

The Centre for Social Justice  
1 Westminster Palace Gardens  
Artillery Row  
London SW1P 1RL

Telephone 020 7340 9650  
Website [www.centreforsocialjustice.org.uk](http://www.centreforsocialjustice.org.uk)

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**PRESS RELEASE FROM THE CENTRE FOR SOCIAL JUSTICE  
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# **Thousands of children ‘needlessly dumped in prison’, warns CSJ**

**Courts and prisons being used to ‘parent children’, says CSJ blueprint for overhaul of Britain’s failing youth justice system**

A drastic cut in the 5,000 children a year given custodial sentences is recommended by a leading think-tank as part of a fundamental overhaul of Britain’s failing youth justice system.

The youth justice system is being treated as a “dumping ground” for problem youngsters and is expected to sweep up cases that other council services, such as social services, have failed to address, according to a landmark new report to be published on Monday.

A report by a team of experts commissioned by the Centre for Social Justice says that Britain is failing to prevent youth crime, and it concludes that a bold new approach is required to transform the lives of child offenders.

Imprisonment of young people between the ages of 10 and 17 is running at far too high a level in England and Wales, according to the CSJ, and it should be limited to the “critical few” guilty of serious crimes and representing a threat to the public.

Too many children are being taken before the youth courts for trivial reasons. In one case cited in the report, a child was arrested for assault and attempted burglary and held in a police cell over a weekend after he had thrown a bowl of Sugar Puffs at his care worker, jumped out of the window, then climbed back in.

Youngsters involved in playground fights have been branded a life-long threat to children, which bars them from certain areas of employment in future life.

The report urges a return to a “common-sense” approach to such minor incidents and that parents and teachers use their judgement to deal with them at a home or school level.

The report also condemns the widespread use of short sentences for young offenders, saying that they undermine justice and disrupt attempts to educate and rehabilitate them.

No sentence should be shorter than six months, but the accent should be on finding non-custodial punishments, such as more rigorous community sentences and restorative justice schemes, where underlying behavioural problems can be tackled more effectively.

In the long-term, measures to prevent lawbreaking by young people should be the primary responsibility of child welfare services, currently run by local authorities, and not the youth justice system.

Many youngsters are being dragooned into the courts unnecessarily when their deep-seated array of problems, frequently stemming from abusive home backgrounds, should be dealt with by other agencies.

Schools, children’s social care teams, mental health services, communities and families should be playing a greater role in straightening out the lives of young delinquents.

But with three in four of those sentenced to custody reoffending within a year of release, the present approach is a failure.

Reform would also bring significant savings.

Places in youth custody cost between £69,600 and £193,600 and computer modelling suggests that creating an effective youth justice system would halve the overall cost of youth crime by sharply reducing reoffending and the numbers entering the system or being imprisoned. This could halve the £4 billion currently spent on responding to youth crime and anti-social behaviour.

The report identifies three other key shortcomings with the current youth justice system:

- YOIs and other institutions often promote offending, rather than reduce it because of the “criminogenic” effects of locking up youngsters alongside hardened lawbreakers.
- The current system is obsessed with following rules and regulations and “robotic box-ticking”. This emphasis on correct processes rather than outcomes works against the interests of young people.
- The scope for potentially transformational relationships between adult youth workers and young troublemakers is often overlooked.

Gavin Poole, Executive Director of the CSJ, says in a preface to the report: “Reform of the youth justice system needs to go further and deeper.

“This review by no means seeks to excuse the behaviour of these young people.

“We strongly believe in young people taking responsibility for their actions and being appropriately penalised; no offender should ever be allowed to think they are immune from the law.

“However, if society wants to see youth crime tackled it must be prepared to make greater efforts to understand and address its drivers.

“As a society, we can do better than simply condemn these children for their crimes. We believe there are more effective and demanding ways of delivering justice than through punishment alone.

“Many young people fall into the system unnecessarily and do not receive the help they need to free themselves from it.

“Custody is sometimes neither a protective nor a productive place for children, and community orders can be equally ineffective.

“Moreover, despite years of good intentions, many young people leaving custody are still not being provided with the basic support they need for rehabilitation.

“Many of these young people consequently become the life-long persistent offenders who are saturating our adult prisons.”

On the use of custody, the report says that three fifths of the children locked up in the second half of 2008 were convicted of offences that would normally carry a non-custodial sentence.

There are also wide discrepancies between regions of England and Wales. For instance, the custody rate in 2008/9 among 10-17-year-olds in Newcastle on Tyne was 1.6 per cent compared with 11.6 per cent in Liverpool. The 10-fold difference was due solely to variations in local practices.

Community sentences suffer from rigid application of rules and regulations preventing staff from building the kind of relationships with offenders that stand the best chance of transforming their behaviour.

“An inflexible three strikes and your out rule in response to young people who fail to comply with their orders, combined with a lack of support to achieve compliance, has been counterproductive...one in ten youth custodial places are taken up by children whose primary offence is a breach (of their antisocial behaviour or criminal justice order).”

The report adds: “The CSJ believes that youth custody should be reserved only for the ‘critical few’: the most serious or violent young offenders, and those who are so prolific that custody is the place that can best safeguard potential victims and meet these young people’s needs.”

The report makes a number of key recommendations for change:

- Local services should work together to ensure that young people and their families receive the early help they require to prevent entry into the youth justice system and, if already involved, the support to deliver their rehabilitation;

- Common sense must be at the heart of responses to youth misbehaviour. Professional judgement and expertise of practitioners should be encouraged and supported to ensure that decisions are made in the best interests of young people and society;
- A whole family approach – working with both young people and their families – should be truly embedded in the youth justice system’s response to youth offending;
- An understanding of the transformative effect of relationships should inform the whole youth justice structure;
- Punishment and penalties should be meaningful, robust and effective; and
- Custody should be reserved for the critical few: the most serious or violent young offenders, and those who are so prolific that custody is the place that can best safeguard potential victims and meet these young people’s needs.

## **ENDS**

For media inquiries, please contact Nick Wood of Media Intelligence Partners Ltd on 07889 617003 or 0203 008 8146 or Alistair Thompson on 07970 162225 or 0203 008 8145.

## **NOTES TO EDITORS**

**The Centre for Social Justice** is an independent think tank established, by Rt. Hon Iain Duncan Smith MP in 2004, to seek effective solutions to the poverty that blights parts of Britain.

In July 2007 the group published Breakthrough Britain. Ending the Costs of Social Breakdown. The paper presented over 190 policy proposals aimed at ending the growing social divide in Britain.

Subsequent reports have put forward proposals for reform of the police, prisons, social housing, the asylum system and family law. Other reports have dealt with street gangs and early intervention to help families with young children.