



National Audit Office

**REPORT BY THE
COMPTROLLER AND
AUDITOR GENERAL**

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Ministry of Justice

The youth justice system in England
and Wales: Reducing offending by
young people

Summary

Background

1 In England and Wales, young people between the ages of 10 and 17 can be held criminally responsible for their actions. Provisional data shows that young people committed 201,800 offences in 2009-10. Although they make up only 11 per cent of the population above the age of criminal responsibility, in 2009 people in this age group were responsible for 17 per cent of all proven offending. The youth justice system manages young offenders and contributes to preventing young people committing crimes in the first place. The system is overseen by the Youth Justice Board (the Board), an executive non-departmental public body of the Ministry of Justice (the Ministry). On 14 October 2010 the Ministry announced its intention to take over the functions of the Board. This is subject to Parliamentary approval.

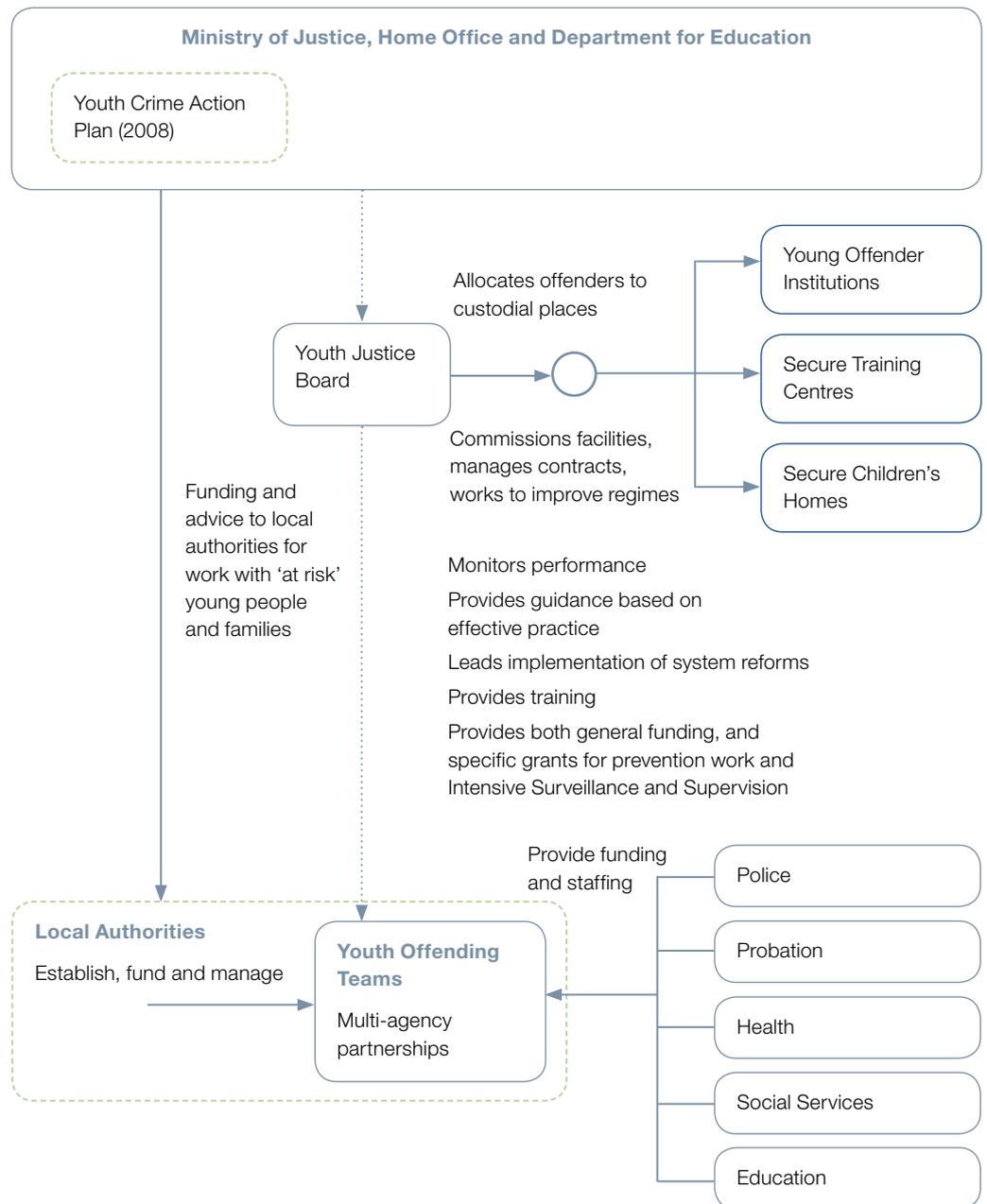
2 Some 60 per cent of proven young offending is dealt with in court, with the remainder handled by the police through reprimands and final warnings. In 2009-10, the cost of managing young offenders, not including police and court costs, was £800 million, of which £500 million was spent through the Board. Most is spent on young offenders with court sentences. Although only three per cent of offences by young people brought to justice result in a custodial sentence, in 2009-10 38 per cent of youth justice system expenditure was incurred on custodial places in secure establishments.

3 We estimate that, in 2009, offending by all young people cost the economy £8.5-£11 billion. Young offenders, as with adults, are most commonly convicted of theft and violence. Although they have had a shorter time to offend than adults, a third of those dealt with each year have previously been reprimanded, warned or convicted in relation to an offence. They also have a high reoffending rate: 56 per cent of those receiving court sentences are proven to reoffend within a year. For all young offenders – that is, those who are convicted in court or receive reprimands and final warnings, collectively known as disposals – the reoffending rate is 37 per cent.

4 Family breakdown, educational underachievement, substance abuse, mental illness and other problems commonly affect young offenders. They are also more likely to have difficulty controlling their behaviour and understanding its impact on others. The youth justice system works on the basis that addressing such risk factors during the course of a sentence is the best way to reduce a young person's risk of reoffending.

5 The overall goal of the youth justice system is to prevent offending by young people. Local and national government both play important roles in the system (**Figure 1**). There are 157 Youth Offending Teams in England and Wales, which are multi-agency partnerships with statutory representation from local authorities, the police, probation, health and social services. Youth Offending Teams are responsible for the delivery of youth justice services such as the assessment of offenders and supervision of community-based sentences, with the assistance of their statutory partners and other organisations.

Figure 1
The youth justice system in England and Wales



NOTES

- 1 The Ministry of Justice was the main departmental sponsor of the Youth Justice Board and shared sponsorship for a time with the Department for Children, Schools and Families, now the Department for Education.
- 2 The three departments jointly introduced the Youth Crime Action Plan and provided funding through it to Local Authorities.
- 3 The Board has a joint strategy for youth offending in place with the Welsh Assembly Government which reflects the different situation in Wales.

Source: National Audit Office

6 Where young offenders are sentenced to custody, the Board is responsible for their placement, and the institution for the majority of their management, but Youth Offending Teams maintain contact during and after custody. In Wales, local authorities are directly accountable to the Welsh Assembly Government, with which the Board has a joint strategy and delivery plan for youth offending.

7 The Board provides more than 30 per cent of Youth Offending Teams' funding, and pays for the costs of secure accommodation for young people, with the exception of some remand costs met by local authorities. It is also responsible for monitoring the performance of the youth justice system, conducting research and issuing guidance, and leading the implementation of reform.

8 In 2008 the Ministry, Department for Education, and Home Office introduced the Youth Crime Action Plan. This set out the previous Government's priorities for dealing with youth crime and anti-social behaviour, specifying action in respect of enforcement and punishment, support and prevention. The plan set out proposed funding of over £100 million to tackle youth crime and the causes of it, most of which was provided directly to local authorities.

9 The Youth Justice Board is an Executive NDPB. The Ministry of Justice is its parent Department, responsible for the grant of funding for the Board. However, the Chief Executive is the Accounting Officer for the Board and is appointed by and responsible to the Chairman. Neither the Ministry nor its Principal Accounting Officer, the Permanent Secretary, employs the Chief Executive.

10 This report looks at:

- the extent of offending by young people, and its cost;
- whether the assessments of young offenders drive resource allocation to reduce future offending;
- the extent to which work carried out with young offenders is effective in reducing the risk of offending; and
- the performance of the Board in improving outcomes in the youth justice system.

Our methods are described in Appendix One.

Key findings

Assessing risks and allocating resources

11 **The youth justice system is structured in a way that allows the most resources to be allocated to the riskiest offenders.** Many low-level offences are dealt with outside of court, and, for more serious offenders, sentencers receive recommendations based on assessment. This, together with the use of pre-court disposals, minimises the risk of excessive resources being spent on those who offend once but not again. The recently introduced 'Scaled Approach' should further improve this by explicitly matching resources to the level of risk as assessed by practitioners.

12 Youth Offending Teams assess most young offenders according to evidence-based methodologies, but the quality of many assessments is not good enough.

Practitioners across the country all use the same main assessment tool when working with offenders, thereby ensuring consistency, but Her Majesty's Inspectorate of Probation has found that around one-third of assessments are not of sufficient quality.

Reducing the use of custody

13 The number of young people held in custody has decreased by 14 per cent over the past five years, at a time when the adult prison population grew by 14 per cent, but there is scope for greater reductions.

While necessary in some cases, custody is of limited effectiveness in reducing offending behaviour and is the most expensive sentencing option, considerably more expensive than alternative disposals. The Board has been meeting its objective to reduce custody numbers, partly through supporting caseworkers to produce recommendations for community sentences that sentencers have confidence in. Since 2009 the Board has targeted areas with high custody rates, writing to local authorities to highlight the number of their custodial sentences and the cost of this.

14 Although custody rates have fallen, the savings from decommissioning places could have been realised sooner.

The Board has prevented significant additional costs in recent years by avoiding the increase in custody observed in the adult estate, and recent decommissioning of facilities no longer required should lead to savings for the youth justice system of £30 million per year. The Board considers that 7 per cent of places need to be left vacant to allow for unexpected events and has set a safe operating limit of 93 per cent. However, in 2009-10 the occupancy rate was 82 per cent suggesting that 11 per cent of places in facilities could potentially have been decommissioned.

Preventing offending

15 Prevention programmes are generally based on pragmatic approaches and available evidence. Prevention work focuses on individuals, families and areas where there is an assessed risk of offending behaviour, which offers a good basis for achieving value for money. The Board has commissioned evaluations of its own prevention programmes which suggest they are having an impact on those targeted, and further research due to be published in 2011 should add to the evidence base.

16 Although the number of first time entrants to the youth justice system rose until 2007, there has been a 44 per cent reduction since then. The current number of first time entrants is the lowest since comparable records began in 2001. The number of first time entrants has fallen at a greater rate in the 69 priority areas funded in England under the Youth Crime Action Plan. It is not known, however, to what extent falls in first time entrants reflect genuine reductions in crime.

Reducing the risk of further offending

17 The proportion of all young offenders who reoffend fell to 37 per cent in 2008, from 40 per cent in 2000, and the number of further offences recorded by these offenders fell by a quarter. Youth Offending Teams deliver interventions to reduce the risk of reoffending under a framework set by National Standards, although they are free to design their own content and there is no systematic external quality control.

18 There appears to be little improvement in the reoffending rate amongst those offenders serving serious community sentences and custodial sentences, and there is a high likelihood that they will reoffend within a year and be convicted. Although there is a slight improvement in the rate of offending by young people leaving custody compared with those receiving serious community sentences, neither group shows sustained improvement in reoffending rates since 2000.

19 Practitioners in the youth justice system do not know which interventions have the most impact on reducing reoffending. Seventy-six per cent of Youth Offending Team managers agreed with the statement, “it is difficult to find evidence on ‘what works’ for certain areas of our work”. There has been little research published in this area by the Board or Ministry since 2006. With the prospect of resources reducing in the near future, the youth justice system is, therefore, in a weak position to know which activities to cut and which to keep to ensure that outcomes do not deteriorate.

The performance of the Board

20 The Board has been an effective leader of efforts to create and maintain a national youth justice system with a risk-based approach, and in recent years key youth crime indicators have been falling substantially. In particular, it has introduced the Scaled Approach and the Youth Rehabilitation Order, has provided detailed guidance to practitioners on how to improve relations with sentencers, and has challenged local areas that have disproportionately large custodial populations.

21 The Board has worked hard to improve processes in the youth justice system, but has not produced enough research in recent years into what works to reduce reoffending. The volume of research commissioned into effectiveness has declined in recent years and there is insufficient evidence-based guidance on how to address offending behaviour. The Board is in the position to offer vital support to Youth Offending Teams by identifying and sharing best practice, but has spent less than 0.5 per cent of its overall budget on research in recent years.

Conclusion on value for money

22 The youth justice system spends some £800 million annually on dealing with youth crime, which is estimated to cost as much as £11 billion each year. The Board has put in place a coherent structure for youth justice which is capable of delivering value for money, and key measures of youth crime, such as the volume of reoffending, are moving in positive directions. The Board has led successful attempts to reduce the use of custody, the most expensive sentencing option, and implemented reforms to align interventions more effectively with young people most at risk of future offending.

23 However, many recent improvements must be set in the context of the preceding years, where custody rates and the number of first time entrants increased. Furthermore, despite the 25 per cent reduction in the volume of reoffending, young offenders who receive more serious community sentences or custodial sentences remain as likely to offend again as they were when the youth justice system was brought in. The Ministry and the Board would be in a stronger position to take corrective action to stop these young people offending, with confidence in the results, if they had established a better evidence base on what is working and what is not. For this reason the youth justice system is not yet in a position to know whether it is delivering value for money from the significant structural improvements that have been put in place.

Recommendations

24 Our recommendations are primarily aimed at improving the ability of youth justice practitioners to achieve cost-effective service delivery within available resources, often through the availability of better information.

a **There is little robust information available to youth justice practitioners about which activities are likely to be most effective in preventing offending, or reducing the risk of further offending.** The Ministry and the Board should urgently commission joint work to evaluate and improve the effectiveness of activities, whether preventative or rehabilitative, that are intended to reduce offending by young people. Where experimental designs are not feasible, and subject to resources, they should consider one of the following pragmatic approaches:

- **Evidence-based design:** new interventions created either locally or centrally should demonstrate how they draw on robust evidence, where available. This approach was used by Birmingham City Council to design its 'Brighter Futures' programme.¹
- **Benchmarking:** the content of existing activities should be compared with available evidence – national and international, where appropriate – of 'what works'. Results should be published, so that local practitioners can see how their interventions compare to those elsewhere in the system.

¹ http://ebriefing.bgfl.org/bcc_ebrief/content/resources/resource.cfm?id=4314&key=&zz=2010101209155511&zs=n

- **Making use of practitioner experience:** At least 50 per cent of Youth Offending Teams review the delivery of their interventions. Lessons learned from these reviews should be collated and common messages shared.
 - **Compiling outcome data for interventions:** A consistent approach to data collection should be used to aid comparison.
 - **Incentivising local practitioners to develop effective approaches:** The Ministry and the Board should consider ways to reward positive results such as reduced local reoffending rates.
 - **Building a practice network:** Including actively improving links between practitioners and research centres.
 - **Capturing the user experience systematically:** Making use of user feedback at a system level to identify evidence about existing interventions.
- b** **There is significant pressure on resources for youth justice services, with some funding likely to be lost.** Decision-makers nationally and locally should make reference to the best available evidence about cost-effectiveness when deciding where to allocate budgets. Where cost information is limited or unavailable the Ministry and the Board should conduct further work to quantify costs of youth justice disposals and interventions.
- c** **The Ministry and the Board have incurred some unnecessary expenditure on excess capacity in the juvenile secure estate due to falls in the number of young people in custody.** The Ministry and the Board should further develop their decommissioning strategy to realise the potential savings from falling custody, and reduce the number of unused places.
- d** **A third of assessments undertaken by Youth Offending Teams are not of the right quality, according to Her Majesty's Inspectorate of Probation.** The Ministry should consider periodically summarising key lessons learned from these reviews, and disseminating them to Youth Offending Teams to help drive improvements.
- e** **The Board has collected a considerable amount of data from Youth Offending Teams through performance monitoring.** To aid transparency and comparability, the Ministry should consider what centrally collected data can usefully be made available publicly in the future.