

**Clinks response to the Ministry of Justice consultation:  
'Transforming management of young adults in custody'  
December 2013**

### About Clinks

Clinks is the national infrastructure organisation supporting Voluntary, Community and Social Enterprise (VCSE) Sector organisations working with offenders and their families.

Founded in 1993 and registered as a charity in 1998, we have over 600 Member organisations, including the Sector's largest providers as well as its smallest.

Our vision is of a vibrant and independent VCSE Sector working with informed and engaged communities to enable the rehabilitation of offenders.

### Young adults in custody

Clinks welcomes the opportunity to respond to this consultation on the future of custody for young adults. Clinks is a member of the Transition to Adulthood (T2A) alliance, which advocates an effective and coordinated approach to young adults in the Criminal Justice System (CJS). Clinks is the local development lead for T2A and as such has developed guidance on the establishment of effective services for young adults throughout the criminal justice process.<sup>1</sup> As part of this we have also delivered a number of local development projects across England and Wales with statutory, private and VCSE Sector providers. This work has been focussed on the development of a distinct and radically different approach to young adults in the CJS that is proportionate to their maturity and their specific needs. As this work shows, there is considerable and growing expertise within the VCSE Sector around provision for this age group.

In addition, Clinks convenes the Ministry of Justice's Reducing Reoffending Third Sector Advisory Group (RR3), which in July 2012 published a paper entitled *Maximising our Potential: Youth Justice and the Role of the CJS*. Although the focus of this was youth justice, it also noted the existence of 'significant evidence to suggest that the adult criminal justice system leaves many young people adrift, particularly when they have been moved abruptly from an approach which recognises and attempts to respond to their distinct needs into a more 'one size fits all' system'.<sup>2</sup> It also made reference to the 'difficulties posed for providers whose work covers both under-18s and young adults in the Criminal Justice System, and who are therefore obliged to deal with two different commissioning systems'.<sup>3</sup>

Clinks has had the opportunity to discuss the present consultation with our fellow T2A members and other VCSE Sector partners. We would echo the concern expressed by others that there is as yet no clear vision of how the specific needs of young adults would be met in the proposed mixed institutions, including through the VCSE Sector. Specific differences between adult prisons and Young Offender Institutions (YOIs) tend to include visiting arrangements and access to education,

<sup>1</sup> Clinks and Social Justice Solutions (2012) *Going for Gold: Developing effective services for young adults throughout the criminal justice process*, Online: <http://www.clinks.org/criminal-justice/young-people-and-young-adults> (last accessed 19.12.2013)

<sup>2</sup> Clinks and RR3 (2012) *Maximising our Potential: Youth Justice and the Role of the VCS*, Online: [http://www.clinks.org/sites/default/files/null/Youth%20Justice%20TFG%20Paper%20FINAL%20July%202012\\_0.pdf](http://www.clinks.org/sites/default/files/null/Youth%20Justice%20TFG%20Paper%20FINAL%20July%202012_0.pdf) (last accessed 19.12.2013)

<sup>3</sup> Ibid.

for example, both of which can be more flexible where young offenders are concerned; we would be keen to establish how these aspects of the custodial regime will be negotiated when different offender populations sit side by side.

It would also be useful to bear in mind the upcoming Young Review, which will focus on improving outcomes for young African, Caribbean, mixed origin and Muslim men aged 18-24 in the CJS. Chaired by Baroness Lola Young of Hornsey and coordinated by the Black Training and Enterprise Group (BTEG) and Clinks, this is due to release its initial report in the New Year, as requested by the Secretary of State, and its final report next autumn. Many of the recommendations are likely to be relevant to the creation of any new regime for young adult offenders, and so we would hope that the Ministry of Justice has factored this into its plans.

Overall, then, we would like to see a clearer vision of exactly how young adults will be accommodated in mixed institutions, including on such elemental questions as how or whether the young adult population would mix with older prisoners, and more tangible evidence of the benefits. Although we welcome the focus on promoting resettlement, we do not believe there is as yet a convincing case that this can only be done in mixed institutions, and certainly not without a defined strategy for this age group. In particular, it would be useful to have more details of why the option of doing this within existing dual-designated institutions is not considered in more depth.

Further, many of the same questions we have raised about the wider Transforming Rehabilitation agenda apply to this consultation, since the two agendas would now be aligned. We have already argued that potential Tier 1 providers should be specifically required to demonstrate and monitor their ability to meet the needs of offenders with protected characteristics.<sup>4</sup> Should the proposals go ahead, then this should of course include young adults as a distinct group with a set specification and standards as to how a prison regime should be geared to support them.

We would also expect to see consideration given to the particular challenges facing the VCSE Sector working with young adults in joining the new supply chains. Desistance from crime is in all cases an individualised journey dependent on many factors; as the consultation itself notes at paragraph 38, where young adults are concerned there is in addition a need to take maturity into account. Maturation is highly variable in terms of age and the length of time that it takes, which heightens the need for a strong focus on intermediate outcomes when commissioning services for this age group. A straightforward Payment by Results system, which demands fixed timescales for reduced reoffending, is unlikely to be appropriate on its own. More detail on how resettlement and rehabilitation services for young adults would be incorporated into the Transforming Rehabilitation reforms, both inside prison and through the gate, would therefore be very welcome.

In conclusion, we think that a comprehensive approach to young adults in the CJS, as championed by T2A, should be developed as a precursor to engagement and support for these proposals from the VCSE Sector. This should include a much stronger business case for the rehabilitative benefits, and practical details of how the new arrangements would operate both within custodial institutions and in the community.

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<sup>4</sup> Clinks (2013) *Clinks response to Ministry of Justice consultation 'Transforming Youth Custody: Putting Education at the heart of detention*, Online, <http://www.clinks.org/file/1033> (last accessed 19.12.2013)



supporting voluntary organisations that  
work with offenders and their families

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