

# YOUNG ADULT OFFENDERS

LOST IN TRANSITION?

EDITED BY FRIEDRICH LÖSEL,  
ANTHONY BOTTOMS AND DAVID P. FARRINGTON



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Anthony Bottoms and  
David P. Farrington**



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# Young Adult Offenders

This latest volume in the Cambridge Criminal Justice Series focuses upon young adults and their treatment in the criminal justice system. The subject is very topical because there is increasing evidence that a rigid distinction between 'youth' and 'adulthood' is not appropriate in modern societies. For example, important developmental tasks such as finishing one's education, finding regular work and the foundation of one's own family are now completed later than in former times; neuropsychological brain functions are still developing beyond age 18; and desistance from criminal offending occurs most rapidly in early adulthood.

Despite such evidence, the United Kingdom and other countries have largely neglected policies for young adult offenders in comparison with young people under 18. Although there seems to be no general transnational solution for this problem, there is a clear need for differentiation. This book brings together leading authorities in the field to analyse theoretical, empirical and policy issues relating to this neglected group of people, exploring different approaches to both crime prevention and offender treatment. It will be of interest to researchers, practitioners and policy makers in the fields of criminology, criminal justice, prisons, probation, forensic psychology and psychiatry, sociology, education and social work.

**Friedrich Lösel** is Director of the Institute of Criminology at the University of Cambridge and Professor of Psychology at the University of Erlangen-Nuremberg, Germany.

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**Sir Anthony Bottoms** is Emeritus Wolfson Professor of Criminology at the University of Cambridge and Honorary Professor of Criminology at the University of Sheffield. He is also a Fellow of the British Academy. During his academic career, his interests within criminology have been wide ranging, but in more recent years he has focused especially on issues relating to social order and legal compliance, setting up the Sheffield Desistance Project with Joanna Shapland, which aims to explain more fully why even recidivist offenders frequently reduce their offending during their early twenties.

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**Friedrich Lösel** is Director of the Institute of Criminology at the University of Cambridge, and Professor of Psychology at the University of Erlangen-Nuremberg, Germany. He has carried out research on juvenile delinquency, prisons, offender treatment, football hooliganism, school bullying, personality disordered offenders, resilience, close relationships, child abuse, family education and evaluation methodology. He is the author or editor of 18 books and over 300 journal articles and book chapters. In recognition of his scientific work, he has received various honours including: the Award for Lifetime Achievement of the European Association of Psychology and Law, the Sellin-Glueck Award of the American Society of Criminology, the Stockholm Prize in Criminology and the German Psychology Prize.

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**Rod Morgan** is Professor Emeritus of Criminal Justice at the University of Bristol and Visiting Professor at the Universities Police Science Institute, Cardiff University. From 2004 to 2007, he was Chairman of the Youth Justice Board for England and Wales and, prior to that, was Chief Inspector of Probation (2001 to 2004). He has written widely on aspects of criminal justice, ranging from policing to sentencing and prisoners' rights, and is co-editor of *The Oxford Handbook of Criminology* (5th edition, 2012).

**Dame Anne Owers** was Chief Inspector of Prisons from 2001 to 2010. Anne led the Inspectorate in developing human rights-based criteria and methodology which could produce robust and independent reports on prisons and other places of detention, to reveal shortcomings and chart progress. She has also been the chair of Clinks and of the Transition to Adulthood Alliance (T2A). In 2000 she was appointed CBE for her work in human rights and was made a Dame in 2009. In April 2012 she was appointed to chair the Independent Police Complaints Commission.

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co-published *Restorative Justice in Practice: What Works for Victims and Offenders* (2011) as well as several further articles on the Sheffield Desistance Study, including 'Steps towards desistance among male young adult recidivists', in Farrall *et al.* (eds.), *Escape Routes* (2011).



# Foreword

In 2001, as I became Chief Inspector of Prisons, the Labour government entered its second term with a manifesto promise to extend to young adult offenders the focused and specialised attention that it had tried to provide for juveniles during its first term. But this never happened. As a result, they have remained a lost generation, which I described in my last Annual Report as ‘a neglected and under-resourced age group’. Time after time, inspection reports would record that young offender institutions (often only notionally distinct from the adult institutions in which they were located) provided far too little activity, high levels of use of force and discipline, and low levels of safety and support.

This volume is therefore both important and timely. It reminds us not just that this is an age-group with high levels of recidivism, but one where there is also the greatest opportunity to divert someone from a criminal career: studies have shown that 18 is also the peak age for desistance from crime. It also reminds us of the obvious fact that blowing out the candles on an 18th birthday cake does not magically transform anyone into a fully functioning and mature adult – even without the life disadvantages many young people in criminal justice have experienced.

The greatest frustration, for those working in the system as well as victims and young offenders, is that we know what does not work, but carry on doing it. Short prison sentences, followed by minimal post-release support, or conventional community sentences with limited engagement from an overworked probation service, cannot be expected to provide the support or challenge that young adults need, as they emerge from the protections – however limited – that they could rely on as juveniles. Many therefore become and remain lost in transition.

Since I left the inspectorate, and became chair of the Transition to Adulthood Alliance (T2A), I have been able to see the difference that can be made in young people’s lives if they are able to access the focused, specialised and individual support and approach that matches their age, maturity, needs and strengths. There are no simple equations to turn round already damaged lives – as the papers here make clear, early and focused intervention is the best remedy. But the provision of individualised and focused support and mentoring – walking alongside young people as they try to change the narrative of their lives – does work. Recent evaluations of the T2A pilots have shown that, of 34 young adults tracked, many with prolific

offending histories, only three had offended within six months. Even allowing for the halo effect of small, enthusiastically led pilots, these are remarkable findings.

The research and evidence base for a different and specialised approach to those in transition from childhood to adulthood is incontrovertible and well set out in these papers. It is to be hoped that it helps to stimulate a long overdue change in policy and practice: to the benefit of victims and potential victims, as well as young adult offenders themselves.

**Dame Anne Owers**

# Contents

<i>List of figures</i>	vii
<i>List of tables</i>	ix
<i>Contributor biographies</i>	x
<i>Foreword</i>	xiv
<b>1 Introduction</b>	<b>1</b>
FRIEDRICH LÖSEL, ANTHONY BOTTOMS AND DAVID P. FARRINGTON	
<b>2 Young adult offenders in juvenile and criminal justice systems in Europe</b>	<b>11</b>
FRIEDER DÜNKEL AND INEKE PRUIN	
<b>3 Youth, alcohol and aggression</b>	<b>39</b>
MARY MCMURRAN	
<b>4 Childhood risk factors for young adult offending: onset and persistence</b>	<b>48</b>
DAVID P. FARRINGTON	
<b>5 Young adult offenders in custodial institutions: vulnerability, relationships and risks</b>	<b>65</b>
ALISON LIEBLING	
<b>6 What works in correctional treatment and rehabilitation for young adults?</b>	<b>74</b>
FRIEDRICH LÖSEL	
<b>7 Young women in transition: from offending to desistance</b>	<b>113</b>
MONICA BARRY	

vi *Contents*

<b>8</b>	<b>Perceptions of the criminal justice system among young adult would-be desisters</b>	128
	JOANNA SHAPLAND, ANTHONY BOTTOMS AND GRANT MUIR	
<b>9</b>	<b>Lost in transition? A view from the Youth Justice Board</b>	146
	ROD MORGAN	
<b>10</b>	<b>Young adults in the English criminal justice system: the policy challenges</b>	155
	ROB ALLEN	
	<i>Index</i>	170

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# List of figures

2.1	Convicted juveniles and young adults in Germany, 1976–2008	14
2.2	Conviction rates according to age groups in Germany, 1886–2006 (per 100,000 of the age group)	14
2.3	Mean age of marriage in Europe, 1970–2004	17
2.4	Mean age of mothers in years at the time of birth of their first child in Europe, 1970–2004	18
2.5	European comparison of young adults living with their parents	18
2.6	German system of dealing with young adult (18–21 year old) offenders	20
2.7	The German juvenile sanctions system	21
2.8	Proportion of young adults sentenced according to juvenile law in West Germany, 1954–2006, and in the whole of Germany, 2007–2008	22
2.9	Proportion of male and female young adults sentenced according to juvenile law in West Germany, 1955–2006, and in the whole of Germany, 2008	23
2.10	Sentencing of young adults according to juvenile law for different crimes, 2008	24
2.11	Percentage of young adult offenders sentenced under juvenile criminal law according in different federal states, 2008	25
3.1	Factors explaining the alcohol–aggression relationship	40
6.1	Persons arrested for offences in England and Wales (top) and Germany (bottom) by age group per 100,000 of the respective population	76
6.2	Reoffending rates by age in the two-year period following release from prison or commencement of a community sentence	77
6.3	Mean effect sizes ( <i>d</i> ) of selected meta-analyses on a broad range of programmes to reduce reoffending	80
6.4	Percentage of offenders in England and Wales who committed at least one offence within one year of discharge from prison or the start of probation supervision	18

viii *List of figures*

- |     |  |     |
|-----|--|-----|
| 8.1 | A cross-sectional age–crime curve for England and Wales, 2000<br>(recorded offender rates by age and gender per 1,000 of the<br>relevant population)                                 | 129 |
| 8.2 | A longitudinal age–crime curve for recidivist offenders in<br>America showing actual mean number of offences for total<br>crime (total criminal events = 9,548) from age 7 to age 70 | 130 |

# List of tables

2.1	Comparison of the age of criminal responsibility in Europe	28
2.2	Young adults in European (juvenile) criminal law	33
4.1	Onset, desistance and career duration	53
4.2	Age of onset vs. criminal career features	54
4.3	Childhood risk factors for young adult convictions	55
4.4	Logistic regression analyses predicting convictions	56
4.5	Risk factors for persistence after young adult offending	58
4.6	Logistic regression analyses predicting persistence	59
4.7	Unsuccessful life at ages 32 and 48	60
5.1	Perceptions of key activities and processes in two young offenders institutions, 2002 and 2004	70
8.1	The social and economic contexts of lifestyles of the young adult men in the Sheffield Desistance Study at the time of first interview	134



# 1 Introduction

*Friedrich Lösel, Anthony Bottoms and  
David P. Farrington*

In England and Wales, the legal treatment of offenders changes dramatically when they reach their eighteenth birthday. Instead of being dealt with in the youth justice system – which focuses more on rehabilitation – they start being dealt with in the adult criminal justice system – which focuses more on punishment (although rehabilitation programmes are also often provided). Linked to this, sentencing in the adult courts is predominantly focused on the offence, whereas in the youth courts greater attention is paid to the offender and his/her social development.

Some countries soften this kind of dramatic transition by having special provisions for young adult offenders. In England and Wales, however, this is true only to a small extent; offenders aged between 18 and 21, if given a custodial sentence, are normally sent not to a prison but to a Young Offenders Institution and their sentences must be followed by statutory supervision. However, conditions and facilities in Young Offender Institutions are not always very different from those in adult prisons.

When they turn 21, offenders are considered to be fully adult. The changing legal provisions between the ages 17 and 21 can therefore have some interesting consequences when co-offenders are dealt with. For example, if a 17-year-old, a 19-year-old, and a 21-year-old jointly commit an offence with equal responsibility, the 17-year-old might be dealt with by a supervision order supervised by the youth offending team, the 19-year-old might be sent to a Young Offenders Institution, while the 21-year-old might find him/herself entering an adult prison.

What is the justification for these changes, especially the dramatic change at age 18? Is there, at that age, a significant change in offenders' responsibility for their criminal acts? Many justifications have been put forward. It has been argued, for example, that juveniles have less mature judgement, poorer emotion-regulation, poorer self-regulation, poorer decision-making abilities, poorer executive functioning, poorer reasoning capacities, less ability to think abstractly and poorer planning skills. Arguably, juveniles also have poorer impulse control and are more likely to take risks and commit crimes for the sense of excitement rather than according to a rational cost-benefit calculation. In their decision-making, juveniles are thought to be more influenced by immediate desirable consequences than by delayed possible undesirable consequences. Allegedly, they are more susceptible to peer influences, more changeable, more redeemable and less set in