

The youth justice commute (or the construction of youth transport poverty)

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Document Version
Peer reviewed version

Citation for published version (Harvard):
Brooks-Wilson, S 2023, 'The youth justice commute (or the construction of youth transport poverty)', *Youth Justice*.

[Link to publication on Research at Birmingham portal](#)

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The youth justice commute (or the institutional construction of youth transport poverty)

Journal:	<i>Youth Justice</i>
Manuscript ID	Draft
Manuscript Type:	Original Article
Keywords:	Accessibility, Commuting, Disproportionality, Journey, Juvenile Justice, Mobility Justice, Over-representation, Youth, Youth Justice, Youth Transitions
Abstract:	Youth justice commuting problems need better recognition due to the complex dispersal of practice sites and prevalence of characteristics associated with journey barriers. Applying a transport poverty framework to the youth justice population develops adult-focused research and establishes youth transport poverty for the first time. Data from 28 young people and 33 practitioners in two high-deprivation, post-industrial English towns suggests free transport offers a partial solution. Recommendations suggest that inclusive communication and established education sector policies could support youth justice accessibility, help understand connections between over-representation and commuting problems, and support other contexts like education to employment transitions.

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Abstract

Youth justice commuting problems need better recognition due to the complex dispersal of practice sites and prevalence of characteristics associated with journey barriers. Applying a transport poverty framework to the youth justice population develops adult-focused research and establishes youth transport poverty for the first time. Data from 28 young people and 33 practitioners in two high deprivation, post-industrial English towns suggests free transport offers a partial solution. Recommendations suggest that inclusive communication and established education sector policies could support youth justice accessibility, help understand connections between over-representation and commuting problems, and support other contexts like education to employment transitions.

Keywords

Accessibility; commuting; disproportionality; journey; juvenile justice; mobility justice; NEET; over-representation; poverty; social exclusion; transport poverty; youth; youth justice; youth offending; youth transitions.

Introduction

Community youth justice provides the main response to young people in conflict with the law, and is often delivered across multiple sites and services. Groups that are over-represented in youth justice systems can experience commuting barriers in connection with age, gender, poverty, race and ethnicity (Kuttler and Moraglio, 2021; Sheller, 2018; Spilsbury, 2005), meaning journey outcomes do not always reflect intentions. Despite this, absence is sometimes interpreted as an act of resistance, with punishment increasing the infliction of system-based harm (YJB, 2019b). In different jurisdictions, contradictory ideological underpinnings (like help and punishment) can make discretionary responses to policy gaps unclear and unequal, while hiding young people's capability constraints. This article considers the complex, fragmented community youth justice landscape that is present in England and Wales and internationally. New questions will be raised about commuting problems in connection with populations over-represented in youth justice, to problematise perceptions of disengagement. Lucas et al.'s (2016) transport poverty framework will be used to organise the findings, with any one of the following five criteria meeting the threshold for transport poverty:

- Travel conditions are dangerous, unsafe or unhealthy
- No suitable transport option in the context of capabilities
- Transport options do not reach required destinations for daily activities/quality of life
- Excessive travel time leads to time poverty or social exclusion

- Weekly amount spent on travel leaves household with income below the poverty line (Lucas et al. 2016: 356)

Application of this framework will provide the first evidence of institutionally produced youth transport poverty in four distinctive areas. Although this article relates to a youth justice context, recommendations are relevant to youth accessibility more broadly, like in the context of education to employment transitions for young people not in employment, education or training (NEET). Although free travel resolves some aspects of transport poverty, the complex and hazardous ways that young people navigate locality settings suggests that new accessibility solutions are now needed.

Multi-sited community youth justice

In contemporary societies, illicit misdemeanours undertaken after the age of criminal responsibility and before the age of criminal majority result in one of three state-sanctioned responses: diversion from formal systems, compulsory community activities or incarceration in custodial facilities. These outcomes vary between jurisdictions although internationally, offence severity has a broadly positive relationship with system contact and deprivation of liberty. The 'criminalisation of social policy' refers to the involvement of criminal justice agencies in activities traditionally undertaken by the welfare state - something Wacquant (2009) extensively discusses in the context of US penal regimes. This means welfare and punishment have become poorly demarcated in contemporary society, with greater justice agency contact for socially disadvantaged groups (Rodger, 2008). The criminalisation of social policy impacts youth justice delivery as more organisations and practice sites are required, extending beyond police, court, reparation and sentence review activities to include mental and physical health, housing and education (Burnett and Appleton, 2004; Muncie, 2008). The simultaneous delivery of help and punishment is well documented as problematic in many jurisdictions, with contradictory philosophical underpinnings causing confusion in sparse policy areas like accessibility and making it unclear whether to help or responsabilise (Brooks-Wilson, 2020a).

Usefully, Sheller connects accessibility with the organisation of the built environment, by suggesting that: *'we must consider how to combine struggles for accessibility and bodily freedom of movement, for equitable infrastructures and spatial designs that support rights to movement'* (Sheller, 2018: 20). Community youth justice often requires the involvement of multiple organisations at different sites, with examples from Australia and the US illustrating this point. In Australia, the Victorian Government's Criminal Justice Diversion programme responds to low-level offending through features delivered at different sites, including voluntary work, drug and alcohol treatment, anger management coaching and defensive driving courses (Fisher, 2008). For young people in the US, incarceration has been decreasing steadily since 2001 because such settings are likely to increase reoffending and cannot respond well to high levels of trauma and mental ill health (OJJDP, 2023). The closure of youth custodial settings has resulted in consultations on community alternatives, with evidence of improved outcomes in Alabama, California, Illinois, Ohio, New York and Texas (OJJDP, 2023). Although the shift to community delivery is positive, these Intensive Supervision Programmes also involve multiple daily appointments to *'a wide range of services to address offenders' needs'* (OJJDP 2014: 4), irrespective of whether young people reside in residential homes or visit treatment facilities during the day.

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3 Accessibility is a challenge for single-sited sectors so community youth justice has a problem, yet the
4 geographical dispersal of ideologically disparate partner agencies remains under-researched
5 (Brooks-Wilson, 2020b). When young people engage with community-based partner agencies
6 expectations can vary, causing confusion and disrupting the completion of requirements (Brooks-
7 Wilson, 2020b). Educational engagement is important for resettlement and desistance, and the
8 education sector in England and Wales undertakes rigorous accessibility assessments that consider
9 distance, cost, safety and physical ability (Hazel and Bateman, 2021; HM Government, 2022;
10 Maruna, 2012). Within policing, young people are usually provided with a lift to custody, with
11 release guidance in England and Wales suggesting: *'the custody officer should check that a detainee*
12 *[...] will be safe following release. A child or woman, for example, should not be released into the*
13 *night without some safety precautions having been put in place'* (HMIC, 2015: 104). This evidence of
14 diverse commuting guidance in just two partner agencies, raises questions for the wealth of
15 organisations operating in different jurisdictions. Such evidence also implies that appointment
16 absence can be an outcome of sentence profile and the ability (rather than willingness to) attend,
17 which significantly undermines the legitimacy of service withdrawal and absence-related
18 punishment (Brooks-Wilson, 2020b).
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25 Connecting over-represented characteristics with commuting problems

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27 The term 'commuting' refers to routine journey making in the context of regular responsibilities,
28 suggesting an interdependency between destination activities and associated journeys. In this
29 context, the term 'youth justice commuting' helps elevate the status of hidden practices upon which
30 youth justice delivery is wholly dependent. Personal circumstances and broader societal contexts
31 influence the nature of everyday journeys, with 'commuting' first emerging alongside capitalist
32 production, when public transport facilitated the daily separation of work and home (Aldred, 2014;
33 Hanson, 2009). Contemporary commuting is diverse, with multi-sited jobs (like social work)
34 permeated by travel, contrasting with hybrid working and the emergence of 'telecommuting' (in
35 place of physical commuting) in the aftermath of Covid-19 (Ferguson, 2016; Hanson, 2009).
36 Contemporary research challenges universalist (adult) assumptions of commuting, by developing
37 understandings of children and young people's diverse and distinctive experiences and service needs
38 (Barker, 2012; Fast, 2020; Horton, 2016; Odih, 2007). In a policy context, transport planners use
39 accessibility planning to help less mobile people reach destinations vital for everyday life, including
40 employment, education, healthcare, food shopping and local urban centres (DfT, 2014b; Kilby and
41 Smith, 2012; SEU, 2003; Titheridge et al., 2014). However, the youth justice population often
42 undertake unfamiliar journeys to 'contingency' services, and are excluded from accessibility support
43 that is largely directed towards physically disabled and older people (Bourn, 2013; DfT, 2014a;
44 Quayle and Cope, 2018; Schmitt et al., 2015; SEU, 2003). This means that in England and Wales, the
45 youth justice population do not receive any targeted commuting policies, despite undertaking
46 onerous requirements with constrained capabilities (Brooks-Wilson, 2020a; Lucas, 2012).
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52 In a welcomed rejection of universalism, 'mobility justice' suggests journey experiences and
53 capabilities reflect social position, with powerful groups accessing higher levels of mobility through
54 things like political articulation and planning engagement (Sheller, 2018). Yet such acceleration is
55 often at the expense of de-prioritised, marginalised groups, whose mobilities are worth less and
56 whose slower public pace is subject to higher levels of surveillance and mobility suppression (Sheller,
57 2018). Internationally, similar groups of people are 'over-represented' in youth justice populations,
58 meaning the general population profile is distorted (rather than reflected) within them (Brooks-
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3 Wilson, 2020a, Cole, 2012; Day, 2017; Hughes et al., 2020). For example, neurodiversity and mental
4 ill health can interfere with journey perceptions, decision making and confidence, and are over-
5 represented in youth justice populations (Brooks-Wilson, 2016; Hughes et al., 2020). Some people
6 experience hostile racist treatment when accessing everyday destinations, with separate evidence of
7 the same groups being over-represented in youth justice systems (OJJDP, 2022; Sheller, 2018).
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10 These 'silos' of knowledge on journey problems and youth justice over-representation suggest the
11 need for mobile and structural disadvantage to be better synthesised, raising questions about
12 whether the extensive and complex causes of over-representation could have implications for
13 journey making. Such factors are extensively discussed elsewhere, and include things like structural
14 and institutional racism, legal literacy, 'appropriate' displays of remorse, trust and co-operation, the
15 punitive treatment of poverty, geographical population distribution and arrest 'availability', among
16 other things (Cole, 2012; Hall et al., 2013; Meer, 2022; Phillips and Bowling, 2002; Wacquant, 2009).
17 Conversely, the same questions can be asked about transport poverty and its impact on youth
18 justice, and how deficits in journey making resourcing, capabilities or safety levels might impact
19 service completion (Lucas et al., 2016). Low-income households undertake fewer journeys, travel
20 shorter distances and rely on active travel or public transport (DfT 2021) but other over-represented
21 areas and their intersections still remain poorly understood.
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25 Connections between youth justice over-representation and commuting barriers have now been
26 established in the context of poverty (Brooks-Wilson, 2020a) and despite social disadvantage often
27 leading to support requirements when attempting to reach: '*resources, rights, goods and services*'
28 (Levitas et al., 2007: 19; Oroyemi et al., 2009), youth justice policy has a starting position of assumed
29 service access. The lengthy youth justice entry point assessment concludes by asking whether it is:
30 '*easy to go to your YOT appointments?*' when at this stage, full commuting requirements may not be
31 obvious, making it only possible to comment on intentions (YJB, 2014a). Lateness and absence are
32 outcomes of (often precarious) journey problems, but absence-based punishments assume actor
33 capability and rationality, commuting autonomy and wilful 'non-compliance' (Hart, 2011; YJB,
34 2019b). Research shows that families experiencing multiple disadvantage are more likely to
35 experience problems with crime and service access, with the absence of a family car connected to
36 deeper, complex problems (Levitas et al., 2007; Oroyemi et al., 2009). Despite this, higher levels of
37 disadvantage have been directly connected with *heavier* youth justice sentences (Bateman, 2011),
38 where the poorly resourced 'kinetic underclass' experience *higher* commuting requirements to *more*
39 services without a guarantee of help (Brooks-Wilson, 2020a; Cresswell, 2010; Eidse et al., 2016).
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47 Research approach

48 This paper uses recoded data from a previous 2012 study with justification. The author
49 acknowledges the changing youth justice landscape, but asserts that commuting is more onerous
50 and complicated due to a reduction in the youth justice population, and return of secondees to
51 parent organisations (YJB, 2010; 2019a). These changes have produced a sector that is more
52 dispersed and sparsely populated, with a lack of policy detail ultimately placing the onus on young
53 commuters and unevenly distributed, discretionary treatment (Brooks-Wilson, 2020a; YJB, 2019b).
54 Developments in the classification of transport poverty and social exclusion (Lucas et al., 2016) make
55 aspects of this study more important to share as they imply that the policy gap on youth justice
56 commuting (and its consequences) is even more crucial to address. In this context, not sharing
57 robust research evidence on a poorly understood problem seems more problematic. Finally, data
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3 collection became complicated during the Covid-19 global pandemic, legitimising research
4 resourcefulness in different ways, such as through the (re)analysis of data with an enduring (and
5 arguably increasing) relevance. This paper uses five key criteria to establish whether the youth
6 justice sector institutionally constructs transport poverty, and whether it would be useful to nuance
7 transport poverty identification criteria to account for age. Lucas et al.'s (2016) valuable, non-age-
8 based criteria proposes that any one of the following areas meets the transport poverty threshold:
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- 11 • Travel conditions are dangerous, unsafe or unhealthy
- 12 • No suitable transport option in the context of capabilities
- 13 • Transport options do not reach required destinations for daily activities/quality of life
- 14 • Excessive travel time leads to time poverty or social exclusion
- 15 • Weekly amount spent on travel leaves household with income below the poverty line
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18 A qualitative, mixed methods case study was conducted in two post-industrial towns - one
19 previously permeated with coal mines and the other with cotton mills. Mining Town was larger,
20 containing 20 per cent of rural land, compared with five per cent in compact Mill Town (Defra,
21 2011). In total, 28 young people and 33 practitioners participated in nine focus groups and 24
22 interviews across three practice sites (one pilot and two main research sites). Practitioners managing
23 the full range of community sentences shared different knowledge, views and experiences on
24 commuting. It was also important to include different youth justice commuter voices, so stratified
25 sampling was used to capture different sentencing outcomes, ethnic groups, ages and genders. The
26 connection between social disadvantage and onerous, complex commuting was evident with
27 research participants overwhelmingly poor, and almost exclusively using public transport or active
28 travel.
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32 The unit of analysis in this research was youth offending teams, as this enabled local authority-level
33 data on social disadvantage and youth justice attendance problems to be jointly considered (ONS,
34 2010; YJB, 2010). Absence and lateness are key causes of youth justice order breakdown, but a lack
35 of published data made breach data the closest available proxy, with locations in this research
36 having rates of around two and a half times above the national average (YJB, 2010). The index of
37 multiple deprivation was then used to locate youth justice commuters experiencing multiple
38 disadvantage in areas such as employment, education, income and health (DCLG, 2011). The two
39 main case study areas had above national average rates of workless families with children, and
40 around half the neighbourhoods in each location were within the fifth most deprived in the country
41 for employment, education, skills and training. Health deprivation was particularly notable in Mill
42 Town, with nearly two-thirds of neighbourhoods within the fifth most deprived in the country (ONS,
43 2010).
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47 Commuting problems can become normalised, so those experiencing barriers do not always identify
48 them and sometimes avoid everyday activities as a consequence (Lucas, 2012; Lucas et al., 2016;
49 Brooks-Wilson, 2020a). Internationally, longstanding guidance suggests the need to listen to young
50 people and protect their rights (United Nations 1989) and in England and Wales, the youth justice
51 participation strategy and ideological shift from 'young offender' to a 'Child First' approach has
52 made inclusive communication methods more legitimate (Case and Browning, 2021; Lucas et al.,
53 2016; Mannay 2016; Smithson et al., 2020; YJB, 2016). It was important for this research to elevate
54 the lived experiences of youth justice commuters as such voices are often 'doubly muted' due to age
55 and status (Ridge, 2002), although this is changing through different initiatives such as participatory
56 youth practice at GMYJUP in Manchester (Smithson et al., 2020). Visual methods can elevate young
57 people's voices (Brooks-Wilson and Snell, 2012; Mannay, 2016; YJB, 2016) and researcher
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3 experience of visual communication supported the use of such techniques (Brooks-Wilson and Snell,
4 2012; Wilson and Snell, 2010). An image elicitation exercise incorporated icons of travel modes (like
5 buses, cars and walked travel) to destinations (like the YOT office, court and police station) to
6 produce clear and focused practice-relevant points, with a local ordinance survey map producing
7 detailed journey narratives. Young people were asked 'which places do you go to for your
8 community sentence?'; 'how do you get there?' and 'what route do you take?' using icons and a
9 map, with audio recordings of these discussions forming the main research output. During the main
10 study, there were further opportunities to document youth justice commuting using a mini bus-
11 based photographic trip, with images used to enhance dialogue richness in a focus group.
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15 With respect to ethical considerations, all participant communication took place verbally and in
16 writing using Plain English (Plain English Campaign, 2001). As research took place in some youth
17 offending team interview rooms, it was important to emphasise participation as voluntary and
18 separate from community sentences and include multiple opportunities for easy research
19 withdrawal. To protect participant and researcher safety, young people with significant mental ill
20 health or violent behaviour did not take part, although it is acknowledged that these voices are often
21 hidden and should not be muted when possible (Ridge, 2002). For this article, data were coded using
22 Lucas et al.'s (2016) five categories to establish evidence of institutionally produced youth transport
23 poverty. Within each category, subcodes were used to develop richer knowledge on transport
24 poverty in diverse youth justice commuting circumstances.
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31 Findings

32 These findings provide evidence of youth transport poverty being produced from complex and
33 onerous commuting requirements, limited capabilities and unreliable journey methods (Levitas et
34 al., 2007; Oroyemi et al., 2009; Sheller, 2018; YJB, 2019b). Lucas et al. (2016) stipulate that *any one*
35 of the following four findings sections provides evidence of transport poverty, meaning this paper
36 identifies the *institutional* construction of *youth* transport poverty for the first time. Unfortunately,
37 limited involvement in household financial management meant youth justice commuters were not
38 well placed to discuss whether transport costs left households with an income below the poverty
39 line, according to Lucas et al.'s (2016) transport poverty framework. However, young people
40 reported having no money and negligible access to private motorised transport (Lucas et al., 2016),
41 and it was possible to assume that extensive travelling times blocked other activities, including
42 income generation opportunities. When running late due to unpredictable transport, practitioners
43 described how advance notification en route could 'show willing' and limit the progression to
44 punishment. However, it was also acknowledged that this option wasn't available to everyone as: '*if*
45 *they're genuine, and they haven't got money for a phone, then they haven't got money for the bus*'
46 (YOT Practitioner, Mill Town Interview 1). This suggests that conventional contingency methods (like
47 phoning ahead to advise of lateness) are not always feasible, with subsequent interpretation of
48 absence 'motivation' requiring careful consideration.
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56 Youth justice commuting conditions are dangerous, unsafe or unhealthy

57 This research found youth justice commuting to be dangerous, unsafe and unhealthy, building on
58 Lucas et al.'s (2016) framework to provide the first evidence of institutionally constructed youth
59 transport poverty. Personal safety issues arose when hard-to-access locations were coupled with
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3 constrained capabilities and a contravention of institutional guidance (HMIC, 2015; Oroyemi et al.,
4 2009). One young person described leaving police custody alone at night time - something that could
5 only be considered dangerous, unsafe and unhealthy: *'I'm under 18 and [the police] let me out at*
6 *one in the morning with just my t-shirt on! They took my jumper off me and the lot! It were freezing*
7 *and all - I didn't stop running until I got home'* (Male aged 17 on a Detention and Training Order,
8 Mining Town Interview 13). Resonating with Sheller (2018), this research found the
9 interconnectedness of journey making and the built environment to exacerbate such problems even
10 further:
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13 *'They've made their police headquarters on the outskirts of town - at least a good bus ride*
14 *away. They come out without their trainers on, wearing little foam slippers, because they're*
15 *keeping their shoes after [...] I've had young people arrive in town with those fluffy foam*
16 *slippers on and what looks like a pair of somebody's pyjama bottoms, because they've taken*
17 *their clothes off them - so police appointments are obviously difficult'* (YOT Practitioner, Mill
18 Town interview 4).
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23 Many commuters relied on the local bus exchange to access youth justice appointments, but the
24 presence of different schools and neighbourhoods was locally acknowledged as making this
25 important destination a site of high conflict, with increased likelihood of injury or breach of sentence
26 requirements producing a dangerous and criminogenic youth justice commute:
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29 *'He tried walking into the bus station [...] he swung his hand round like that, obviously I*
30 *wasn't going to let him throw his punch, got his hand like that and as soon as he got his hand*
31 *to there I swung [...] broke nine bone in my hand doing it'* (Male aged 18 on a Detention and
32 Training Order, Mining Town Interview 12).
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36 Causes of over-representation in youth justice systems are complex, making any potential
37 contributory factor important to consider. One young person in this research described how youth
38 justice commuting would repeatedly place him in high-conflict situations involving persistent racist
39 abuse, cementing new connections between over-representation and youth justice commuting
40 problems (Phillips and Bowling, 2002; Cole, 2012; Fraser, 2020; Sheller, 2018; YJB, 2021a). In
41 addition to injury, the possibility of sentence breach increased when young people attempted to
42 manage such situations, with poorly resourced commuting providing few opportunities to avoid
43 racist victimisation:
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46 *'You try to ignore it as much as you can but if people won't stop, you make them stop don't*
47 *you? I'm exactly the same. I'm not Asian, I'm half-caste Jamaican, I get people saying: 'go*
48 *back home'. What you on about? I was born here! I try and laugh at it most of the time, at*
49 *how stupid they are. But after a while you've got to do something about it. You can't just*
50 *stand there and let them take the piss out of you forever can you?'* (Young Person 2 on
51 Detention and Training Order, Mill Town Focus Group 1)
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56 This research also provides evidence of constrained choices contributing towards commuting-based
57 conflict more broadly, with a lack of protection from public spaces through reliable, safe, fast and
58 direct private (car) transport (DfT, 2021; Lucas, 2012; Lucas et al., 2016; Oroyemi et al., 2009). In
59 particular, fixed public transport routes were found to initiate contact with high-conflict areas:
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'No offence, I don't get on with these people up there [identifies location on map that his bus travels through to get to the YOT, and how young people in the neighbourhood were behaving in a provocative way]. They're all [making an obscene hand gesture] so we went back up here on the bus, came back down and got off - and we all got off. There were loads of them [...] there was about twenty people right, thirty people on that road right [...] they stay in our road right. You try, you just jump them - you know what I mean' (Young Male 3 aged 16 on Intensive Supervision and Surveillance, Mining Town Focus Group 2)

Concerningly, poorly resourced youth justice commuters described being at risk of exposure to threatening behaviour involving the use of weapons, resulting in protracted commuting detours to avoid personal safety threats:

'One area you'll just be right, 'I can just walk'. See some kids on the streets like, you can just walk past them they're not going to do it, and some kids down another street, pull a knife [...] It's happened to my brother before when he were walking home from [identifies local neighbourhood on the map]. I won't walk down that area anymore. Or that little bit of the area anymore. When I get to about that part, I go along the main road near to there' (Young Person on a Referral Order, Mill Town interview 7).

These findings provide evidence of the youth justice commute being dangerous, unsafe and unhealthy, building on Lucas et al.'s (2016) framework to confirm that youth justice commuters meet the transport poverty threshold.

No suitable option in the context of youth justice commuter capabilities

In this research, young people's difficult life circumstances limited the availability of suitable youth justice commuting options, building on Lucas et al.'s (2016) framework to identify institutionally constructed youth transport poverty for the first time. In particular, complex needs interrupted smooth passage (SEU, 2003; Sheller, 2018; Urry, 2007), with commuting becoming insurmountable for some young people:

'I think some young people just aren't ready to - it's just too hard to come and talk about, really. Difficult subjects and what they've done, and yes, it's just too hard and then you add to it the weather, and an hour on the bus, and another adult telling you off, it's - I think it becomes impossible for them' (Court Officer, Mining Town Interview 9).

At the time of data collection (and in line with current policy detail), complex needs were identified as impeding commuting capabilities, but compliance requirements were ultimately prioritised:

'Sometimes there's no excuse. They're just not in the right place at the right time, in their chaotic lifestyles, to be attending reparation. But it's a statutory part of their order' (Reparation Coordinator, Mining Town Interview 5).

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3 One young person with poor commuting resourcing described needing to: 'nick cars' (Young Male 3
4 aged 16 on Intensive Supervision and Surveillance, Mining Town Focus Group 2) as a solution to his
5 transport problems, showing how criminogenic commuting manifests in different ways when
6 requirements exceed capabilities. Resonating with other discussions (Brooks-Wilson, 2020a;
7 Cresswell, 2010; Levitas et al., 2007; Oroyemi et al., 2009), this research found social adversity to be
8 detrimental for commuting capabilities, as young people had limited access to transport equipment,
9 money and adult support. Such findings build on Lucas et al.'s (2016) framework to identify
10 institutionally constructed youth transport poverty for the first time.
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16 Transport options do not reach required youth justice destinations

17 In this research, transport did not always meet youth justice commuting requirements, building on
18 Lucas et al.'s (2016) framework to provide more new evidence of institutionally constructed youth
19 transport poverty. Heavy dependency on unreliable and unpredictable methods was found to block
20 youth justice access, resonating with mobility justice (Sheller, 2018). Poor resourcing meant
21 commuters were less adaptable to ad hoc destination requirements (Urry, 2007) and despite bus
22 stops representing a transport access point, journeys commonly fractured there:
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25 *'They should be every ten minutes, like, but normally, you'll be waiting and you'll see them*
26 *going down, the other side, but you can't get on them. You got to get on them going directly*
27 *into town. So you'll see like three or four of them going down, and it'll take another half an*
28 *hour and they'll all come back up at the same time'* (Male aged 16 on a Youth Rehabilitation
29 Order, Mining Town Interview 1).
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34 Youth justice commuting invariably involved being outside (such as when walking or using public
35 transport) with extraneous factors providing commuting completion impediments (Urry, 2007): *'the*
36 *weather is a big one [...] as you can imagine in the snow, attendance dropped. And that's not unusual*
37 *for anything I suppose - when the snow was bad like it was'* (Court Officer, Mining Town Interview 9).
38 Yet a lack of commuting policies and low awareness of constrained capabilities resulted in
39 problematic partner agency practice. Despite the cancellation of community reparation sessions due
40 to adverse weather, young people were still expected to be present and punctual before being sent
41 straight home. Enforcing high commuting requirements in connection with withdrawn appointments
42 shows a significant lack of insight into the barriers young people experience, when attempting to
43 complete community sentences. Although in accessibility terms, practitioners often provided the
44 elasticity, a local issue with personal car use hindered such expectations, helping one practitioner
45 understand how the local transport system impeded effective practice: (DfT, 2014b; HM
46 Government, 2022):
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50 *'I could probably only get to see two young people in any given day. And I'd go out to [the*
51 *first village], and I'd set off one morning at 9.30am and I didn't get back until about 6.30 pm.*
52 *So I'd seen two young people, I went out for a 3 o'clock bus and it didn't turn up because it*
53 *were on the [route to another place]. The next one - it were one an hour. And the next one*
54 *didn't turn up'* (Tier 1 YOT Practitioner, Mining Town Interview 3).
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59 This research also agrees with Lucas et al.'s (2016) suggestion that transport poverty criteria are not
60 mutually exclusive, with one journey found to be dangerous and unsuitable while not reaching the

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3 required destination. In particular, one young person described being unable to avoid intimidating
4 adults who disrupted public transport commuting: *'Occasionally you'll get some - or even older*
5 *smack heads - druggies and that, they'll be on the bus, and maybe causing trouble like if they're*
6 *smoking on the bus or something, and the bus driver's got to stop'* (Male aged 16 on a Youth
7 Rehabilitation Order, Mining Town Interview 1). Such experiences indicate how extraneous factors
8 heighten the risk of unpredictable and unreliable youth justice commuting, resonating with ideas
9 about the socially situated journey (Sheller, 2018; Urry, 2007).
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13 Excessive youth justice commuting time leads to time poverty or social 14 exclusion

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17 It was difficult to establish whether excessive travel times led to household poverty or social
18 exclusion - as per Lucas et al.'s (2016) adult-centred transport poverty framework - as young people
19 did not have household budgetary knowledge, although they were aware of financial tensions
20 (Brooks-Wilson, 2020a). However, young people described having little money and few commuting
21 options, resulting in lengthy, low cost walked journeys: *'I'll show you where I walk. I walk from [YOT*
22 *Office] all the way to [distance of outlying village...] a good three and a half hours'* (Male 3 aged 16
23 on Intensive Supervision and Surveillance, Mining Town Focus Group 2). Such journeys were not
24 always problematic as they resolved unpredictable public transport problems (Urry, 2007), and
25 provided opportunities to develop friendships and escape from the adult gaze: *'You talk about*
26 *things. Talk about what you want to do, don't you? Like, make plans for the day. That's all we used to*
27 *do, like, just go for a walk and plan our way back. See what we were going to do and all that'* (Male
28 aged 17 on a Referral Order, Mining Town Interview 10). Yet in some cases, practitioner awareness
29 of onerous commuting requirements resulted in an encouragement to reduce transport options,
30 without the provision of alternatives:
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36 *'We've had one young person who used to cycle from [village six miles away] which is about*
37 *ten or fifteen minutes in a car. So that's quite a distance. But further out, like [outlying*
38 *former mining village ten miles away] or out that kind of way - yeah, it would be too far to*
39 *cycle'* (Court Officer, Mining Town Interview 9).
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41 The large rural context of Mining Town made it necessary to use busy main carriageways when
42 commuting on a bicycle: *'When you're going towards traffic on the side of the road it's daunting, you*
43 *know, when you see a big lorry or when you're on a scooter even. Because when they're high up in*
44 *the carriages you don't know whether they can see you or not. So you've got to take extra caution'*
45 (Male aged 16 on a Youth Rehabilitation Order, Mining Town Interview 1). This evidence of onerous
46 and dangerous commuting shows the interconnections between different transport poverty criteria,
47 while again providing evidence of youth transport poverty being institutionally constructed.
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54 Discussion and recommendations

55 Institutionally constructed youth transport poverty

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57 This article provides new evidence of institutional harm in the youth justice sector, as holistic
58 responses to offending couple high commuting demands with constrained capabilities to produce
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3 youth transport poverty (Lucas et al., 2016). Attempts to improve young people's lives involved
4 youth justice commuting that was dangerous, unsafe and unhealthy, cycling alongside freight
5 vehicles, using main carriageways and travelling alone at night, on foot and partially dressed.
6 Reliance on public journey spaces increased the risk of exposure to racist abuse, adult intimidation,
7 rival territories and violent encounters. For some young people, poverty and social exclusion had
8 such a significant practical and emotional impact that there was no suitable option in the context of
9 capabilities. Unreliable and infrequent transport did not always reach required youth justice
10 destinations, with adverse weather exacerbating things as residual travel requirements remained in
11 place for cancelled appointments. Research evidence did not establish whether excessive
12 commuting times led to household poverty and social exclusion, although walked and cycled
13 journeys were extensive and young people recognised household budgetary tensions (Brooks-
14 Wilson, 2020a). This implies that economic indicators of transport poverty may be hidden rather
15 than absent, suggesting the need to nuance Lucas et al.'s (2016) valuable criteria to take young
16 people's economic circumstances into account to help institutions understand whether mode of
17 practice engagement produces unintended engagement barriers. The uneven distribution of
18 transport barriers for the heterogeneous youth justice population raises important questions about
19 the need for flexible responses to these problems, while indicating an urgent need to consider less
20 obvious and high-profile sentence completion barriers, and their impact on over-representation.

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Commuting policies vary in different sectors, as apparent through the consideration of education,
policing and youth justice in this article. Discretionary treatment and non-adherence to guidance
complicates things further, as despite being mandated not to release young people *'into the night
without some safety precautions having been put in place'* (HMIC, 2015: 104) the opposite is taking
place. Youth justice commuting policy is sparse and still remains most developed in the context of
non-compliance and breach, although recent breach guidance has started to emphasise the need for
non-punitive measures (YJB, 2022a). Here, three instances of absence and lateness (key outcomes of
commuting problems) still justify formal action which in policy terms, means young people can
become imprisoned as an outcome of poorly communicated journey problems, (Brooks-Wilson,
2020a). In economic terms, commuting problems are also expensive, with research urgently needed
into the hidden cost of youth justice commuting problems - particularly in the current context of
economic hardship and public service disinvestment. Assuming 2,791 youth justice practitioners
(YJB, 2022a) receive an annual salary of £35,000 per annum and have one absent young person per
week, sector-wide costs in salary expenditure alone would amount to over £2.6 million per annum.
Despite this significant sum, actual costs are almost certainly higher as some appointments regularly
run at fifty per cent attendance rates (Brooks-Wilson, 2020a), and staff costs can become inflated by
multiple expert actors in one setting – like with youth court. These calculations suggest absence
costs are complex, with the author of this piece recently granted funding to understand the hidden
costs of youth justice absence, and research outputs expected in 2024.

Transferring commuting policies from education

Evidence in this article shows how diverse organisational approaches can create gaps of poor
practice, like in the context of police custody release or compulsory travel requirements to cancelled
appointments. Although these differences are inconsistent and confusing, they provide
opportunities to share best practice and transfer developed and tested policies between sectors.
The education sector can be considered as providing a benchmark for the treatment of children and
young people as it is accessed by most of the population. Education sector consideration of

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3 commuting cost, distance and safety, and could provide an enhancement to youth justice
4 attendance feasibility (HM Government, 2022), with such policies also benefitting other contexts like
5 youth education to employment transitions and NEET young people, who cross over significantly
6 with the youth justice population. Barriers to policy transfer are likely, with the youth justice
7 population more transient than the education sector, and normalised commuting problems making
8 it difficult to recognise barriers that impede journey completion (Brooks-Wilson, 2020a).
9 Affordability can also be difficult to understand when less conventional financial and emotional
10 interdependencies exist within a household (like parental reliance on young people). Some personal
11 safety risks can be anticipated (such as road traffic), but violent and racist threats are less easy to
12 plan for. Despite potential barriers to effective policy transfer, large inconsistencies in accessibility
13 policies are more problematic. The prevalence of community youth justice internationally (including
14 the widespread shift from custody to community-based approaches in the US) suggests the
15 prevailing (if not increasing) importance of this area (Fisher, 2008; OJJDP, 2014; 2023).
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22 More lived experiences, less behavioural misinterpretation

23 Internationally, the observance of young people's rights and experiences is not just a moral
24 obligation, with policy and practice benefitting in multiple ways (United Nations 1989). In England
25 and Wales, the youth justice participation strategy acknowledges the need to listen to young
26 people's doubly muted voices, with participatory youth practice, visual methods and consensual
27 approaches now proven to be effective (Mannay, 2016; Padley et al., 2013; Ridge, 2002; Smithson et
28 al., 2020; YJB, 2016). Such approaches contrast with one short question at the end of the youth
29 justice entry point assessment for disempowered young people, who are less able to respond
30 effectively or anticipate commuting problems (YJB, 2014a). Although discretionary treatment is vital
31 in the absence of comprehensive policy detail, unfettered use can cloud high-impact problems. For
32 example, onerous commuting requirements and extensive commuting barriers can remain hidden
33 (due to selective, pre-emptive help) or result in punitive treatment (due to selective
34 responsabilisation). These points suggest the need to improve policymaker use of innovative,
35 creative and consensual processes that promote the constructive and non-tokenistic involvement of
36 doubly muted voices, to develop better understandings of policy gaps and hidden problems (Padley
37 et al., 2013; Ridge, 2002; Smithson et al., 2020) including youth transport poverty.
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42 Young people express a wide range of responses to commuting problems, including frustration,
43 despair and passive acceptance – just like any other person might do when repeatedly encountering
44 problems reaching a regular responsibility (see Brooks-Wilson, 2020a). Commuting should not be a
45 catalyst for personal safety risks, criminalisation, punishment and inconsistent support for young
46 people whose opportunities are already significantly blocked. The youth justice population should
47 not face disproportionate punishment compared with other sectors, and should not be incarcerated
48 when paradoxically, the education sector apprehends *parents* for young people's absence (DfE,
49 2015). Importantly, interpretations of young people's behavioural responses to commuting
50 problems should not inform whether help or punishment follows – it is the *barriers* require urgent
51 attention and *not* young people's reactions to them (see Brooks-Wilson, 2020a,b; DfT, 2014b; Levitas
52 et al., 2007; Oroyemi et al., 2009; SEU, 2003). Equitable youth justice access is likely to enhance
53 intervention legitimacy, contribute towards effective practice and support positive outcomes,
54 including resettlement and desistance. Youth justice sector piloting of established education sector
55 commuting policies would be more equitable than punishing young people for being absent when
56 they struggle to get there. This article contributes to a growing body of research on contemporary
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3 commuting (Aldred, 2014; Hanson, 2009), but much remains under-researched, with every effort
4 needed to listen, engage and respond to the expressed commuting needs of doubly muted voices.
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