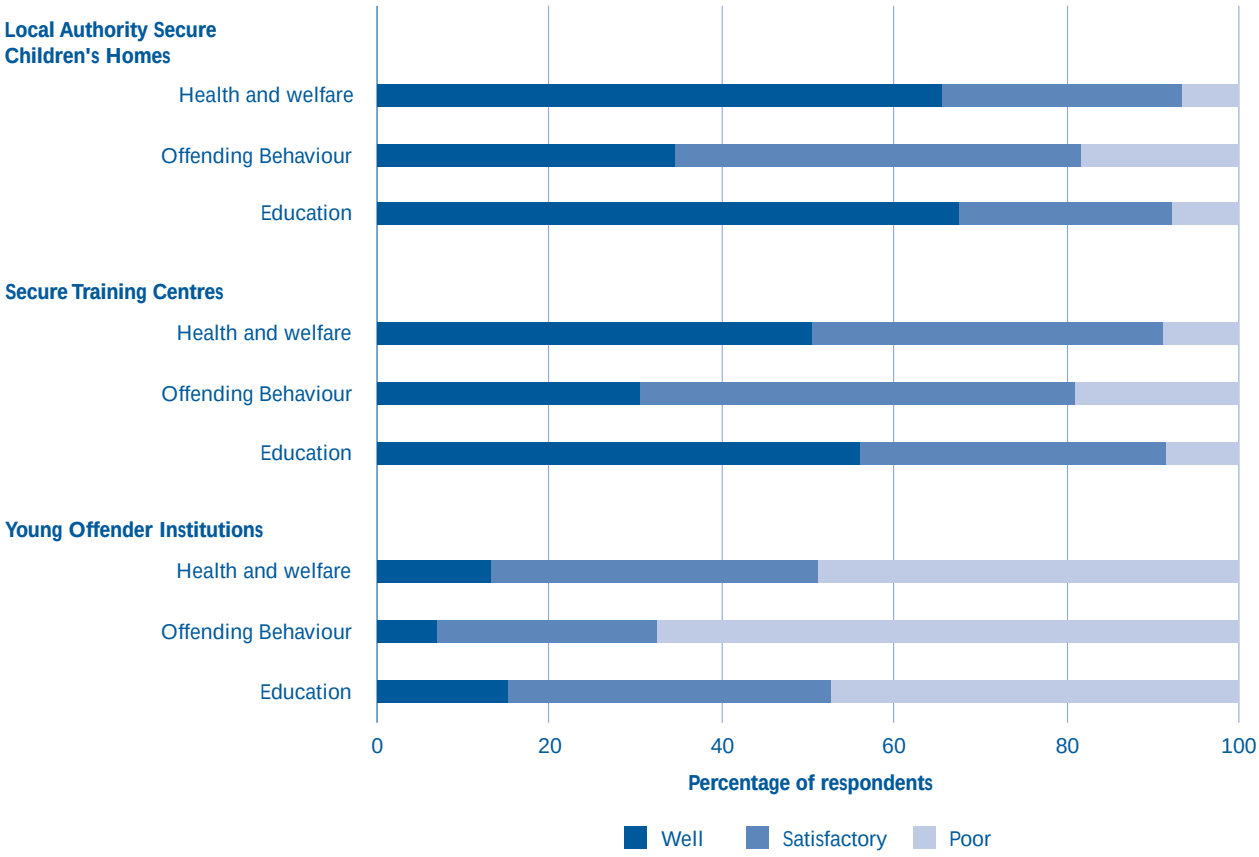
Case studies from local authority secure children's homes

Jeremy was sentenced to four years custody after being found guilty of wounding with intent. On arrival at East Moor local authority secure children's home in April 2002, he did not admit responsibility for his crime. Three months later, he admitted having committed the offence to his Key Worker. He then commenced the 'ABC' therapeutic counselling course to help him recognise the consequences of his crime and address the reasons that led him to offend.

John, a fourteen year old refugee, was given a three year custodial sentence for robbery and having an imitation firearm with intent. When he arrived at the local authority secure children's home, he had not attended school for the previous year, had a reading age of nine and poor English. Within two years he had passed 3 GCSE's in History, Science and English.

Source: National Audit Office case examination

9 **Youth offending teams' assessment of how well the secure estate meets the needs of young offenders**



NOTE

The diagram excludes those Youth Offending Teams that did not answer the question. The proportion of non respondents was sufficiently small to not affect the results.

Source: National Audit Office

10 **Expenditure on programmes and education in the secure estate in 2002-03**

Type of establishment	Number of places	Cost per place (£)
Young Offender Institution	2,748	4,330(1)
Secure Training Centre	194	16,040(2)
Local Authority Secure Children's Home	254	16,079(2)
Total	**3,196**	

NOTES

1 This represents payments made by the Youth Justice Board to the Prison Service for the provision of education and programmes.

2 These costs are taken from "An audit of Education and Training Provision within the Youth Justice System", November 2001. The Youth Justice Board advised the National Audit Office that the cost per place in Secure Training Centres and local authority secure children's homes has not changed significantly since 2001.

Source: NAO analysis of Youth Justice Board data

(iii) Raising the performance of custodial establishments

The Youth Justice Board is using its commissioning role to address key deficiencies in the juvenile secure estate but progress has been hampered by the pressure on places

2.28 Since the Youth Justice Board took on the role of commissioner of secure places in April 2000, it has stated its intention to promote greater competition in the provider market for custodial places. However, with the provision of places in secure establishments already under pressure, the Board has found the scope to move resources between establishments, limited:

- **Geographical location of secure establishments**. The Board aims to place 90 per cent of children within 50 miles of home. However, the Board has made little progress against this target - records

indicate that 70 per cent of offenders were within 50 miles of home in August 2003, the same proportion as in April 2000. There continues to be a shortage of places in Wales, London and the South East and an over-provision in the North of England.

- **The placement of girls with young adults in women's prisons**. Due to the small numbers of girls in custody there are no dedicated juvenile establishments and they have to be placed with young adults. The Youth Justice Board sought to remove all girls aged 15 to 16 from adult prisons by Summer 2002, later revised to the end of 2003. Progress was slow, however, due to a shortage of places in 2002. The Board reported in March 2003 that it had removed all 15 year old girls from prison by placing them in Secure Training Centres or Local Authority Secure children's homes and reported it had removed all 16 year old girls in December 2003.

2.29 The pressure on places was heightened by operational problems at Ashfield prison managed by Premier Prison Services referred to in our report on 'The Operational Performance of PFI Prisons'[21], although performance appears to have since improved. In May 2002 the Director General of the Prison Service appointed a team led by a public sector Governor to take control of the establishment and in August the Youth Justice Board issued a compliance failure notice because of security concerns arising from staff shortages. In October 2002 the Prison Service handed back the establishment to Premier Prison Service and in November the Youth Justice Board withdrew its compliance failure notice. In February 2003, following a critical report by Her Majesty's Chief Inspector of Prisons, the Board announced that it would withdraw sentenced young offenders from Ashfield as soon as alternative places could be found. In April 2003, however, the Prisons and Probation Ombudsman concluded Ashfield was providing good quality care, albeit with a lower number of offenders. Her Majesty's Chief Inspector of Prisons has since carried out a follow-up inspection, for which the report is not yet available, but the indications are that progress has been made by Ashfield. The Board has continued to keep some 200 young offenders at Ashfield and intends to commission 300 places by March 2004, rising to 400 during 2004-05.

2.30 The Board has sought to improve the incentives available to improve performance. The Prison Service and Youth Justice Board introduced an incentive scheme in April 2003 to enable each establishment to earn up to £1,000 a month for good performance. The scheme replaced an earlier Service Credit Scheme which levied fines instead for performance failures.

The Youth Justice Board is taking steps to ensure that staff working with young people in the juvenile secure estate are appropriately trained

2.31 The Youth Justice Board estimates there are 5,000 staff working with young offenders in the secure estate - precise numbers were not available from the Prison Service. Our visits suggest there are wide differences in the experience and qualifications of staff working with children in custody. Staff in young offender institutions are trained primarily as prison officers and have transferred to working with children afterwards. Prison officers at those establishments with young offenders aged 15 to 17 years and offenders aged 18 to 21 years may have to interchange between the two groups if required. The Youth Justice Board and the Prison Service have revised the prison officer induction programme from September 2003 to include an additional two weeks training focusing on working with young people for staff joining the juvenile estate. The Youth Justice Board intends to make this training mandatory for all staff working with juveniles. By comparison, few custody officers at the secure training centres had a formal qualification, although they had been recruited to work with children aged 12-17 and underwent a 7 or 9 week training course at the outset. Staff working in local authority secure children's homes have to comply with the Department of Health's National Minimum Standards and Care Home Regulations administered by the National Care Standards Commission.

2.32 The Youth Justice Board has sought to use its commissioning role to improve standards of custodial staff training and skills through its service level agreement with the Prison Service and contracts with the rest of the secure estate. The Board has developed a new national qualifications framework for staff working in youth justice. The core element of this framework is the new Professional Certificate in Effective Practice available from September 2003 and to be integrated into the secure estate from April 2004. The Board has set a target that 10 per cent of youth justice staff achieve this qualification, or equivalent, during 2004, rising to 80 per cent by March 2006. The Board's records indicate that 1,056 of the 5,000 full time practitioners in the community (20 per cent) have signed up for the Certificate for 2003-04.

21 *HC 700, 2002-03.*

The three types of juvenile secure estate commissioned by the Youth Justice Board vary significantly in cost per place but little is known about the comparative outcomes

2.33 The three types of custodial setting - young offender institution, local authority secure children's home and Secure Training Centre - each offer different approaches to holding young people in a secure setting. As **figure 11** shows, there are wide variations in the Youth Justice Board's estimate of the likely average cost per place in 2003-04. Some variation in costs is to be expected, particularly where units deal with young people who are vulnerable and are at risk of self harm. The typical age of young offenders in Secure Training Centres and local authority secure children's homes is less than for those in young offender institutions, necessitating different security and regime requirements. Much of the cost variation reflects the staff to young people ratios, which can range from four prison officers responsible for a wing of 60 young offenders, to four staff on a unit of eight young people at a local authority secure children's home.

11 The Board's anticipated cost per place for young offenders in each type of secure establishment in 2003-04

	Number of places	Cost per place[1]
Young Offender Institution	2,965	£50,800
Secure training centre	194	£164,750[2]
Local authority secure children's homes	320	£185,780

NOTES

1 Based on Youth Justice Board estimates of likely spend.

2 Including VAT.

Source: NAO analysis of Youth Justice Board data

2.34 To date there has been little comparative research focusing specifically on the impact of the different approaches to custody on achieving positive outcomes, not only in reducing reoffending but also the attainment of basic literacy and numeracy skills, reduced drug misuse, and success in resettling young people into full-time education or employment. The Youth Justice Board has commissioned the Centre for Criminological Research at the University of Oxford to examine the proportion of 1,500 young offenders released from custody between the beginning of April 2001 and the end of March 2002 and reconvicted within twelve months. Initial findings reveal little about the relationship between reconviction rates and secure establishment type, but the data provides a baseline against which future research can be set. Evaluation of the different approaches to delivering the elements of a custodial sentence could offer valuable lessons on what can be achieved for different levels of investment, assist in the dissemination of innovative practice across organisation boundaries and assist the Board in developing the estate.


adidas

Part 3

Oversight of young offenders in their community

3.1 This part examines:

(i) initiatives to prevent reoffending;

(ii) the integration of young offenders into their community; and

(iii) the enforcement of community sentences.

(i) Initiatives to prevent reoffending

Reoffending rates for young offenders have reduced, although the rate remains high for those at the higher end of the crime scale

3.2 The Home Office set the Youth Justice Board a target to reduce reoffending amongst young offenders by 5 per cent by 2004. Home Office statistics show that overall reconviction rates for young offenders on reprimands, final warnings and non-custodial sentences declined between 1997 and 2001[22]. The reconviction rate of those sentenced in the first quarter of 2001 was 26.4 per cent, compared to a predicted rate of 34.1 per cent. Most of the reduction came from the replacement of police cautions by the more structured reprimands and final warnings in June 2000. There were also improvements in the lower end of non-custodial court disposals, but reoffending rates for community sentences aimed at the more serious end of the crime scale remained comparable with 1997 levels. Comparator figures for young offenders released from the new custodial sentence, the Detention and Training Order, are not yet available. Two year reconviction rates for the sentence which preceded this Order to detain young offenders in custody were 84 per cent[23]. **Figure 12 (see page 30)** compares the predicted and actual rates for the different disposals available to the courts.

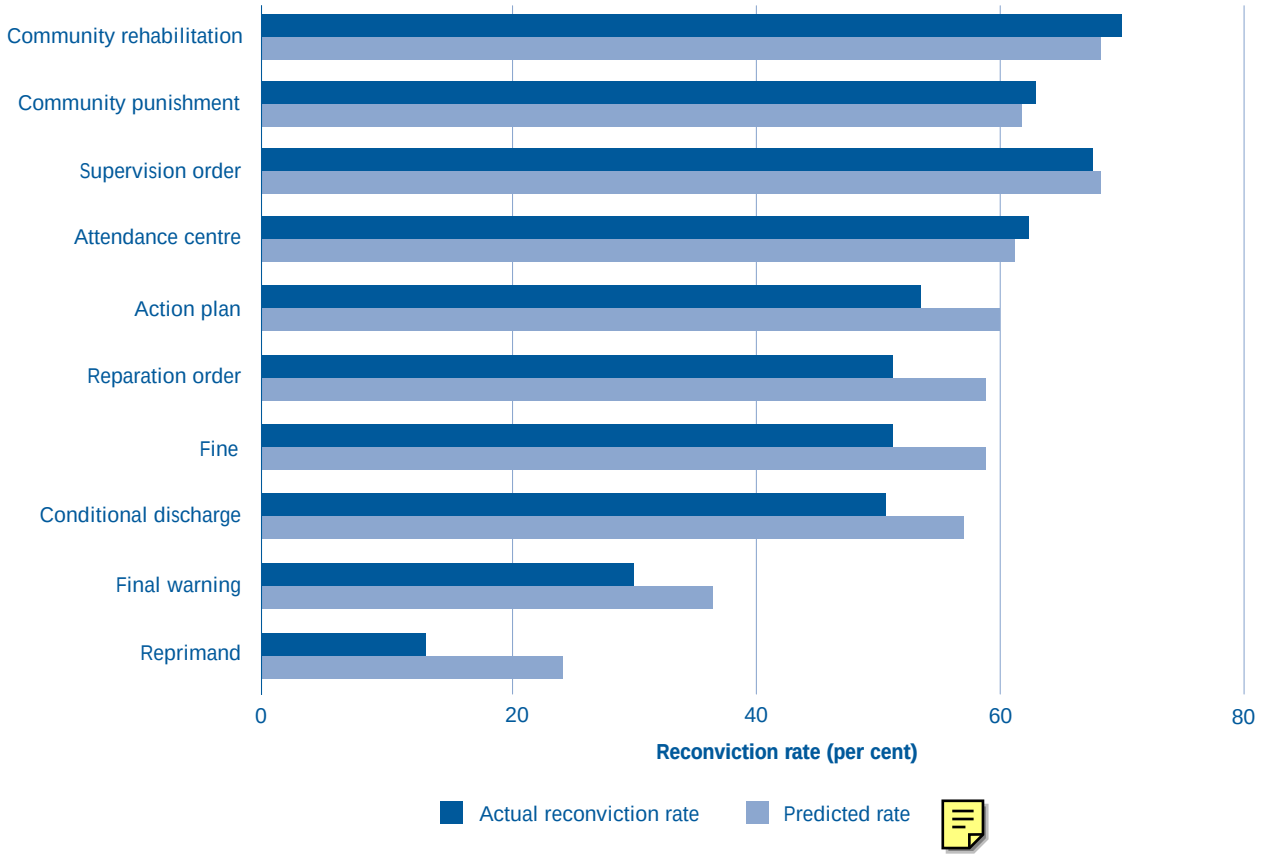
3.3 The Youth Justice Board has sought to reduce reoffending rates by, amongst other things:

- **The introduction of the Intensive Supervision and Surveillance Programme**. The programme is intended to provide intensive community interventions and surveillance as an alternative to a custodial sentence. The intense nature of the programme aims to deter reoffending and to provide courts with an alternative to custody. The Youth Justice Board has a target to ensure by March 2005 that at least 4,000 young offenders a year are put on the programme. Since its phased introduction in July 2001 (see **box 2**) the Youth Justice Board's records indicate that numbers on the programme at any one time have steadily increased to 1,348 young offenders by November 2003. The Board will continue to promote the programme to courts in 2003-04 to increase usage.
- **Better assessment of the risks of reoffending so that interventions can be tailored accordingly**. The Youth Justice Board introduced an assessment tool, known as ASSET, in 2001 across all youth offending teams. ASSET is intended to enable youth justice workers to identify and address the factors that might lead a young person to commit another crime.

22 *One Year Juvenile Reconviction Rates: First Quarter of 2001 Cohort, Home Office Online Report 18/03. The Home Office compared reconviction rates for offenders convicted in January to March 2001 with baseline data from the first half of 1997, adjusted to take account of differences in characteristics to provide a predicted rate. Researchers selected a sample of over 26,000 young offenders that committed an offence in the first quarter of 2001 and examined how many were reconvicted of an offence within twelve months. The sample excluded those young offenders sentenced to custody, figures for which take longer to produce and are due in early 2004.*

23 *Reducing Prisoner Reoffending, Committee of Public Accounts, 53rd report of 2001-02.*

12 Comparison of actual against predicted reconviction rates for young offenders



Source: NAO analysis of Home Office data

Magistrates and youth offending teams are supportive of the new Intensive Supervision and Surveillance Programme, but high breach rates could reduce its impact on custody levels

3.4 The new Intensive Surveillance and Supervision Programme appears to be well regarded by courts and practitioners. Our survey of magistrates and youth workers suggested confidence amongst sentencers in the potential of the programme to prevent reoffending - 60 per cent of magistrates and 65 per cent of youth offending team managers rated the Programmes as 'effective' or 'highly effective', whilst only two per cent and one per cent respectively thought the Programme was ineffective. Staff we interviewed working for those youth offending teams running the Intensive Surveillance and Supervision Programmes were supportive of the high level of contact hours, 25 hours per week, and the highly structured nature of the programme. Our work suggested that these programmes offered substantially more contact with the offender than existing models of community sentence. Our case file examination suggested that, where data was available, two hours was the maximum extent of the contact provided each week on the lower tariff orders.

3.5 The impact of the Intensive Supervision and Surveillance Programme on the numbers of young offenders placed in custody is not easy to predict and no clear pattern has yet emerged. The phased introduction of the programme from mid 2001 coincided with an increase in the number of young offenders in custody during 2002 and a decline in numbers in 2003. Changes in the numbers in custody could be due to a number of factors, including the introduction of the Street Crime Initiative, improvements in the management of the bail process, as well as national roll out of the Intensive Supervision and Surveillance Programme.

3.6 The intensity of the programme when compared to other community sentences creates a risk that it might be used by magistrates and judges for offenders who would otherwise receive a community sentence, rather than the Board's intended target of those offenders at risk of being placed in custody. Youth offending team workers suggested that the stringent requirements of the Intensive Supervision and Surveillance Programme were an attractive alternative to magistrates and judges who otherwise lack a sufficiently intensive community sentence for young offenders. The Board requires youth offending teams to adhere to specific eligibility criteria so that the programme is only available to young

offenders previously warned, charged or convicted of four or more separate offences in the last twelve months and who have received at least one community or custodial sentence; and those at risk of custody because of the seriousness of the offence committed.

3.7 The structured nature of the programme is likely to prompt higher revocation rates than other community sentences. The Youth Justice Board's guidance expects youth offending teams to ensure, where possible, that accommodation, family or other support and health needs are addressed to enable a young person meeting the eligibility criteria to be placed on the programme. Early experience of running the programme, for example in Newcastle and Swansea, suggested that 60 per cent of youngsters on the programme failed to complete it. We were told that young offenders on these programmes tended to live unstructured lives and some found the demanding standards difficult to meet. Ten of the 16 cases we examined at Newcastle and Swansea had been subject to breach proceedings. The Programme is directed at some of the most serious and persistent young offenders and the Board's guidelines expect young offenders to be breached if they do not comply with the terms of the programme, which may mean the person is re-sentenced to custody by the courts.

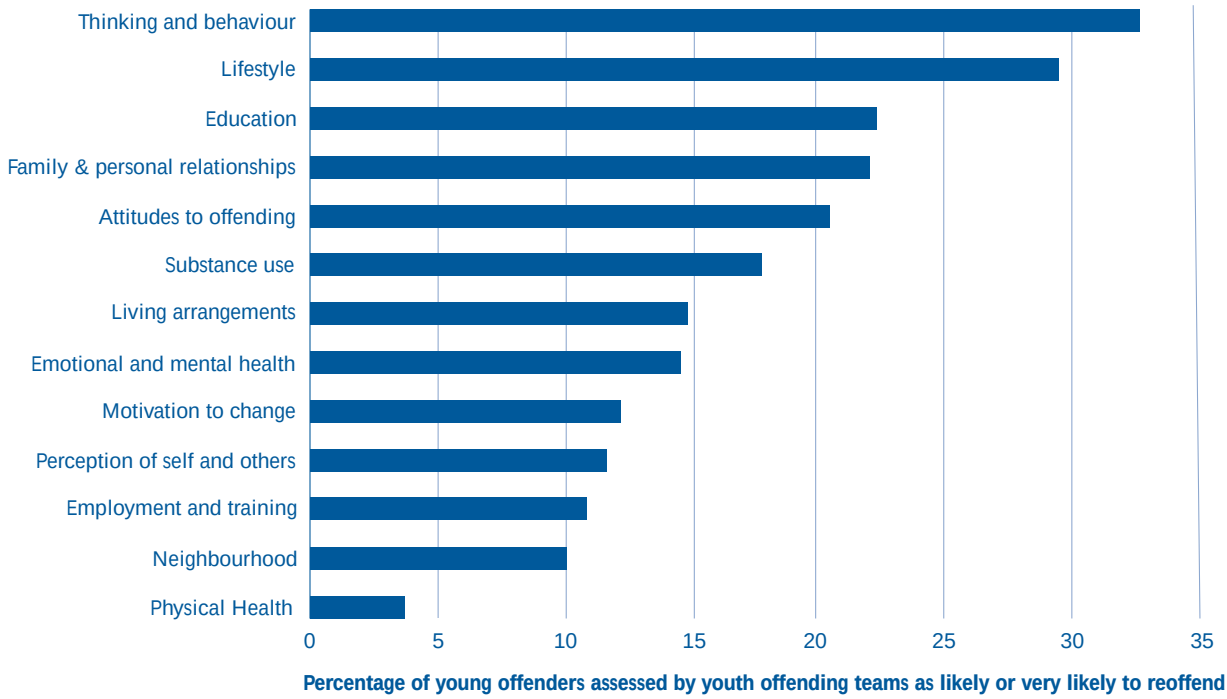
The introduction of ASSET has enabled youth offending teams to identify factors likely to lead to reoffending, although more needs to be done to develop strategies to address those risks

3.8 Every youth offending team we visited was using ASSET to assess young offenders, although not all forms are routinely completed by all teams. Teams assess each offender against a standard list of risk factors at the start of their sentence. The assessments undertaken by youth offending teams in 2002-03 highlight that young offenders' behaviour, lifestyle and attitudes to offending were likely to result in reoffending, as well as education, family and personal relationships and the risk of substance abuse - **see figure 13**. Our work suggested that ASSET provided a valuable framework for assessing need.

3.9 The ASSET data available suggests that community sentences and the work of youth offending teams reduce reoffending risks related to offending, thinking and behavioural, and lifestyle issues for over 15 per cent of young offenders **(figure 14)**. However, the figures suggest the impact is less significant when the risk to reoffending arises, for example, from health and employment issues, areas where the youth offending

13 For each category of ASSET, the proportion of young offenders considered likely to re-offend

The figure shows the percentage of young offenders assessed as likely or very likely to reoffend for each factor.



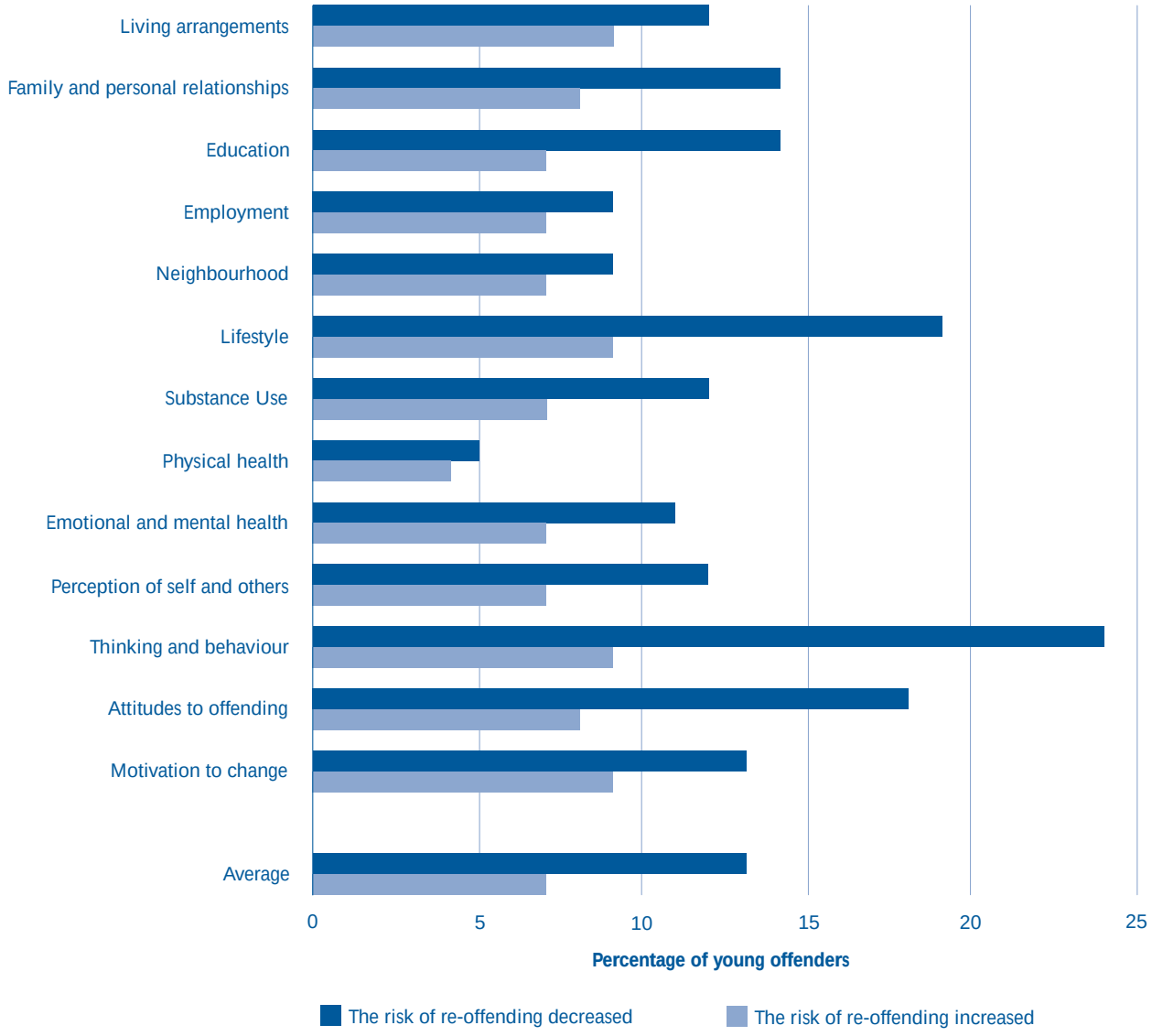
Source: Youth Justice Board

teams are dependent on influencing and gaining support from other agencies. The figures indicate that interventions have limited impact on the likelihood of reoffending for most young people, and illustrate the challenges to be faced in dealing with many young offenders. The data need to be treated with some caution as they represent a quantitative measure of a range of subjective assessments undertaken by the youth offending teams.

3.10 The Youth Justice Board requires youth offending teams, as condition of its grant, to prepare an annual justice plan setting out how they intend to address local needs and meet the Board's targets, including the contribution to be made by other agencies. All but two youth offending teams had submitted plans for the 2003-04 financial year by the end of June 2003. Youth Justice Board records indicate that Luton submitted a plan in August and their grant was withheld until they had supplied the document, whilst Wolverhampton submitted a plan in October and the Board approved payment in November. Our scrutiny of plans submitted by the teams visited by us suggested that teams had identified those organisations that they needed to work with in order to meet each objective, although there was no clear strategy on how such links would be developed and maintained. There was no explicit evidence that teams were using the evidence of need available from ASSET to identify their priorities. However, the better plans demonstrated an awareness of those risk areas

14 For each category of ASSET, the proportion of young offenders considered more or less likely to reoffend on completion of their sentence

The figure shows the percentage of young offenders whose assessed risk of reoffending increased or decreased as a result of their community sentence.



Source: NAO analysis of Youth Justice Board data

where the team's work needed to be strengthened including, for example, the link with health and education services - **see box 8**. The Board reported to us that each team had used its effective practice guidance note on assessment, planning and supervision to develop an improvement plan for 2003-04. The Board expects to review performance against the plan in 2004.

(ii) The integration of young offenders into their community to prevent reoffending

3.11 Drawing on the ASSET assessments undertaken by youth offending teams, we examined four areas critical to the reintegration of young offenders into their community:

- the provision of education, employment or training;
- addressing offending behaviour;
- finding suitable accommodation; and
- substance misuse.

Youth offending teams report difficulties in keeping young offenders in education, especially for those returning from custody

3.12 A lack of commitment to school increases the risk of a child committing an offence. Truancy and exclusions are strongly associated with crime, although not necessarily a direct cause. A MORI survey of children in 2003[24] established that 26 per cent of young people in mainstream education said they had committed an offence in the last 12 months, compared to 60 per cent of excluded children. And 40 per cent of the children in main school education who had committed an offence had played truant from school.

3.13 The Youth Justice Board set a target for each youth offending team to ensure that 80 per cent of young offenders are in full time education, training or employment by 31 December 2003, rising to 90 per cent by the end of 2004. Thirty six of the 155 youth offending teams reported that they had met the 80 per cent target by 31 March 2003, although others have much further to go - 14 youth offending teams[25] reported less than 50 per cent of their young offenders in full time education, training or employment.

BOX 8

Newcastle Youth Offending Team - addressing the health needs of young offenders

The youth offending team had built a picture of the health needs of young people who offend.

- Many have very poor primary care histories (lack of immunisation, non-registration with GPs etc).
- Very widespread use of Class B drugs, with some very heavy users showing effects in other areas of their behaviour and mental health.
- Significant misuse of Class A drugs by a number of the more persistent young offenders, especially those on the Intensive Surveillance and Supervision Programme or who have served custodial sentences.
- A pattern of a small number of 16/17 year old young people with chaotic lifestyles who display multiple problems (often substance misuse, mental health problems, accommodation difficulties etc). This is often combined with a history of family conflict and time spent in care.
- Conduct disorders were identified frequently amongst the more persistent group of young offenders, with the Youth Offending Team identifying a need for more work at local level to identify appropriate interventions for this group.

To address these health issues the team had appointed a consultant clinical psychologist and chartered clinical psychologist to work equally between the youth offending team and the Newcastle District Adolescent Service. A drugs worker, funded by the Youth Justice Board, was also appointed to the team in 2002.

24 *Research study conducted for the Youth Justice Board, January to March 2003, MORI.*
25 *Calderdale, Islington, Warwickshire, Durham County, Havering, Surrey, Lancashire, Oxfordshire, Bexley, Wigan, Waltham Forest, Bristol, Newcastle upon Tyne, and Staffordshire.*

3.14 All the youth offending team managers we interviewed highlighted the difficulties they faced in ensuring that the young people they deal with are in suitable training and education. The difficulties included logistical problems of finding suitable courses, a reluctance by some young people to attend and the problem that many young offenders had been excluded from their school.

3.15 Reintegrating young offenders into mainstream education depends on the co-operation of local authorities, further education colleges and schools. Headteachers have powers to exclude children if they have breached the school's behaviour policy or if allowing them to stay would seriously harm the education or welfare of other pupils. Once a child has been permanently excluded, and the exclusion has been upheld by the governing body and, if applicable, by an appeal panel, their name is removed from the school roll and the local education authority becomes responsible for ensuring their full time education. This may involve getting an excluded child enrolled at a different school or an alternative form of education, such as a Pupil Referral Unit. A majority of youth offending teams (54 per cent) reported some conflict between their targets and those set by local schools. The Department for Education and Skills recognises that getting permanently excluded children back into mainstream school is a significant challenge. The department reported that there are currently 425 Pupil Referral Units in England established by Local Education Authorities to provide education for permanently excluded children. Whilst 48 per cent of the 9,125 children permanently excluded across England in 2001 went to pupil referral units to continue their education, 14 per cent received home tuition and 10 per cent received no education. The remaining 28 per cent were educated at further education colleges, through work related or voluntary sector arrangements, or by a combination of different methods[26].

3.16 The problem of reintegrating young offenders into mainstream education can be particularly difficult for children released from custody. A Youth Justice Board audit of education and training in November 2001 established that the transition from custody to the community was a "fundamental weakness" in the operation of the Detention and Training Order. Only eight of the youth offending teams responding to our survey (6 per cent) said that they were always able to continue education started during custody. Nearly all youth offending teams (92 per cent) reported that there was scope for greater continuity of education and programmes between the custodial and community elements of the sentence. The Board expects the introduction of the National Specification for Learning and Skills (paragraphs 2.18 - 2.19) to improve co-ordination and it has provided an additional £1 million funding in 2003-04 and £7 million in 2004-05 to 2005-06 to improve the advice and support available to young people on Detention and Training Orders, and Intensive Supervision and Surveillance Programmes.

"They say they'll do things but they don't so why should I waste my time for them .. It doesn't take three months to get into education does it?"

Young offender, male, aged 16

"Oh we have the world … promised to us, and we have had nothing … education or courses would have been a real big help"

Parent of young offender

3.17 Help for young people to participate in education, employment and training involves a number of support services, including those from the voluntary and community sector, youth offending teams and particularly the Connexions Service,(the latter funded by the Department for Education and Skills). The Connexions Service aims to provide advice, support and personal development opportunities for all 13-19 year olds. The Youth Justice Board and the Connexions Service National Unit jointly produced a "Working Together" guide in Summer 2001 that set out the key principles of inter agency working between Connexions and youth justice agencies. The Youth Justice Board and Connexions have agreed a shared target of ensuring 90 per cent of young offenders are in full time education, training or employment by December 2004. The majority of youth offending teams (72 per cent) reported that the targets of their Connexions service were mainly consistent with their own and 58 per cent of the teams said they were able to access timely and appropriate services from the Connexions service.

3.18 Progress in getting younger offenders back into mainstream education, however, depends on youth offending teams building effective working relations with Headteachers in their local schools. Two of the youth offending teams we visited reported that they had met the Youth Justice Board's 80 per cent target by March 2003 and had developed close links with their schools. The education worker at Dorset youth offending team, for example, met the schools regularly to provide support, such as reassurance that the youth offending team education worker will visit the child regularly to reinforce the need to conform to school rules. Research into the role of the education officer in youth offending teams might enable the Board to disseminate good practices and improve effectiveness.

26 *Statistics of Education: Permanent Exclusions from Maintained Schools in England, Department for Education and Skills, November 2002.*

There is great variety in the range of interventions delivered by youth offending teams. Local teams would welcome advice on good practice

3.19 Youth offending teams are expected by the Youth Justice Board to deliver interventions aimed at addressing offending behaviour. Our visits suggested a great variety in the range and nature of the work undertaken. Interventions ranged from one to one sessions to address the reasons for offending behaviour, which formed the core activity for all the teams visited; to group courses to deal with anger management; activities to deal with specific issues - such as understanding the dangers of taking a vehicle without consent; and programmes to deal with alcohol and drug misuse. **Box 9** illustrates the range of interventions provided by Surrey youth offending team. At most of the youth offending teams we visited, however, we found little written evidence to support the content and design of local programmes, although ideas were often drawn from a variety of sources **(figure 15 on page 36)**. None of the programmes we examined had been evaluated to determine their impact on reoffending and to learn lessons for wider dissemination.

3.20 Unlike the centrally accredited offending behaviour programmes developed for adults and delivered by the prison and probation services, the Youth Justice Board has encouraged youth offending teams to develop interventions to tackle risk factors associated with offending locally. The Board's effective practice guidance on Offending Behaviour Programmes highlights the key processes required, such as the need for staff training and to evaluate results, but does not suggest what programmes might be appropriate. The youth offending teams we spoke to clearly valued the freedom to develop their own programmes, and some had taken the opportunity to innovate. We found limited collaboration between the teams, however, and 45 per cent of teams responding to our survey said they would welcome further guidance on good practice and to learn from teams elsewhere in the country.

"..They'd actually sit there and they try and get to the root of the problem"

Young offender, male, aged 17

"Peter, my youth offending team worker, he's really good. He'll sit there and he'll just tell me. He'll explain a situation and he'll give me different ways to handle it."

Young offender, female, aged 16

"I'm not gonna do that, I'm not gonna sit down with a complete stranger and tell 'em the ins and outs of my life. That's things that maybe I'm trying to forget.."

Young offender, female, aged 16

BOX 9

Interventions to tackle risk factors provided by Surrey youth offending team

Drug education assessments. Tailor-made sessions provided by the seconded health workers to help young offenders understand the risks and consequences of substance abuse.

Community reparation. Virtually all community sentences include some form of reparation benefiting the community. Schemes include:

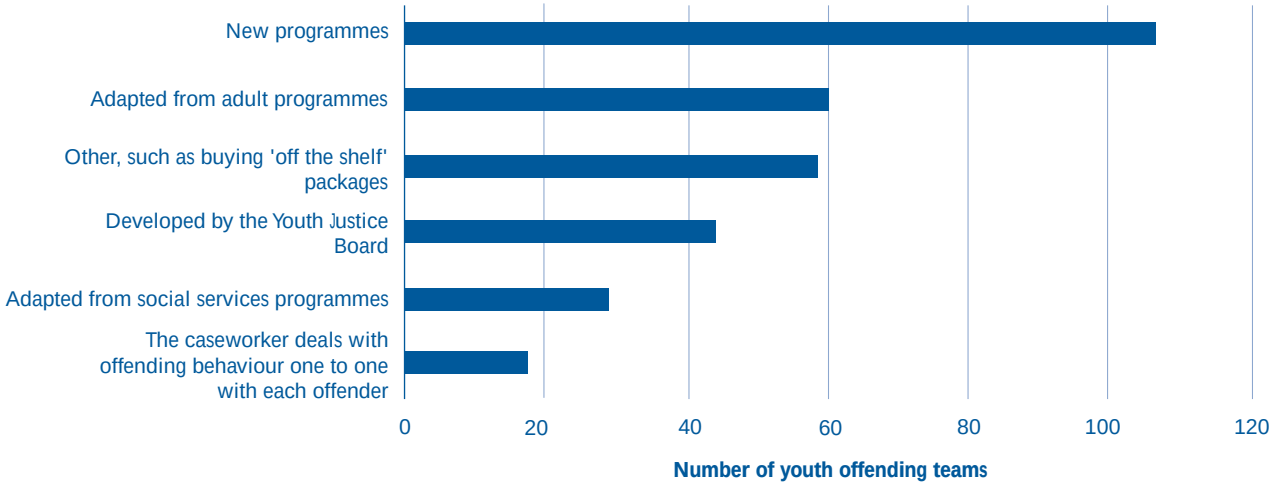
- A carpentry workshop where young people produce toys for children's wards in local hospitals.
- Painting and decorating work, such as the sleeping accommodation at a local fire station.
- Clearance and maintenance work, such as tidying and maintaining public spaces and cleaning graffiti.

Can Do Programme. An intensive group work programme to tackle offending behaviour in persistent and serious young offenders. The programme has been developed in conjunction with Coldingley prison and is run by youth offending team staff and six prisoners. It directly tackles key areas in offenders' lives likely to be a cause of offending behaviour, such as victim awareness, self-management and identity issues. In each of these areas the experiences of the prisoners are used to challenge young people's attitudes. The programme is called 'can do' because it seeks to accentuate positive non-offending alternatives to criminal behaviour.

Firewise. A fire awareness programme in conjunction with the Fire and Rescue Service for young people involved in arson.

Parenting programme. Aimed at strengthening the capacity of parents and carers to deal with the challenging behaviour of adolescents who offend.

15 How youth offending teams developed programmes to tackle offending behaviour



Source: National Audit Office census

Difficulties in finding suitable housing have meant youth offending teams sometimes have had to arrange accommodation at a very late stage

3.21 The Youth Justice Board expects all young people to have satisfactory accommodation. In most cases the young offender will live at home but parents or care homes might decide they can no longer cope with a disruptive child and alternative accommodation is required. Young offenders released from custody are particularly likely to need alternative accommodation - care homes are unlikely to keep a place vacant until the end of a sentence. Youth offending teams are responsible for finding suitable accommodation for their young offenders. The Board defines satisfactory accommodation as accommodation that is suitable for a child's needs, where the relevant authority has satisfied itself of the character and suitability of the landlord and where, so far as is reasonably practicable, the authority has taken account of the child's wishes and feelings.

3.22 Youth offending teams said that their success in finding accommodation depends on their ability to work with and influence local housing providers and on the scale and nature of other demands for local housing. Of the 153 youth offending teams that provided performance data to the Board for the quarter ending March 2003, 28 reported that suitable accommodation had been provided for all young offenders, in 96 teams there was accommodation for between 80 and 99 per cent of young offenders, and in 29 teams for less than 80 per cent of young offenders.

3.23 Youth offending teams said that it was usually easier to arrange suitable accommodation for children aged under 16 years of age than it was for those who were 16 or 17 years old - **see box 10**. The Children Act (1989) places a duty on local authorities to accommodate any child in need, and the Children (Leaving Care) Act (2000) required local authorities to accommodate care leavers until they are 18 years old. The Housing Act (1996) requires local housing authorities to provide accommodation for homeless 16 and 17 year olds who are not the responsibility of social services.

3.24 Our work suggested accommodation issues for young offenders in custody were often resolved at short notice - particularly for offenders aged 16 and 17. Whilst 28 teams (21 per cent) said that accommodation for 16 and 17 year olds was usually arranged some weeks in advance, 29 (22 per cent) said that it was usually on the day of release and 9 (7 per cent) said that it was after the day of release. Short notice decisions can lead to uncertainty and disorientation for young people.

3.25 Youth offending teams identified two main barriers to arranging accommodation: a lack of housing provision for 16 and 17 year olds and a policy of some housing associations and providers not to make any arrangements until a young person is physically homeless. Twenty of the teams responding to our survey commented that bed and breakfast accommodation had to be used for some 16 and 17 year olds. Seventeen of the teams noted that hostels, bed and breakfast places and local housing authorities would not make advance arrangements - the young person had to present themselves to the housing authority on the day of their release. However, Luton youth offending team had sought to overcome some of these difficulties by negotiating an agreement with a local hostel to give them first priority on two beds.

The Youth Justice Board is working with the National Treatment Agency to improve drug treatment services for young offenders. Most youth offending teams report some difficulty in arranging suitable treatment

3.26 The Youth Justice Board, in conjunction with the Home Office and National Treatment Agency, has sought to encourage youth offending teams and drug action teams to work together to address substance misuse. The Board contributed to a guidance report 'First Steps in Identifying Young People's Substance Related Needs', in 2003 which highlights responsibilities for organisations to identify children's needs and to provide appropriate treatment. Each drug action team has developed a Young People Substance Misuse Plan for 2003-04 that specifies how local services will meet the substance abuse needs of vulnerable young people, including young offenders. Surrey youth offending team was the only team we visited, however, that had identified dealing with substance abuse as a priority area in its strategy for 2003-04. Surrey youth offending team was working with the Acorn Substance Misuse Service - a community based drug and alcohol service - to assess high risk young offenders to develop individual care plans specifying what interventions are required. Without a specific target or performance measure for youth offending teams on the treatment of substance misuse the Youth Justice Board has been unable to measure the extent of the problem. As a consequence, the Board is to introduce a target from 2004 for youth offending teams to ensure all young people are screened for substance misuse, that those with identified needs receive appropriate specialist assessment within 5 working days, and following assessment access the early intervention and treatment services they require within 10 working days. To improve the skills of youth justice staff to recognise and respond to the substance misuse needs of young people, the Board published Effective Practice Guidance on Substance Misuse in November 2003 and plans to provide substance misuse training from April 2004.

"[On release] I didn't know where I was going to go or what. I just come out of there. It was like my life had just stopped and swung back round and kicked me… Everyone was rushing about, everyone is mad; you are used to sitting down all day."

Young offender, male, aged 17

"All too often we have had detainees becoming increasingly anxious during the last few days of their placement, not knowing where they are going to live or be educated. The worst case scenario is with children who are looked after by the local authority and have both a youth offending team supervisor and a social worker that cannot agree whose responsibility these issues are and who should pay."

Young Offender Institution manager

3.27 Youth offending teams can find it difficult to access timely and appropriate services to treat substance abuse by young offenders. Whilst 3 per cent reported they could 'always' access such services, 54 per cent said only 'sometimes' and 25 per cent said 'rarely'. Two of the four Drug Action Teams we interviewed confirmed that young people are seen quickly, but that it is difficult to get them on suitable courses. The main problems were insufficient capacity to deal with the numbers, difficulties in placing young and vulnerable children on a residential course and a lack of commitment by young people to give up their substance abuse. The National Treatment Agency noted, however, that, in general, young offenders who misuse substances tend not to require treatment as their

BOX 10

A case example of the difficulties of finding suitable accommodation

William, aged 17, was sentenced to a 10 month Detention and Training Order in November 2002 and was sent to Lancaster Farms Young Offender Institution. At the sentence planning meeting he was told that his mother was unwilling to have him back home with an electronic tag and that Wirral Youth Offending Team would be trying to find alternative accommodation for his release. Following a review meeting in January, the youth offending team case worker made enquiries at a local hostel which confirmed that they would take him in principle but could not confirm a place two months in advance of release. William was granted early release and was due to be released at the end of February with an electronic tag. William did not want to go to a hostel, however, and said he would prefer to stay in custody. William's early release was cancelled and he was kept at Lancaster Farms until the end of his custodial sentence. Upon release William returned home to his mother soon after which he committed an assault. For this he received a Detention and Training Order for a further 18 months which he is again serving at Lancaster Farms.

Source: National Audit Office case examination

misuse has not yet become dependent. Despite the high prevalence of substance abuse amongst young offenders, a Home Office survey established that few participants reported dependence and only 15 per cent were rated as at high risk of substance abuse problems[27]. However, the survey found this figure is about ten times the prevalence of high risk young people found in a large school survey[28]. The National Treatment Agency reported that for those who do require treatment, access has improved. Most youth offending teams reported that offenders were able to continue drug treatment started in the secure estate. There is likely to be a link, however, between young people who experiment with different substances and crime. There is a high prevalence of substance misuse amongst young offenders and the Home Office survey established that 40 per cent or more of participants felt there was a link between their substance misuse and their offending. As part of the National Drugs Strategy, the Board plans to spend an additional £10 million each year between 2003-04 and 2005-06 on improving substance misuse programmes in the secure estate. The programmes will address substance identification and assessment, education, detoxification, targeted interventions and resettlement.

(iii) The enforcement of community sentences

Some youth offending teams have not maintained adequate records of offenders' compliance with community sentences. Staff shortages might have meant some commitments are not met

3.28 Each type of community sentence is governed by national standards set by the Youth Justice Board. In addition, specific requirements may be made by the courts as part of the sentence. Failure by a young offender to keep to the terms of the sentence may result in them being sent back to court for breach of sentence and may result in a new sentence being imposed. Two missed appointments, for example during the first 12 weeks of a sentence, or three missed appointments through the duration of the order, without acceptable reason, is expected to result in breach action. Although magistrates and district judges were generally content with how breaches were dealt with, 34 per cent said that they would like their youth offending teams to return offenders to court more often.

3.29 The Youth Justice Board has stressed to youth offending teams the importance of rigorous enforcement of community sentences. However, we could not always determine from our examination of case files kept by youth offending teams whether, for example, the required number of contact hours were being achieved, nor details of the nature of the work being undertaken with the offender during these sessions. Records were not always updated, although the introduction of electronic case management systems had begun to improve the consistency of information in some of the youth offending teams we visited. In some cases, records covering several weeks work were not available, although records for those offenders attending the Intensive Supervision and Surveillance Programme tended to be more comprehensive.

"..She always reminds me of appointments I've got, rings me up and reminds me. Also sends me letters and also gives me a ring and tells me when my appointments have been made"

Young offender, female, aged 15

"If I have any problems [the caseworker] is always there to talk to. If I've got any family problems I can see her. I just have to ring her up and she'll ring me back.."

Young offender, female, aged 16

3.30 Supervising and managing young offenders can be resource intensive - Liverpool youth offending team, for example, said that 63 per cent of its budget was used to supervise and manage young offenders. Youth Justice Board records suggest that there has been an increase of youth offending team practitioners since 2001 - 10,000 staff in September 2003 compared to 4,000 in 2001. However, forty two youth offending teams reported that staff shortages had meant that staff had been unable to meet some of the commitments for young offenders on community sentences. One hundred and one youth offending teams reported at least one vacancy for a caseworker at 31 March 2003 and 16 teams had five or more vacancies. The Board's workforce profile in September 2003 indicated there were 472 vacancies (3.1 per cent of the workforce) of all youth offending team staff, of which 325 vacancies were amongst front line practitioners (6.5 per cent of all front line staff).

3.31 Whilst the majority (76 per cent) of youth offending teams reported that every young offender under their supervision had been allocated a caseworker within five working days of the sentence being imposed, staff shortages meant some teams had not met this requirement. Six youth offending teams said they had not allocated a case worker for five or more of their young offenders. Staff shortages meant that some young offenders in our sample had been overseen by a series of agency workers and in some cases records of appointments were incomplete.

27 *Home Office Research study 261, Substance abuse by young offenders: the impact of the normalisation of drug use in the early years of the 21st century, February 2003.*

28 *Willner P, Further validation and development of a screening instrument for assessment of substance misuse in adolescents.*

Appendix 1

Reasons why young people commit crime and their experiences in the youth justice system

1 The extent of youth crime varies across England and Wales. A MORI opinion survey[29] found that a quarter of young people aged 11 to 16 are likely to have committed an offence in the last twelve months. The rate of crime was much higher in London (34 per cent), North East England (31 per cent) and the South East (29 per cent), however, than elsewhere. The East Midlands (21 per cent) and South West (22 per cent) were the lowest crime areas.

2 The MORI survey established that boys are more likely to commit an offence than girls, and 60 per cent of children excluded from school had committed an offence compared with 26 per cent of children still at school. Other research[30] commissioned by the Youth Justice Board categorised the factors that increase the likelihood of committing an offence into four main areas:

- **Family**. Children born to young mothers are at increased risk of low achievement at school, antisocial behaviour and early use of smoking, alcohol and illegal drugs. Poor parental supervision or a history of criminal activity in the family increases the likelihood of a child committing an offence. And children from low income families are more likely to become involved in crime than those from affluent backgrounds.
- **School**. A lack of commitment to school increases the risk of a child committing an offence. Truancy is strongly associated with crime, although it is not necessarily a direct cause. Aggressive behaviour and bullying are characteristic of antisocial boys; and low academic achievement indicates a child is more likely to commit an offence, although this also reflects other factors, such as parental interest and the performance of the school.
- **Community**. Children who grow up in economically deprived areas, with poor living conditions and high rates of unemployment are at increased risk of involvement in crime. Whilst it is difficult to isolate the influence of living in a run-down neighbourhood from family factors, higher rates of offending occur in neighbourhoods with a poor physical appearance, a high population turnover and greater availability of alcohol and drugs.
- **Personal**. Low intelligence, poor concentration, restlessness and risk-taking are linked to offending behaviour. Young people are more likely to commit an offence when they feel excluded, do not acknowledge responsibilities towards other people and are subject to negative peer pressure from friends. Early onset of offending is an indicator of young people at risk of greater long-term problems.

3 The Policy Research Bureau conducted qualitative interviews with young offenders between November 2001 and May 2002 on their experiences in the criminal justice system[31].

4 A recurring message from the offenders was that at the time of the offence, they underestimated the seriousness and consequences of their behaviour. Awareness of the consequences of their behaviour grew as they started to have more contact with adult opinions in the system. Offenders described, however, that they would then begin to project an attitude that they felt was in line with what was expected, such as showing remorse. In legal proceedings, offenders felt that they were non-participants, with no role to play beyond projecting submission.

29 MORI 2002 and 2003 Youth Surveys.

30 Risks and protective factors associated with youth crime and effective interventions to prevent it, Research undertaken by Communities that Care on behalf of the Youth Justice Board, November 2001.

31 Hazel N, Hagell A and Brazier L: Young Offenders' Perceptions of their Experiences in the Criminal Justice System (www.regard.ac.uk), funded by Economic and Social Research Council.

5 In general, all types of order imposed by the courts were seen as a punishment, although community orders were perceived as a 'second chance'. There was little concurrence between the offender and supervising case worker over the objectives of community sentences and the case worker was more likely to describe the outcome as successful. Offenders did stress, however, that the impact on everyday life meant community sentences were not considered a 'soft option'. Mixing with other offenders and drug addicts on community reparation was cited as particularly unpleasant.

6 The early hours and days of custody were seen as a particularly distressing time, characterised by anxiety of being separated from the child's familiar life, confusion about what was happening to them and uncertainty for the immediate future. The offenders generally considered, however, that staff had tried to calm their distress. Once settled in custody, offenders stressed the generally positive relations between staff and young people. Organised activities were seen as particularly important to relieve stress and boredom. Whilst inside, offenders worried about what they would do when they got out. And when released, offenders were distressed about leaving their friends inside and subsequently found it difficult to fit back into normal life.

Appendix 2 The range of non-custodial sentences available

Order	What it involves
Referral order	A youth offender panel will agree a programme with the young person to tackle the underlying causes of their offending behaviour. The orders account for 30 per cent of all sentences passed on young offenders and are available for those pleading guilty and convicted for the first time unless the court orders an absolute discharge, hospital order or imposes a custodial sentence. It is applicable to children aged 10 to 17 and the order lasts 3 to 12 months. The order was introduced nationally in April 2002.
Curfew order	A restriction on when and where a Young Offender can go out. The order lasts up to 3 months for 10 to 15 year olds and up to 6 months for those aged 16 or above. There were 1,300 orders in 2001.
Reparation order	Reparation to a victim or the community. The order is applicable to children aged 10 to 17 years and the order requires the young offender to undertake a maximum of 24 hours reparation over a period of up to 3 months. There were 8,000 orders in 2001.
Action plan order	A short intensive community based programme which may include reparation. The order is applicable for 10 to 17 year olds and lasts 3 months. There were 8,700 orders in 2001.
Attendance centre order	The centres are run by police or youth offending teams over weekends and involve physical exercise and group work. The order is applicable for 10 to 17 year olds and lasts between 4 and 24 hours. There were 5,200 orders in 2001.
Supervision order	The young person is supervised by a Youth Offending Team worker. A range of conditions might be attached - Intensive Supervision and Surveillance Programmes can be provided under this order. The order is applicable to children and young people aged 10 to 17 and the order lasts between 6 months and 3 years. There were 11,100 orders in 2001.
Community punishment and rehabilitation order	Involves supervision of the offender and for the person to undertake unpaid work for between 40 to 100 hours. The order is applicable to young people aged 16 and above and lasts between 1 and 3 years. There were 1,800 orders in 2001.
Community rehabilitation order	A form of supervision order overseen by the probation service and applicable to mature 16 year olds and those aged 17. It might require residence at a probation hostel. The order is for between 6 months and 3 years. There were 2,500 orders in 2001. Intensive Supervision and Surveillance Programmes can be provided under this order.
Community punishment order	Undertaking unpaid work in the community - such as conservation work. The order is for young people aged 16 and above and the community work is for between 40 and 240 hours. There were 4,300 orders in 2001.

NOTES

1 The Court has the discretion to use other non-custodial penalties, such as fines.

2 The Intensive Supervision and Surveillance Programme is attached to a Supervision Order, Community Rehabilitation Order or the non-custodial part of a Detention and Training Order.

Appendix 3 The Crime and Disorder Act 1998

The Government White Paper on youth crime[32] and the subsequent Crime and Disorder Act 1998 set out a number of reforms to the youth justice system in England and Wales:

- **Aim of the Youth Justice System:** The principal aim of the youth justice system would be to prevent offending. All agencies and people involved in youth justice, including the judiciary, police, social services and custodial establishments, must have regard to this aim.
- **Youth Justice Board:** The Act established the Youth Justice Board for England and Wales, which amongst other responsibilities, was given the functions of: monitoring the operation of the youth justice system, including progress against the principal aim of preventing offending, researching and promoting good practice, and advising the Secretary of State on youth justice matters.
- **Youth Offending Teams:** Each local authority was required to establish multi-agency Youth Offending Teams with responsibility for provision of youth justice services in accordance with the local youth justice plan.
- **Pre-Court Interventions:** For juveniles, police cautions were replaced with a new system of reprimands and final warnings. This allows that young offenders admitting guilt can be given a maximum of 2 formal warnings before being prosecuted.
- **A Wider Range of Non-Custodial Penalties:** The Act introduced some of the community penalties for juveniles set out in Appendix 2, including action plan orders and reparation orders, together with parenting orders.
- **Detention and Training Orders:** This new order, of maximum 24 months, involves a period of detention in custody (approximately half of the sentence), followed by a period of supervision in the community.

32 *"No More Excuses - A New Approach to Tackling Youth Crime in England and Wales", November 1997.*

Appendix 4 The secure estate for young offenders

Name	Type of establishment	Location	Type of offender	Operational capacity	Places funded by the Youth Justice Board
Ashfield	Young offender institution	Bristol	Boys aged 15 to 21 years	400	202
Brinsford	Young offender institution	Wolverhampton	Boys aged 15 to 21 years	493	224
Castington	Young offender institution	Morpeth	Boys aged 15 to 21 years	406	280
Feltham	Young offender institution	Feltham	Boys aged 15 to 21 years	922	240
Hindley	Young offender institution	Wigan	Boys aged 15 to 21 years	558	192
Huntercombe	Young offender institution	Henley on Thames	Boys aged 15 to 17 years	360	360
Lancaster Farms	Young offender institution	Lancaster	Boys aged 15 to 21 years	526	130
Onley	Young offender institution	Rugby	Boys aged 15 to 21 years	640	240
Parc	Adult and young offender institution	Bridgend	Boys and adults	1,028	28
Stoke Heath	Young offender institution	Market Drayton	Boys aged 15 to 21 years	632	202
Thorn Cross	Open young offender institution	Warrington	Boys aged 15 to 21 years	316	60
Warren Hill, including the Carlford Unit	Young offender institution	Woodbridge	Boys aged 15 to 17 years	289	213
Werrington	Young offender institution	Stoke on Trent	Boys aged 15 to 17 years	140	132
Wetherby	Young offender institution	Wetherby	Boys aged 15 to 17 years	360	360
Brockhill	Young offender unit in women's establishment	Worcester	Girls and young adults	166	14
Bullwood Hall	Young offender unit in women's establishment	Hockley	Girls and young adults	184	30
Eastwood Park	Young offender unit in women's establishment	Wotton under Edge	Girls and young adults	325	10
New Hall	Young offender unit in women's establishment	Wakefield	Girls and young adults	385	48
Hassockfield	Secure training centre	Medomsley	Boys and girls up to 17 years	42	42
Medway	Secure training centre	Kent	Boys and girls up to 17 years	76	76
Rainsbrook	Secure training centre	Rugby	Boys and girls up to 17 years	76	76

There are also 22 local authority secure children's homes used by the Youth Justice Board.

Appendix 5 Audit approach

Visits to youth offending teams and the secure estate

1 We visited nine youth offending teams to examine performance in working with young offenders - **see table 1**. The teams we visited represented a mix of rural and urban locations across England and Wales and a combination of good and poor performers according to the Youth Justice Board's monitoring arrangements. The visit programme involved interviews with key staff and an examination of a selection of case files.

Table 1: The youth offending teams we visited

Youth offending team	Area	Population aged 10-17
Dorset	South West	38,017
Hertfordshire	Eastern	103,923
Lewisham	London	23,415
Liverpool	North West	49,683
Luton	Eastern	20,834
Newcastle	North East	26,623
Surrey	South East	104,432
Swansea	Wales	23,352
Wandsworth	London	17,307

2 We visited six young offender institutions for boys, one for girls, all three secure training centres and three local authority secure children's homes - **see table 2.** The visit programme included interviews with key staff and case file reviews of offenders on Detention and Training Orders, Section 90 and 91 sentences and young people on remand.

Table 2: Details of Juvenile Secure Facilities visited

Name	Type of establishment	Location	Girls/ Boys
Feltham	Young offender institution	London	Boys
Huntercombe	Young offender institution	South East	Boys
Lancaster Farms	Young offender institution	North West	Boys
Parc	Adult and young offender institution	Wales	Boys
Hollesley Bay - Carlford Unit	Young offender institution	East	Boys
Wetherby	Young offender institution	North East	Boys
Bullwood Hall	Women's prison	East	Girls
Hassockfield	Secure training centre	North East	Mixed
Medway	Secure training centre	South East	Mixed
Rainsbrook	Secure training centre	East Midlands[1]	Mixed
East Moor	Local authority secure children's home	Leeds	Mixed
Orchard Lodge	Local authority secure children's home	London	Boys
Stamford House	Local authority secure children's home	London	Mixed

NOTE

1 Although Rainsbrook Secure Training Centre is in Warwickshire, its main source of services are from Northamptonshire.

Census of Youth Offending Teams

3 We undertook a questionnaire survey of all 155 youth offending teams in England and Wales in collaboration with the Audit Commission. The survey addressed:

- the role of the Youth Justice Board;
- staffing and resources;
- sentencing young offenders;
- performance measurement;
- community sentences;
- custody; and
- resettlement

One hundred and forty six out of the 155 Youth Offending Teams responded (94 per cent).

Survey of Youth Court magistrates

4 We undertook a questionnaire survey of 745 of the 7,100 magistrates and district judges in collaboration with the Audit Commission. The survey covered every youth court chair in England and Wales plus those magistrates at each court associated with the youth offending teams visited by us and the Audit Commission. The survey addressed:

- the performance of youth offending teams,
- the quality of pre-sentence reports,
- sentence delivery, and
- the youth justice reforms.

We received 375 completed questionnaires, equivalent to a 50 per cent response rate.

Views of young offenders

5 We commissioned Dr Neal Hazel of the Policy Research Bureau to draw on data from recent studies involving interviews with young offenders in order to provide us with feedback on the views and attitudes of young offenders and verbatim quotes to illustrate their findings.

Analytical review

6 We interviewed key staff in the Youth Justice Board and the Prison Service and reviewed the performance data held centrally. The performance data included information on the ASSET database and figures showing progress against targets set by the Prison Service and the Youth Justice Board.

Seeking the views of interested parties

7 We invited the views of a range of interested parties including the Howard League for Penal Reform, Children's Rights Alliance for England, The Children's Society, Rainer, the Association of Directors of Social Services, Relate, the Social Services Inspectorate and the Society of Local Authority Chief Executives and Senior Managers (SOLACE). We also held an advisory panel to discuss our work and emerging findings. The advisory panel included representatives from relevant government departments plus: Association of Chief Police Officers; Audit Commission; Audit Scotland; Her Majesty's Inspectorate of Probation; the Magistrates Association; PA Consulting; Nacro; and the Centre for Criminological Research at Oxford University.

Appendix 6 A Summary of the Audit Commission Report on Youth Justice

1 The Audit Commission has undertaken an examination of the youth justice system in collaboration with the National Audit Office. Their report, entitled 'Youth Justice 2004: a review of the reformed youth justice system', follows up the Commission's previous report 'Misspent youth' published in 1996 to examine the impact of the youth justice reforms introduced in the Crime and Disorder Act 1998. The report focuses on progress made since their earlier report, including the work of the courts, and the role of youth offending teams and the delivery of services by other agencies. The report can be found on the Audit Commission's website at www.audit-commission.gov.uk.

2 The Audit Commission and the National Audit Office collaborated closely to collect the information required for both reports. The Audit Commission report draws on the results of our survey of Magistrates and District Judges and the census of Youth Offending Teams. The Audit Commission enabled the National Audit Office to examine the performance of local authority secure children's homes.

3 The Audit Commission concluded that the reforms since the 1998 Crime and Disorder Act had led to considerable improvements to the youth justice system. The 155 youth offending teams are strategically placed between the criminal justice, health and local government services to co-ordinate activities and the Youth Justice Board provides a clear national framework to monitor performance and develop policy. As a consequence, persistent young offenders are dealt with more promptly by the courts and most magistrates are satisfied with the quality of service received from youth offending teams. Young offenders are less likely to commit offences on bail and the reconviction rates for the new pre-court interventions, such as police reprimands and final warnings, and court orders have fallen.

4 The Audit Commission have suggested a number of areas where performance might, in their view, be improved further:

- **The public know little about the reforms to the youth justice system and their confidence in the system is low.** In 2001-02 one quarter of the general public thought the criminal justice system dealt effectively with young people. The British Crime Survey a year later established that the proportion had declined to around one fifth. Three out of four people have never heard of youth offending teams.
- **While some young offenders are benefiting from early pre-court interventions, too many minor offences are taking up valuable court time.** Persistent and serious young offenders concern the public the most, but too many minor offences reach the courts. To free up more court time, a greater number of minor offences should be dealt with outside the court.
- **Many persistent young offenders live a chaotic lifestyle and the courts could improve how they engage with these people to deter re-offending.** Reconviction rates for older community sentences, such as supervision orders, attendance centre orders, community rehabilitation orders and community punishment orders, have not changed since 1997. Magistrates, like other professionals who work with children, should be more specialised. Greater specialisation would enable persistent young offenders to be assigned to the same magistrate each time they appear in court.
- **While youth offending teams are responsible for co-ordinating activities to prevent young people reoffending, identified needs are not always met and some services are more accessible than others.** The Audit Commission suggest a number of ways in which needs might be better addressed, including improving the amount and quality of contact time with supervising officers, seconding social workers to youth offending teams, keeping children in education, training or employment and convincing physical and mental health services of the crucial role they have to play. Targeted and well-managed early intervention programmes can be effective if they are properly co-ordinated, such as those managed by youth offending teams.

Appendix 7 Key targets for secure facilities set by the Youth Justice Board for 2002-03

1 **Information from youth offending teams.** If young people arrive without an ASSET or pre sentence report, follow up action must be taken within 1 hour and the young person managed as vulnerable until the information is obtained from the youth offending team.

2 **Reporting information gaps.** Each secure facility to notify the Youth Justice Board by noon the day after reception if the ASSET or Post Court Report for a young person is not received by then.

3 **Time out of room.** 95 per cent of young people to spend less than 14 hours locked in their room by 31 March 2003.

4 **Hours of education and training.** 95 per cent of young people to receive 15 hours a week education, training or employment during 2002-03.

5 **Literacy and numeracy.** All young people entering secure facilities to be tested for literacy and numeracy with 80 per cent of young people on Detention and Training Orders of six months or more improving by 1 skill level or more in literacy and/or numeracy by March 2004.

6 **Continuing education.** 90 per cent of young people to be in fulltime education or training by the end of their custodial term in 2004.

7 **Reception.** All young people to be assessed by a clinician on reception, including for drug and alcohol use and dependence in reception.

8 **Substance abuse.** All secure facilities to have written protocols dealing with substance abuse withdrawal by young people in their care by the end of 2002.

9 **Training planning.** All training planning meetings to be carried out in line with national standards and to include establishment education staff by September 2002.

10 **National standards.** Secure facilities to meet national standards by September 2002.

Source: Youth Justice Board Corporate Plan, April 2002

Reports by the Comptroller and Auditor General, Session 2003-2004

The Comptroller and Auditor General has to date, in Session 2003-2004, presented to the House of Commons the following reports under Section 9 of the National Audit Act, 1983:

		Publication date
Cross-government		
Managing resources to deliver better public services - Report	HC 61-I	12 December 2003
- Case studies	HC 61-II	12 December 2003
Defence		
Operation TELIC - United Kingdom Military Operations in Iraq	HC 60	11 December 2003
Law, Order and Central		
Youth Offending: The delivery of community and custodial sentences	HC 190	21 January 2004
Public Private Partnership		
Refinancing the Public Private Partnership for National Air Traffic Services	HC 157	7 January 2004
Regulation		
Out of sight - not out of mind: Ofwat and the public sewer network in England and Wales	HC 161	16 January 2004

Printed in the UK for The Stationery Office Limited
on behalf of the Controller of Her Majesty's Stationery Office
163178 01/04 77240

Layout and Production by NAO Information Centre • DG Ref: 3403VB

Greencoat is produced using 80% recycled
fibre and 20% virgin TCF pulp from
sustainable forests.

Youth Offending: The delivery of community and custodial sentences

A report by the Comptroller and Auditor General

Published by TSO (The Stationery Office) and available from:

Online
www.tso.co.uk/bookshop

Mail, Telephone, Fax & E-mail
TSO
PO Box 29, Norwich NR3 1GN
Telephone orders/General enquiries 0870 600 5522
Fax orders 0870 600 5533
Order through the Parliamentary Hotline
Lo-call 0845 7 023474
E-mail book.orders@tso.co.uk
Textphone 0870 240 3701

TSO Shops
123 Kingsway, London WC2B 6PQ
020 7242 6393 Fax 020 7242 6394
68-69 Bull Street, Birmingham B4 6AD
0121 236 9696 Fax 0121 236 9699
9-21 Princess Street, Manchester M60 8AS
0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
028 9023 8451 Fax 028 9023 5401
18-19 High Street, Cardiff CF10 1PT
029 2039 5548 Fax 029 2038 4347
71 Lothian Road, Edinburgh EH3 9AZ
0870 606 5566 Fax 0870 606 5588

The Parliamentary Bookshop
12 Bridge Street, Parliament Square,
London SW1A 2JX
Telephone orders/General enquiries 020 7219 3890
Fax orders 020 7219 3866

TSO Accredited Agents
(see Yellow Pages)

and through good booksellers

£10.75

ISBN 0-10-292701-4

9 780102 927016

The Stationery Office