

BRIEFING PAPER

THE CASE FOR MAINTAINING CURRENT LEVELS OF EXPENDITURE ON THE YOUTH SERVICE

1. THE LEGISLATION CASE

1.1 Local Education Authorities have a legal duty to secure the provision of an adequate youth service. It is a duty which has existed for the past 50 years and it still applies.

1.2 The Board of Education's Circular 1486, issued in 1939, announced the Board's intention to take direct responsibility for "youth" as part of a national system of education and it asked LEAs to see that properly constituted Youth Committees were set up in their areas.

1.3 Section 41 of the Education Act 1944 places a duty on every local authority to :

"secure the provision for their area of adequate facilities for further education, that is to say . . . leisure-time occupation, in such organised cultural training and recreative activities as are suited to their requirements, for any persons over compulsory school age who are able and willing to profit by the facilities provided for that purpose".

1.4 Section 53 of the same Act places a duty on every local education authority to :

"secure that the facilities for primary, secondary and further education provided for their area include adequate facilities for recreation and social and physical training, and for that purpose a local education authority may establish, maintain and manage, or assist the establishment, maintenance, and management of camps, holiday classes, playing fields, play centres, and other places . . . not appropriated to any school or college, at which facilities for recreation and for such training as aforesaid are available . . . and may organise, games expeditions and other activities . . . and may defray or contribute towards the expenses thereof".

1.5 The duty under Section 53 has not been removed or diluted by subsequent legislation. The duty under Section 41 is repeated in Section 120 of the Education Reform Act 1988, and it is repeated in Section 11 of the Further and Higher Education Act 1992.

- 1.6 In the debate on the Further and Higher Education Bill in the House of Commons on 25th February, 1992, the Under Secretary of State for Education said :

"The provision of the new Section 41 and Section 53 of the 1944 Act cover the Youth Service more than adequately. They are sufficiently broad to enable local education authorities to provide a wide range of services in accordance with local needs and priorities and with the ever-changing pattern of young people's interests".

- 1.7 In the debate on the Bill in the House of Lords on 14th January, 1992, Lord Belstead, the Government spokesperson, had given a similar interpretation.

- 1.8 This interpretation is confirmed in the Circular on the Further and Higher Education Act issued by the Welsh Office and the Department of Education at paragraph 60 :

"The LEAs' functions in respect of the Youth Service are not affected by the amendments to Section 41 of the 1944 Act. The further education for which they have a duty to provide adequate facilities includes the Youth Service . . . The provision of the Youth Service for those of school age is covered by Section 53 of the 1944 Act which imposes a duty on LEAs to secure adequate facilities for recreation and social and physical training".

2. THE EDUCATION CASE

- 2.1 The Youth Service has a serious and valid educational purpose.

- 2.2 Its legislative base is to be found in successive Education Acts and in Circulars issued by Education Ministers. With a few exceptions, it is located in the education departments of local education authorities. A Government Circular issued in December 1989 in connection with the Local Government and Housing Act 1989 advocated this at paragraph 23 :

"Youth Service provision under Sections 41 and 53 of the Education Act 1944 (as amended by Section 120 of the Education Reform Act 1988) should be included in the remit of the Education Committee".

- 2.3 The Board of Education's Circular 1516 issued in June 1940 saw the general aim of youth work as social and physical training, the overriding purpose of which was "the building of character" which implied

"developing the whole personality of individual boys and girls to enable them to take their place as full members of a free community".

- 2.4 In 1951, Sir John Maud, the Permanent Secretary at the Ministry of Education, said that youth work should aim to offer young people, in their leisure time, opportunities of various kinds to discover and develop their personal resources of body, mind and spirit, and thus live the life of mature, creative and responsible members of a free society.

- 2.5 Over the years, Committees set up by Central Government to report on the Youth Service - Albermarle, Milson/Fairbairn, and Thompson - have all confirmed that it is an education service.

2.6 Between 1989 and 1992, the Government convened 3 Ministerial Conferences in an attempt to define the curriculum for the Youth Service. At the first conference, Alan Howarth, who was then the Minister responsible for the Youth Service, said :

"I believe the youth service should be education-based for both philosophical and practical reasons . . . The best youth work is educational in the sense of being a planned programme of personal and social education based on a concept of development for the individual and differentiation according to need".

2.7 One outcome of these conferences was the publication by the Welsh Joint Education Committee of the "Youth Work Curriculum Statement for Wales" which, among other things, requires youth work in Wales to be educative, participative, empowering and expressive.

2.8 Mid Glamorgan Community Education is about to enter into Service Level Agreements for the provision of Youth Work. The Agreements will set out in detail the curriculum to be provided. It is clear from the attached copy of the section of the S.L.A. dealing with curriculum that the youth work curriculum in this LEA is undeniably educational.

3. THE COMMUNITY CASE

3.1 The youth Service in Mid Glamorgan is an educational service to young people and it also benefits the wider community. It is cost effective and good value for money.

3.2 Gross expenditure on the Youth Service in 1992/93 was £2,404,770. Approximately 16,500 hours of youth work was provided for 8,175 young people, making a total of 1,348,875 contact hours. The cost per contact hour was, therefore, £1.78p.

3.3 Crime is one of the greatest calls on the private and public purse, and there is national concern about the increase in criminality. 50% of all crime is committed by young people in the 15-21 age group, with 18 as the peak age for offending. It is estimated that 33% of all young men will have a criminal record before their 31st birthday.

3.4 In his speech to the 3rd Ministerial Conference on the Youth Work Curriculum, Nigel Foreman, the Under Secretary of State, emphasised the importance of youth work in "combating criminality" and described youth workers as "the unsung heroes of our time". The Home Office Standing Conference on Crime Prevention in its report "Safer Communities" published in August 1991, also acknowledges the Youth Service's role in crime prevention.

3.5 The police recognise the value of youth work. An article in the T.E.S. on 13th November, 1992, quoted Inspector Peter Darling of the South Yorkshire Constabulary as follows :

"There is no doubt that there is a link between youth facilities and the levels of crime".

Peter Whinship, Assistant Commissioner of the Metropolitan Police, argues that youth work helps combat crime committed by and against young people. In his report ("Juvenile Crime in London and Youth Provision") he claims that youth work not only provides opportunities to divert the potential criminal towards constructive activity, but removes potential victims from situations in which they are likely to be attacked.

- 3.6 A Home Office funded research project, whose findings are published under the title of "Diversion from Offending : the role of the Youth Service", states that youth workers are :

"in a unique position with regard to young offenders: they can divert young people from the criminal justice system whilst simultaneously helping them towards a more rewarding position in wider society".

- 3.7 The Youth Service is inexpensive. Crime is in every way costly. It costs £350 per week to keep a person in prison or detention, without counting the expense of detection, prosecution, after care, and the material and human cost of the criminal offence.

4. CONCLUSION

- 4.1 The L.E.A. has a legal duty to secure the provision of a Youth Service which is adequate in terms of relevance, availability, accessibility and quality and quantity.
- 4.2 The Youth Service is an educational service providing opportunities for personal and social development which help young people to become empowered, enlightened, resourceful, responsible and contributing members of their communities.
- 4.3 It is a cost effective service provided at low cost. It is generally acknowledged to have a role to play in combating criminality and, again, it is a low cost remedy.

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