

# Heading for trouble?

## *A summary of new evidence on the role of advice services in preventing youth offending and the potential impact on crime of cuts to advice services*

This briefing is for providers, planners, researchers and policy makers with an interest in: services for young people; legal advice services; the youth justice system. It follows a recent JustRights report, *Not Seen and Not Heard*, revealing the impact of proposed legal aid cuts on children and young people.<sup>i</sup>

safe they feel, as well as in the broader conditions that are likely to give rise to offending behaviour.

- Advice services have an important contribution to make to crime reduction programmes.
- Cuts to youth advice services and proposed cuts to civil legal aid may lead to increased social unrest and crime.

## 1. Summary

- Disadvantaged young people's unresolved civil justice problems frequently lead to them coming into danger from crime and anti-social behaviour, with significant numbers reporting fear, property damage, assault and harassment.
- Unresolved civil justice problems lead to violence against 9% of disadvantaged 18-24 year olds, at an average cost to the state of £255 per case.
- Young offenders and young victims of crime are far more likely than other young people to experience common civil justice problems relating to housing, debt and welfare benefits.
- Such problems, if left unresolved, are known to increase the risk of re-offending, but young people in trouble with the law are even less likely to obtain advice than other young people.
- Many young people who do get advice for their civil justice problems report improvements in their behaviour and in how

## 2. Why is this an important issue?

The UK has recently been affected by widespread social unrest,<sup>ii</sup> with a large proportion of rioters identified as disadvantaged young adults living in poor areas with high rates of youth unemployment.<sup>iii</sup>

The Social Exclusion Unit (SEU) identified that debt, money problems, homelessness, difficulties finding and retaining employment and mental illness are amongst the key factors increasing the risk of re-offending. Resolving these problems through the provision of good quality advice can prevent crime and avoid substantial knock-on costs associated with youth offending. Having stable accommodation alone reduces the risk of re-offending by a fifth.<sup>iv</sup>

### The cost and incidence of youth crime

- England and Wales have particularly high rates of youth crime, with more young people in custody than in other European countries, with the exception of Turkey.<sup>v</sup>
- The total annual economic and social costs of crime have been estimated at £75 billion.<sup>vi</sup>

- In 2009 the National Audit Office estimated the cost to the economy of young people aged 10-17 offending at between £8.5bn and £11bn.<sup>vii</sup>
- The average cost of imprisoning one young offender has been estimated at up to £100,000 a year. In addition, the indirect costs to society incurred after release amount to £40,000 per ex-offender.<sup>viii</sup>
- Three-quarters of juvenile offenders re-offend within one year of release.<sup>ix</sup>
- Reducing the re-offending rate of ex-prisoners by just 10% could save over £1 billion for the UK economy each year.<sup>x</sup>
- 16-24 year olds are four times as likely as the general population to be a victim of crime.<sup>xi</sup>

#### The advice gap for young people

- Before the downturn in the UK economy began in 2008/9, it was estimated that each year over 1 million 16–24-year-olds were failing to get advice for their civil justice problems,<sup>xii</sup> with knock-on costs of around £1 billion.<sup>xiii</sup>
- The effects of the economic downturn have led to a sharp rise in youth unemployment and in consequent demand for advice from disadvantaged young people on debt, welfare benefits, homelessness and mental health.<sup>xiv</sup>
- The availability of advice for young people is declining rapidly, with cuts in 2011/12 alone reducing Connexions services by 40%<sup>xv</sup> and leaving 42% of voluntary sector youth advice services at risk of closure.<sup>xvi</sup>
- Proposed cuts to civil legal aid will mean that each year an additional 6,000 under 18 year olds and 69,000 18-24 year olds will lose access to legal advice<sup>xvii</sup> on issues such as housing, benefits and debt – problems closely associated with increased risk of re-offending.<sup>xviii</sup> The Ministry of Justice has itself identified that these cuts could lead to increased crime and social unrest.<sup>xix</sup>

### 3. Introduction

#### Purpose of this briefing:

This briefing provides an overview of the key findings relating to the links between crime and young people's civil justice problems from two new research reports:

- *Civil Legal Problems: Young People, Social Exclusion and Crime*, Pleasence, P., Law Centres Federation and Youth Access, 2011.
- *The Outcomes & Impact of Youth Advice*, Kenrick, J., Youth Access, 2011.

#### Scope:

- This briefing focuses on young people between the ages of 16 and 25.
- Young people's civil justice problems most commonly concern: housing, homelessness, welfare benefits, debt, employment rights, education rights, immigration and asylum, social services and discrimination.

#### Data sources:

Both reports present findings from the English and Welsh Civil and Social Justice Survey (CSJS), a major national private household survey of adults aged 18 and over focusing on people's experiences of everyday problems, and its successor, the Civil and Social Justice Panel Survey (CSJPS). In addition, *The Outcomes & Impact of Youth Advice* draws on the results of outcomes monitoring in youth advice agencies, qualitative studies with young people who have received legal advice and a literature review.

### 4. Key Findings

#### Previous research has established links between civil justice problems and offending

The SEU found that nearly three-quarters of prisoners were in receipt of benefit before coming into prison, with almost half having a history of debt. After release, 81% claimed

benefit and many ex-prisoners said they had needed help with benefit and debt problems.<sup>xx</sup>

Analysis of CSJS data relating to the general adult population has found heightened incidence rates of civil justice problems amongst those who had recently been arrested or who had recently served prison or community sentences. This group was thirteen times more likely to report homelessness problems, five times more likely to report money or debt problems, nearly four times more likely to report rented housing problems and twice as likely to report employment problems. They were also considerably more likely to have experienced multiple problems.<sup>xxi</sup>

### **New research reveals the close relationship between young people's civil justice problems and crime**

Pleasence (2011) examines CSJS and CSJPS data relevant to the relationship between young people's civil justice problems and crime for the first time, concluding that: *"The findings illustrate clear links between civil legal problems, social exclusion and crime."*<sup>xxii</sup>

### **Young offenders and victims of crime are more likely to experience civil justice problems**

Whilst 34.2% of 16-24 year olds in the 2010 CSJPS reported civil justice problems, incidence rose to 62.7% amongst young victims of crime, 50% amongst young people who reported drug use and 46.8% amongst young people who had recently had contact with the police. Equivalent data from the 2006-09 CSJS shows that whilst 35.4% of 18-24 year olds reported problems, this rose to 47.7% of young victims of crime and 55% of young people who had recently been arrested.<sup>xxiii</sup>

### **However, young people at risk of offending appear to be less likely to get advice**

Only 33% of young people in the 2006-09 CSJS who had recently been arrested obtained advice for their civil justice problems, compared to 44% of other young people and 50% of the general population.<sup>xxiv</sup>

### **There is robust and consistent evidence that unresolved civil justice problems have an adverse impact on many aspects of young people's lives**

Civil justice problems relating to issues such as housing, homelessness, debt, welfare benefits, education and employment, can lead to a range of adverse consequences for young people, most commonly involving: young people becoming ill, generally as a result of stress; losing income; or losing confidence. However, they can also lead to crime, homelessness, relationship breakdown, unemployment and barriers to education and employment.<sup>xxv</sup>

*'If I hadn't got advice.....'*<sup>xxvi</sup>

*"I would be in prison. We would certainly have lost our home and I probably wouldn't have been seeing my children now."*

25 year old female with debt, housing and social services problems

*"I would have lost my home, been back in B and B and may have got into trouble again."*

20 year old male with housing, debt and benefits problems

*"I would have got worse and committed crimes."*

21 year old male with housing and benefits problems

*"I wouldn't be alive now"*

20 year old male with housing and immigration problems

### **Some civil justice problems are caused by violence**

Data from the 2010 CSJPS reveals that 5% of young people aged 16-24 specifically pointed to 'violence aimed towards me' and 2% to 'being violent' as having contributed to their civil justice problem.<sup>xxvii</sup>

### **Civil justice problems also lead to violence, property damage, fear and harassment**

Data from the earlier 2004 CSJS shows that civil justice problems led to violence against 9% of socially isolated 18-24 year olds (compared

to 4% of older adults) and property damage against 7%.<sup>xxviii</sup> The average cost to the state, from the resultant criminal justice costs, was £255 where someone experienced personal violence or physical assault and £126 where damage to property resulted.<sup>xxix</sup>

New data from the 2010 CSJPS provides a more up-to-date and complete picture of the consequences for young people’s safety of the civil justice problems they experience – see Fig. 1. It is clear that the combined impact of these adverse consequences on young people’s safety is substantial.

**Fig. 1: Selected stated consequences of young people’s civil legal problems** (Source: 2010 CSJPS)

	16-17 year olds	18-24 year olds
Fear	3.7%	8.0%
Property damage	7.4%	5.2%
Assault	-	2.9%
Harassment / verbal abuse	14.8%	7.5%

**Getting advice commonly leads to improvements in many aspects of young people’s well-being**

Users of youth advice services report that getting advice led to improvements in their physical, mental, social and emotional well-being, their problem-solving skills, their housing situations and their ability to manage money.<sup>xxx</sup>

**Advice keeps young people safe from harm**

- Many young people seeking advice are fleeing abuse or exploitation. Advice services assist victims of crime, abuse, domestic violence, prostitution and gang culture to successful resettlement through securing safe accommodation, resolving benefit claims, tackling debts and countering discrimination.

- New data from the 2010 CSJPS reveals that young respondents aged 16 to 24 reported that getting advice from advice services or others led to an improvement in levels of violence against them on 9% of occasions,<sup>xxxi</sup> pointing to the contribution of advice in improving young people’s safety.
- Outcomes monitoring by youth advice agencies found that 72% of young clients self-reported feeling safer where they were now living as a result of the support their adviser had given them, most often concerning housing and homelessness issues.<sup>xxxii</sup>

*The impact of advice on young people’s safety from harm*

*“I’m no longer threatened by the people I owe money to.”  
22 year old male*

*“I’m free from [the abuse in my forced marriage] and feel safer where I’m living now – it’s really important to me.”  
17 year old female*

*“I’m no longer living in an area where there are drug addicts, so I feel safer leaving my girlfriend and baby in the house now.”  
21 year old male*

**Advice may help break the cycle of re-offending**

There is growing evidence pointing to a key role for advice services in reducing crime.

- More than a third of young people receiving advice from youth advice services self-reported improvements in their ‘behaviour’, rising to 48% amongst the most socially excluded young clients.<sup>xxxiii</sup>
- In qualitative interviews with 27 young people who had received targeted legal advice, three young people reported that they no longer got into trouble with the police as a result of the advice.<sup>xxxiv</sup>
- In a study of a local advice project for ex-offenders (of all ages) who were on probation, the receipt of advice affected the

recidivism rate: the greater the depth of advice provided, the more likely clients were not to re-offend.<sup>xxxv</sup>

- Citizens Advice has argued that independent advice and support for prisoners, while in prison and on release, on issues such as debt, benefits and housing, can play a key role in rehabilitating offenders and help break the cycle of re-offending.<sup>xxxvi</sup>

#### The impact of advice on young people's offending behaviour

*"I've had help with my housing, drug use and social services....[My offending behaviour] has definitely improved."*

24 year old female

*"I would have been homeless. [Now] my outlook has changed, I know that I need to do things for myself....I don't get into trouble now."*

17 year old male

*"The help and support helped me change and take responsibility."*

18 year old female

*"I would have got worse and would have committed crimes."*

21 year old male

*"They stopped me from being thrown out and gave me advice on how to talk to people. I've been a little bit calmer, not lashing out as much, haven't been in trouble with the police."*

20 year old male

- Cuts to youth advice services and proposed cuts to civil legal aid may lead to increased social unrest and crime.
- Legal aid policy should protect and expand services aimed at disadvantaged young people.
- Government youth policy and local authority strategies for services for young people should recognise the potential contribution of social welfare advice services in reducing youth crime and other adverse youth outcomes.
- Given the current climate of diminishing budgets, there would appear to be value in joining up the commissioning of youth services, legal advice services and youth justice services at a local level through pooling of budgets, in order to ensure adequate supply of legal advice services for young people.

#### Further reading

***Civil Legal Problems: Young People, Social Exclusion and Crime***, Pleasence, P., Law Centres Federation and Youth Access, 2011.

***The Outcomes & Impact of Youth Advice***, Kenrick, J., Youth Access (forthcoming).

***Criminal Offending, Social and Financial Exclusion, and Civil Legal Aid: Factsheet***, Legal Services Research Centre, 2009.

***Access To Justice Denied: Young Adults In Prison***, The Howard League for Penal Reform, 2010.

***Not Seen And Not Heard – how children and young people will lose out from cuts to civil legal aid***, Sound Off For Justice and JustRights, September 2011.

## 5. Implications for policy

- Civil legal advice targeted at young people may be an effective, and cost-effective, intervention for preventing and tackling youth offending.

## Notes

- <sup>i</sup> *Not Seen And Not Heard – how children and young people will lose out from cuts to civil legal aid*, Sound Off For Justice and JustRights, September 2011.
- <sup>ii</sup> Riots took place in several parts of the UK between 6<sup>th</sup> August and 9<sup>th</sup> August 2011.
- <sup>iii</sup> <http://www.guardian.co.uk/uk/2011/aug/18/england-rioters-young-poor-unemployed>
- <sup>iv</sup> *Reducing Re-offending by Ex-prisoners*, Social Exclusion Unit, 2002.
- <sup>v</sup> *Responding to Youth Crime and Antisocial Behaviour*, Independent Commission on Youth Crime and Antisocial Behaviour, 2010.
- <sup>vi</sup> *The Economic and Social Costs of Crime*, Dubourg, R., Hamed, J., and Thorns, J., 2005.
- <sup>vii</sup> *The Youth Justice System in England and Wales: Reducing Offending by Young People*, Ministry of Justice and National Audit Office, 2010.
- <sup>viii</sup> *Punishing Costs*, New Economics Foundation, 2010.
- <sup>ix</sup> Social Exclusion Unit (2002) op. cit.
- <sup>x</sup> *Getting back on the straight and narrow*, CBI and Centre for Criminal Justice, 2009.
- <sup>xi</sup> *Crime in England and Wales: Statistical Bulletin*, Home Office, 2005/06.
- <sup>xii</sup> *The Advice Needs of Young People – The Evidence*, Kenrick, J., Youth Access 2009.
- <sup>xiii</sup> JustRights estimate in 2009, based on Ministry of Justice figures.
- <sup>xiv</sup> *Results of a survey on the funding situation of Youth Information, Advice, Counselling and Support services*, Youth Access, April 2011.
- <sup>xv</sup> 'Young people's advice services take a £180m hit', Children and Young People Now, 11<sup>th</sup> August 2011.
- <sup>xvi</sup> Youth Access survey (April 2011) op. cit.
- <sup>xvii</sup> Sound Off For Justice and JustRights (September 2011) op. cit.
- <sup>xviii</sup> Social Exclusion Unit (2002) op. cit.
- <sup>xix</sup> Para 2.35 of Impact Assessment MoJ 028, published 15 November 2010, states that the reductions in scope of legal aid may result in reduced social cohesion, increased criminality and increased costs for other Departments. <http://www.justice.gov.uk/consultations/docs/legalaidiascope.pdf>
- <sup>xx</sup> Social Exclusion Unit (2002) op. cit.
- <sup>xxi</sup> *Criminal offending, social and financial exclusion, and civil legal aid: Factsheet*, Legal Services Research Centre, 2010.
- <sup>xxii</sup> *Civil Legal Problems: Young People, Social Exclusion and Crime*, Pleasence, P., Law Centres Federation and Youth Access, 2011.
- <sup>xxiii</sup> *Ibid.*
- <sup>xxiv</sup> *Ibid.*
- <sup>xxv</sup> *The Outcomes & Impact of Youth Advice*, Kenrick, J., Youth Access, 2011.
- <sup>xxvi</sup> Quotes from young people are drawn from the unpublished transcripts of interviews conducted for Youth Access and reported on in *Transforming Lives: Evaluation of the Rights to Access Project*, Butler, M., and Hutchinson, G., Youth Access, 2007.
- <sup>xxvii</sup> Pleasence (2011) op. cit.
- <sup>xxviii</sup> *Young People and Civil Justice: Findings from the 2004 English and Welsh Civil and Social Justice Survey*, Balmer, N.J., Tam, T. and Pleasence, P., Youth Access, 2007.
- <sup>xxix</sup> *Mounting Problems: Further Evidence of the Social, Economic and Health Consequences of Civil Justice Problems*, Pleasence, P. et al. in *Transforming Lives: Law and Social Process*, Legal Services Research Centre, 2007.
- <sup>xxx</sup> Kenrick (2011) op. cit.
- <sup>xxxi</sup> Pleasence (2011) op. cit.
- <sup>xxxii</sup> Butler and Hutchinson (2007) op. cit..
- <sup>xxxiii</sup> *Youth Advice Outcomes Pilot*, Widdowson, B., Del Tufo, S. and Hansford, L., Youth Access, 2010.
- <sup>xxxiv</sup> Butler and Hutchinson (2007) op. cit.
- <sup>xxxv</sup> *NACAB Kent Probation Project: Report on recidivism amongst clients referred to the project between April 1997 and October 1998*, Samuel, T., 2001.
- <sup>xxxvi</sup> *Locked Out: CAB evidence on prisoners and ex-offenders*, Citizens Advice, 2007.

## About JustRights

JustRights is a coalition of over 30 charities, founded by the Law Centres Federation, Youth Access, The Howard League for Penal Reform and Children's Rights Alliance for England. JustRights campaigns for all children and young people to have ready access to high quality independent legal advice and representation whenever they may need it in the course of their lives. [www.justrights.org.uk](http://www.justrights.org.uk)

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