

Misspent Youth '99

The Challenge for Youth Justice

Misspent Youth, published in 1996, identified a number of problems with the system for dealing with young offenders...

- prosecution through the courts was slow
- not enough was done to address offending behaviour
- the agencies involved often worked in an unco-ordinated way
- little was done to prevent young people from offending in the first place

...and the Crime and Disorder Act means that agencies need to make substantial changes to address these issues.

Audits of local criminal justice agencies in 1998 show improvements in most of these areas...

- on average, cases take one month less than in 1997 to be processed from arrest to sentence
- pre-sentence reports are completed in an average time of 16 days, compared with 20 days in 1997
- 40 per cent of staff time is spent addressing offending behaviour, compared with 30 per cent in 1997



- 80 per cent of supervision orders start within five days, compared with only 50 per cent in 1997

But progress has yet to be made in others...

- only 4 per cent of offenders are given 'caution plus' programmes, which will shortly be introduced everywhere as 'final warnings'
- more cases are sent to multi-agency panels for decision-making over whether to caution or prosecute than a year ago

- around half of authorities do not have an established bail support scheme
- mental healthcare is difficult to obtain in two-thirds of authorities

...and further improvements are still needed if the Crime and Disorder Act is to be successful...

- the time taken to prosecute young offenders should be shorter still
- 'final warnings' with action programmes to address offending behaviour should be piloted in all areas
- supervision orders need to meet the national standards for timeliness in all cases.

...so the positive trends need to continue in the next and future years.

This monitoring will now be continued by the new Youth Justice Board for England and Wales, set up under the Crime and Disorder Act, which is responsible for leading reforms to the youth justice system.



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1

Introduction

...considerable change was needed if the Government's new targets for tackling youth crime were to be met

1. This report follows on from *Misspent Youth* (Ref. 1), published in 1996, which identified a number of problems with the services and systems that dealt with young offenders:

- prosecution through the courts was slow;
- not enough was done to address offending behaviour;
- the agencies involved often worked in an unco-ordinated way; and
- little was done to prevent young people from offending in the first place.

2. The Government's Crime and Disorder Act aims to address these issues. It will also require multi-agency youth offending teams (YOTs) to be established in all parts of England and Wales. A follow-up report published by the Commission in 1998 (Ref. 2), which provided further details of the performance of current services in all areas based on 1997 audit results, indicated that considerable change was still needed if the Government's new targets for tackling youth crime were to be met.

3. This update reports on the results of an audit exercise that took place in the second half of 1998, and which covered most areas of the country. The figures show a reduction in the time taken for the criminal justice process at all stages, indicating that young people are being sent to court earlier than they were previously and that courts are processing their cases more quickly than before. The proportion of time that youth justice workers spend addressing the behaviour of young offenders has increased compared to the year before, and performance has also improved in meeting national standards for post-sentence supervision and pre-sentence reports (PSRs). Further work is needed, however, on developing 'caution plus' and bail support.

2

The Time Taken for the Criminal Justice Process

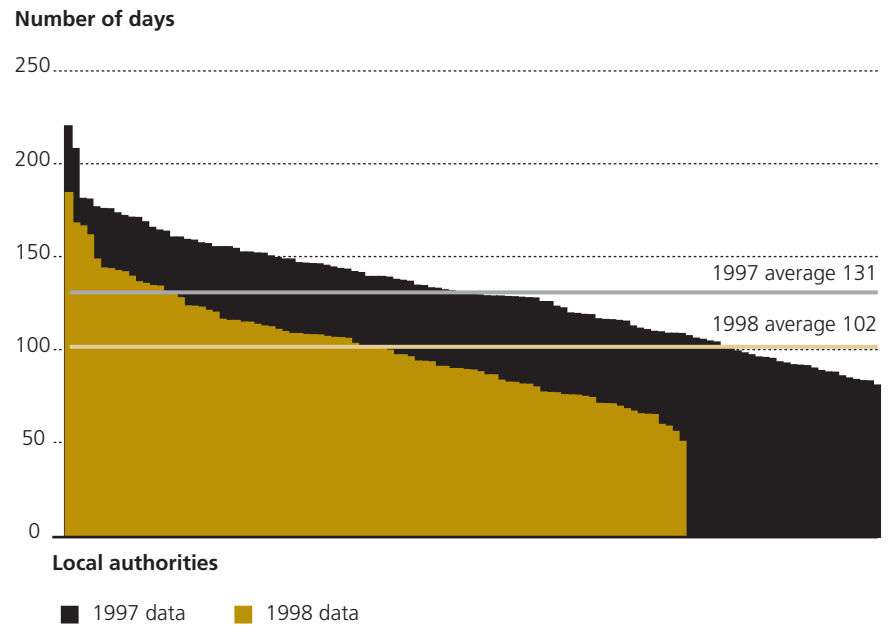
Time from arrest to sentence

4. Audit results from late 1998 show that the average time between arrest and sentence in the youth court was 102 days for all offenders and 103 days for 'persistent' offenders (defined as those with three or more previous sentences given by the court). This is a considerable reduction on the previous year's finding of 131 days for all offenders. Average delays varied between 50 and 180 days in different areas [EXHIBIT 1A]. The change in the average time from arrest to sentence varied. In most authorities there was a reduction but in some there was an increase [EXHIBIT 1B]. Reduced delays across different types of authority were similar so, on average, cases still took longer in London than in other areas [EXHIBIT 1C].

EXHIBIT 1A

Days from arrest to sentence

Delays varied between 50 and 180 days.



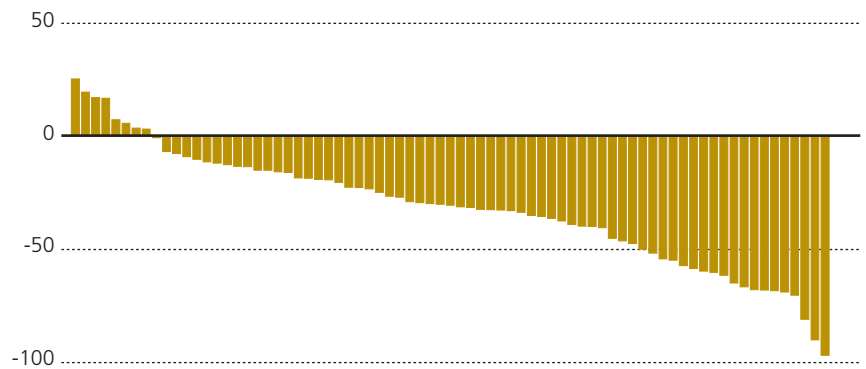
Source: 1998 audit data returns, based on 70 or more young offenders in each local authority sentenced in the first half of 1998. 1997 data based on 120 authorities; 1998 data based on 89 authorities.

EXHIBIT 1B

Change in the number of days from arrest to sentence between 1997 and 1998

In most authorities there was a reduction but in some there was an increase.

Change in the number of days from arrest to sentence between 1997 and 1998



Source: 1998 audit data returns, based on 70 or more young offenders in each local authority sentenced in the first half of 1998.

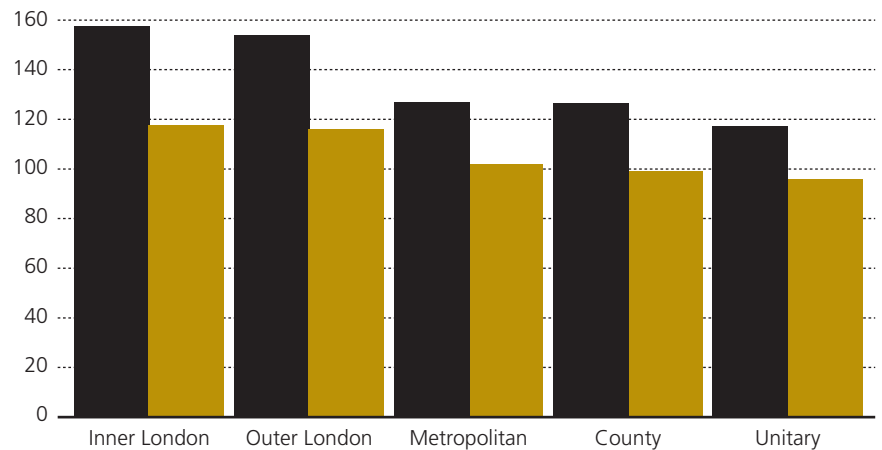
Local authorities

EXHIBIT 1C

Days from arrest to sentence, by authority type

On average, cases still took longer in London.

Number of days



Source: 1998 audit data returns, based on 70 or more young offenders in each local authority sentenced in the first half of 1998.

Local authority type

■ 1997 data ■ 1998 data

5. For all offenders, an average of 16 days elapsed between arrest and charge, 38 days between charge and first court appearance, and 46 days between first appearance and sentence. (The time from charge to first listing in court, and from first listing to sentence were also measured, but these did not differ significantly from the times relating to first appearance.¹⁾ For persistent offenders, the time taken before first appearance in court was shorter than average – 11 days from arrest to charge and 35 days from charge to first appearance – but the time taken to reach sentence in the court was longer, 57 days [EXHIBIT 2].

Correspondingly, the average number of appearances in court was greater for persistent offenders than for others – 3.9 and 3.2 respectively – although the average for all offenders has reduced from the previous average of 3.6 [EXHIBIT 3].

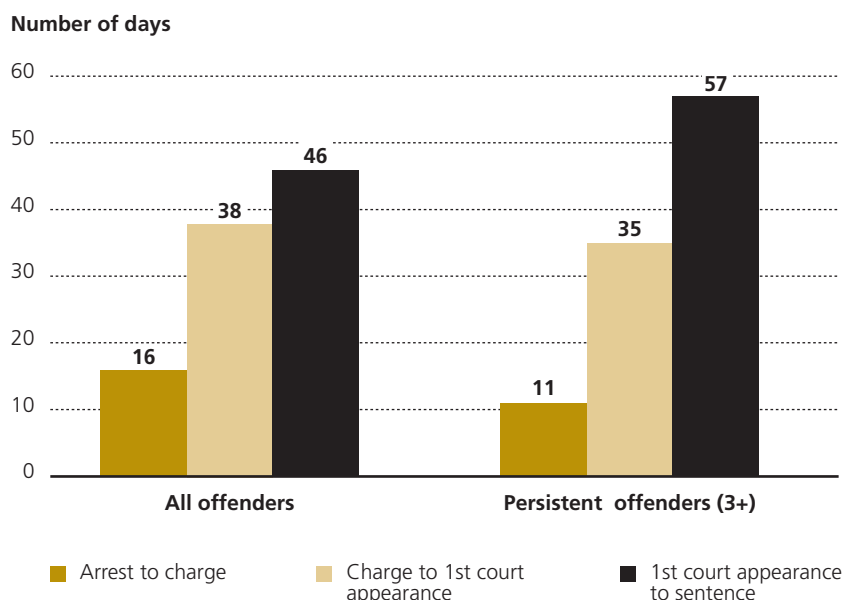
6. In order to reduce the total time of the criminal justice process still further, the most promising stage to look at may be the lengthy period between charge and first court appearance – currently 38 days for all offenders and 35 days for persistent offenders. In exceptional circumstances, offenders can appear in court the day after they are charged. This is the responsibility of the police, the Crown Prosecution Service (CPS) and the courts; these agencies need to work together to establish local arrangements to bring young offenders into court sooner.

1 Student's T test

EXHIBIT 2

Time taken for the criminal justice process

For persistent offenders, the time taken before first appearance in court was shorter than average, but the time taken to reach sentence in the court was longer.



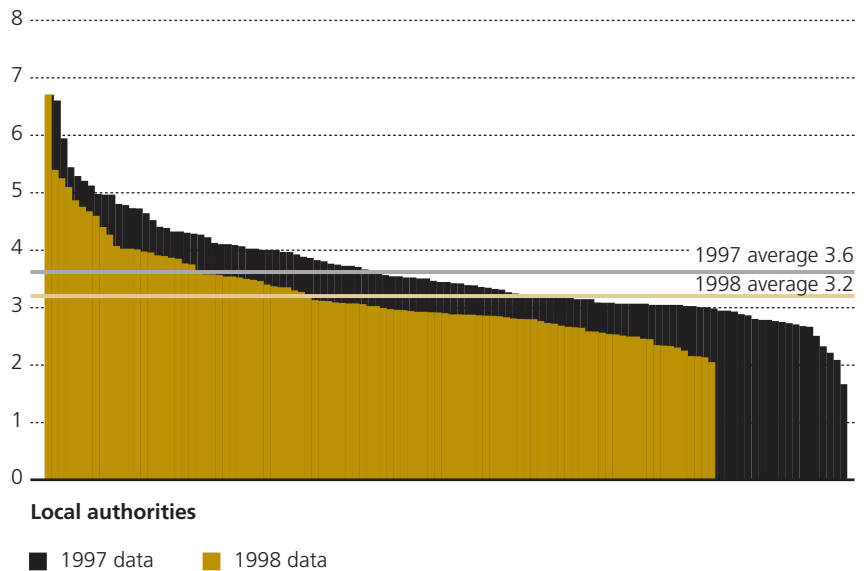
Source: 1998 audit data returns, based on 70 or more young offenders in each local authority sentenced in the first half of 1998.

EXHIBIT 3

The number of youth court appearances per case

The average for all offenders has reduced.

Source: 1998 audit data returns, based on 70 or more young offenders in each local authority sentenced in the first half of 1998. 1997 data based on 123 authorities; 1998 data based on 98 authorities.

Number of court appearances**Multi-agency panels**

7. The use of multi-agency panels to help the police to decide whether to caution or prosecute a young person can sometimes contribute to delays in processing cases. *Misspent Youth* (Ref. 1) recommended the use of gravity-factors to guide such decision-making, so as to reduce the need for lengthy discussions. The Home Office circular on tackling delays (Ref. 3) also endorsed the use of gravity-factors and local agreements on which categories of offenders should be charged to assist quick decision-making. Staff time could thereby be saved and redirected towards other activities, such as working directly with young offenders. However, the use of multi-agency panels has risen: 29 per cent of cases are sent to panels now, compared with 23 per cent the previous year.

Pre-sentence reports (PSRs)

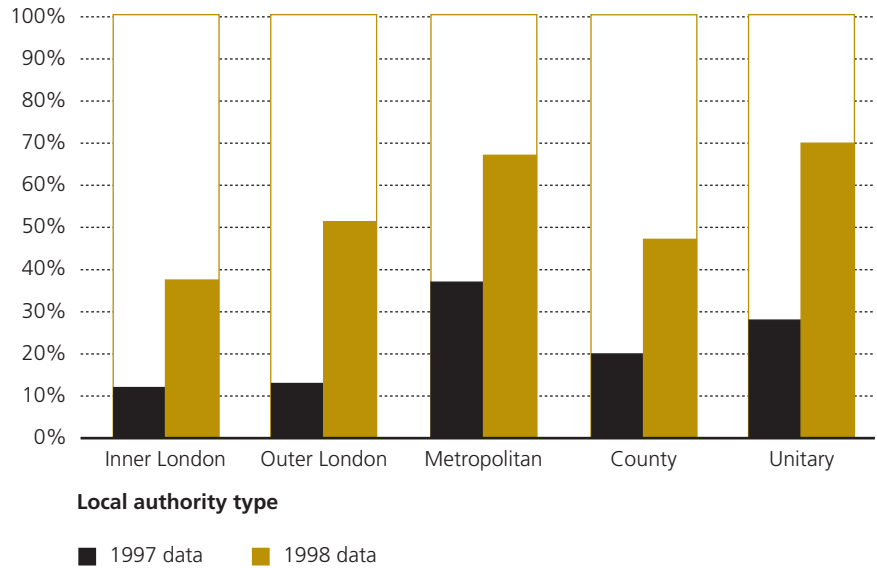
8. Adjournment to commission a PSR from the youth justice or probation services can add to delays in processing some cases. The national standard set by the Home Office, Department of Health and Welsh office is that PSRs should be completed within 15 working days (Ref. 4). Considerable improvement has occurred since 1997 in the timely production of PSRs. In 1998, 58 per cent of PSRs were presented within the target time of 15 working days, compared with 24 per cent the previous year. The improvement has occurred in all types of authority, although it is particularly marked in unitary authorities and outer London boroughs [EXHIBIT 4, overleaf].

EXHIBIT 4

The percentage of PSRs completed within 15 days, by authority type

The improvement is particularly marked in unitary authorities and outer London boroughs.

Percentage of PSRs completed



Source: 1998 audit data returns, based on 40 or more PSRs completed in the first half of 1998.

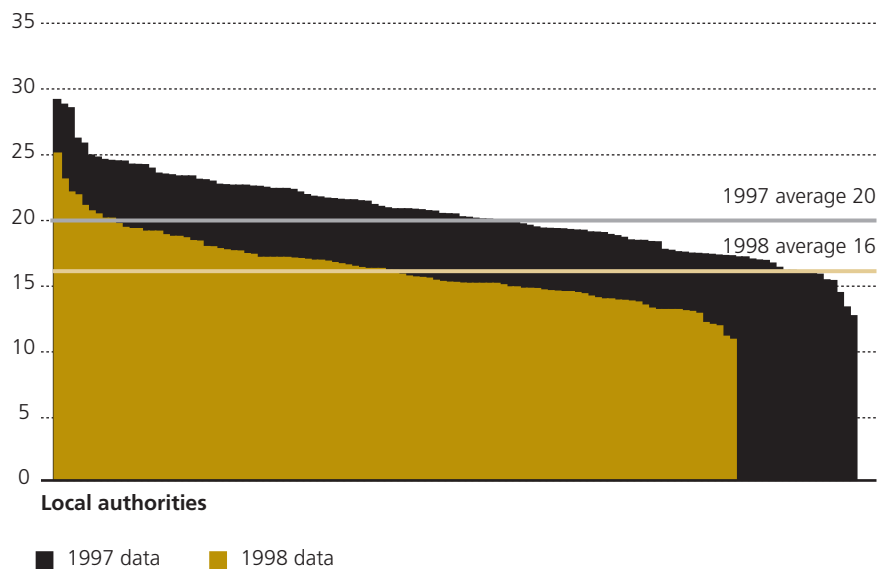
9. The average time taken to complete a PSR has also reduced from 20 to 16 days since 1997, although the variation in performance is similar [EXHIBIT 5]. Authorities that are comparatively well provided with staff resources for local needs – as indicated by the number of qualified staff per disposal – do not complete their PSRs any faster than those with fewer resources, as found in the previous year [EXHIBIT 6].

EXHIBIT 5

Average time to complete a PSR

The average time taken has reduced from 20 to 16 days.

Number of days



Source: 1998 audit data returns, based on all PSRs completed in the first half of 1998 or 40 recent PSRs. 1997 data based on 125 authorities; 1998 data based on 101 authorities.

EXHIBIT 6

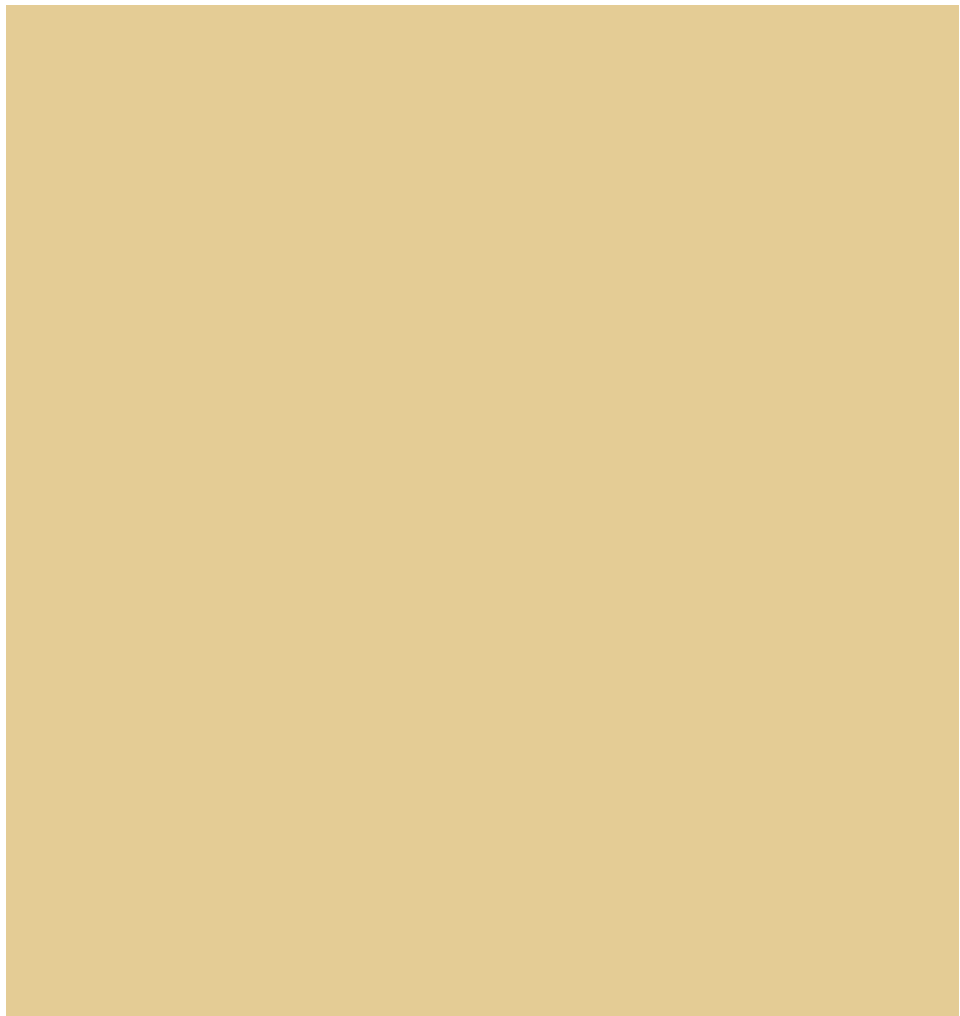
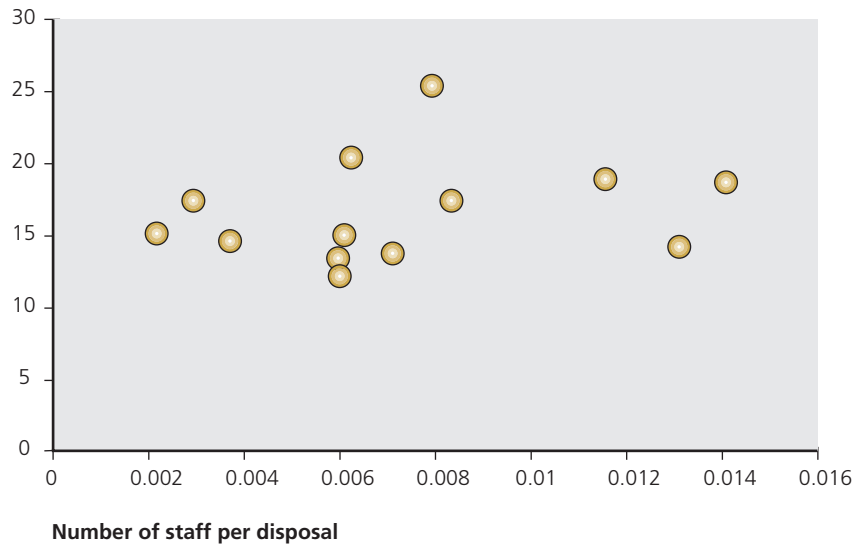
The relationship between staff resources and average time taken to complete PSRs (integrated teams only)

Authorities that are comparatively well provided with staff resources do not complete their PSRs any faster.

Note: R squared = 0.05

Source: 1998 audit data returns, based on 40 or more PSRs completed in the first half of 1998.

Average working days to produce PSR



3

Addressing Offending Behaviour

'Caution plus'

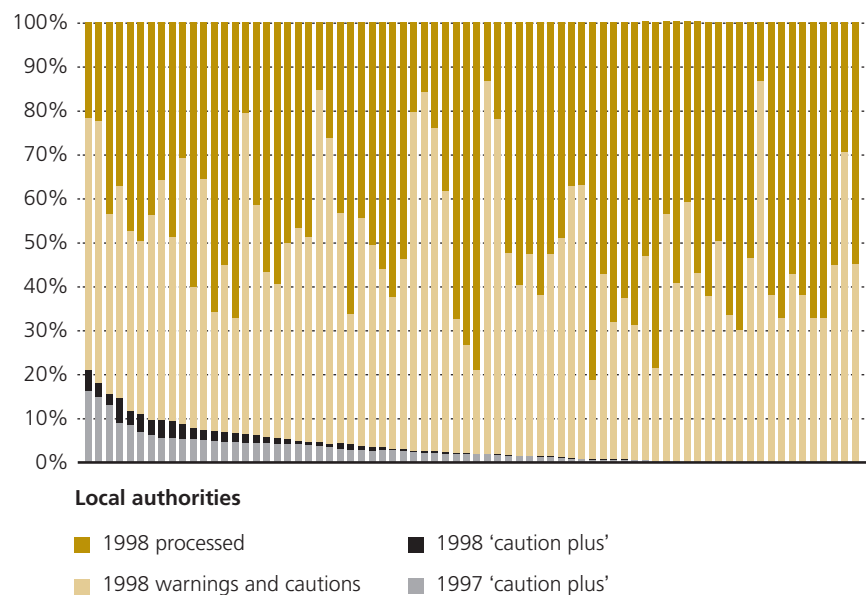
10. In 1998, 4 per cent of young offenders were given 'caution plus' programmes. Although this is an increase on the previous year's figure of 2 per cent, around 25 per cent of authorities did not provide any 'caution plus' programmes at all, and the national average remains small [EXHIBIT 7]. Multi-agency youth offending teams (YOTs), which are being set up in preparation for the implementation of the Crime and Disorder Act, will have to develop schemes of this type before April 2000. Effective programmes can take time to establish, so it is important that the work to set them up begins without delay. This work should draw on the experiences of others, such as the Northamptonshire Diversion Unit, which has been operating such a scheme for more than ten years.

EXHIBIT 7

The use of 'caution plus' programmes

Four per cent of young offenders were given 'caution plus' programmes in 1998.

Percentage of young offenders



Source: 1998 audit data returns, based on all disposals in the first half of 1998. 1997 data based on 93 authorities; 1998 data based on 74 authorities.

Bail support

A rise in the unit cost is to be expected as more comprehensive schemes are developed

11. The Crime and Disorder Act will require all YOTs to have access to bail support. Authorities were asked for the unit costs of their bail support service (or the price paid where it was provided externally). One reason for asking this question was to discover which authorities could identify a unit cost, which in turn would imply that they have an established, or identifiable, scheme in operation. Those that could not identify a cost may have a ‘non-identifiable’ scheme, as described by NACRO (Ref. 5). These provide general support services to offenders deemed to be at risk of offending on bail on an ad hoc basis, without designated staff or other facilities. Fifty-eight per cent of authorities were able to answer the unit cost question; the average cost had risen to £111 per week (from £85 the previous year). A rise in the unit cost is to be expected as more comprehensive schemes are developed, and this is still comparatively low. Schemes that provide a real alternative to custodial remands, such as the Rotherham bail support project (Ref. 2) are likely to cost considerably more.

12. However, the percentage of young people being granted bail in authorities with an established bail support scheme – as indicated by being able to identify the unit costs – did not differ significantly from those which did not.¹ It is likely that some of the individual schemes have an influence on courts’ decisions over whether to grant bail, but the effect was lost when averaged over the group of 58 per cent of authorities.

Time spent addressing offending behaviour

13. The time spent by youth justice workers on different activities was recorded by means of a diary exercise, as in the previous year. All direct work with young offenders (work with people on supervision orders, bail support, ‘caution plus’, visits to custody, work with people on licence and other direct work with offenders) was classified as activity that addresses offending behaviour. On average, 40 per cent of staff time was spent on addressing offending behaviour. This was a considerable improvement over the previous year, when only 30 per cent of staff time had been spent on direct work with offenders [EXHIBIT 8A, overleaf]. The increase was most marked in unitary authorities and London boroughs, but it was substantial across all kinds of authority [EXHIBIT 8B, overleaf].

¹ Student’s T test

EXHIBIT 8A

Percentage of youth justice workers' time spent addressing offending behaviour

On average, 40 per cent of staff time was spent on these activities.

Source: 1998 audit data returns, based on activities over one month for each worker. 1997 data based on 113 authorities; 1998 data based on 72 authorities.

Percentage of youth justice workers' time

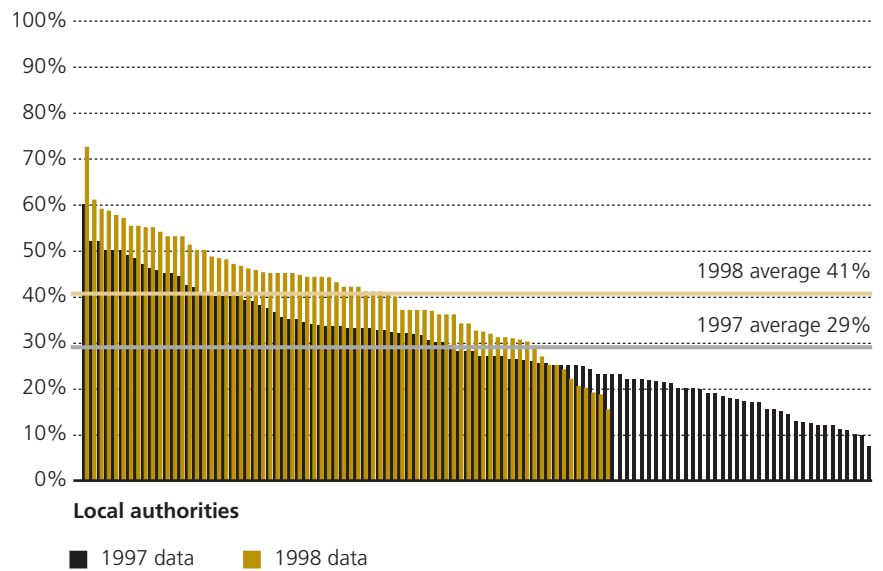


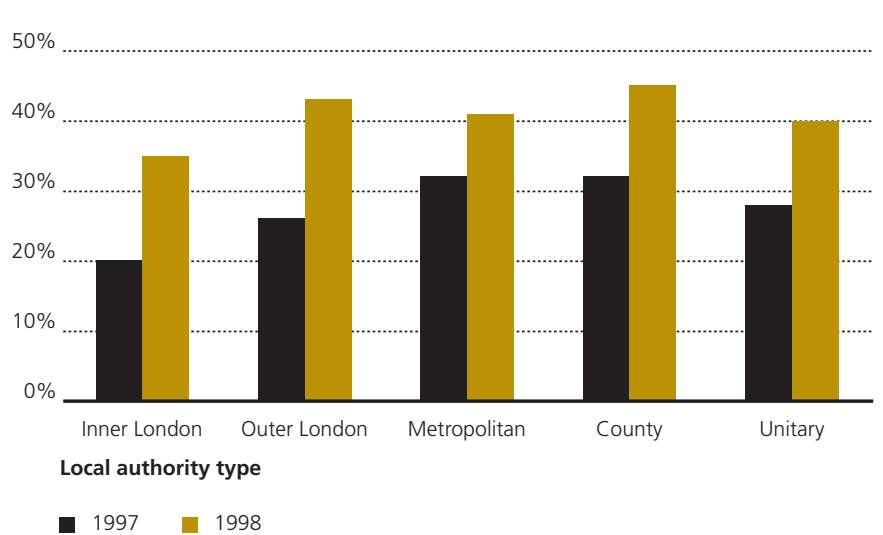
EXHIBIT 8B

Percentage of youth justice workers' time spent addressing offending behaviour, by authority type

The increase was most marked in unitary authorities and London boroughs.

Source: 1998 audit data returns, based on activities over one month for each worker.

Percentage of youth justice workers' time



14. Staff in authorities with relatively more staff available for an equivalent workload do not necessarily spend more time addressing offending behaviour [EXHIBIT 9].

Supervision orders

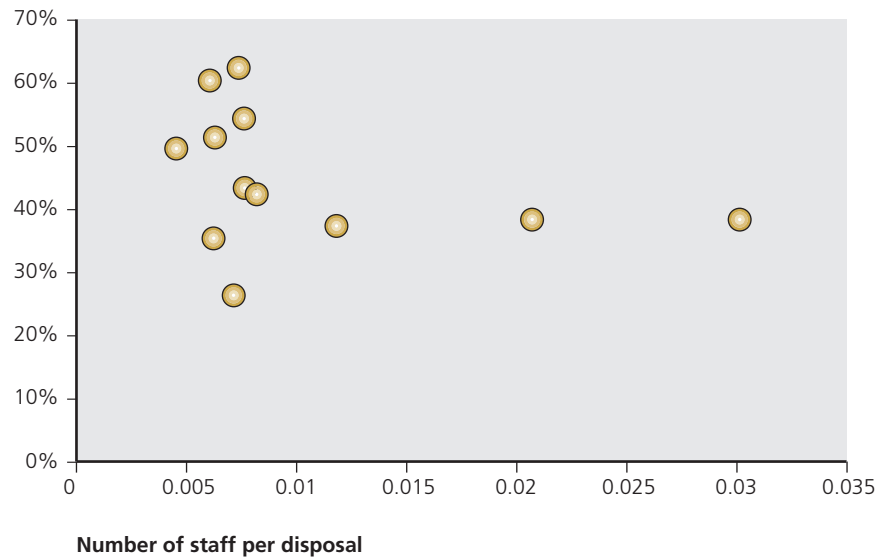
15. The national standards (Ref. 4) require the first interview with a young person on supervision to be carried out within five working days of the court order being made. The percentage of first interviews meeting this standard had risen substantially in comparison with the previous year. It now stands at 80 per cent, compared with only half achieving this the year before [EXHIBIT 10A, overleaf]. The improvement was shown in all types of local authority, but was particularly marked in inner London boroughs [EXHIBIT 10B, overleaf].

EXHIBIT 9

The relationship between relative staff resources and time spent addressing offending behaviour (integrated teams only)

Staff in authorities with relatively more staff available do not necessarily spend more time addressing offending behaviour.

Percentage of time spent addressing offending behaviour



Note: R squared = 0.11

Source: 1998 audit data returns, based on activities over one month for each worker.

EXHIBIT 10A

Percentage of supervision orders in which the first interview was carried out in five working days

The percentage of first interviews meeting this standard had risen substantially.

Source: 1998 audit data returns, based on 25 or more supervision orders given between 1 July 1997 and 30 June 1998. 1997 data based on 120 authorities; 1998 data based on 93 authorities.

Percentage of supervision orders

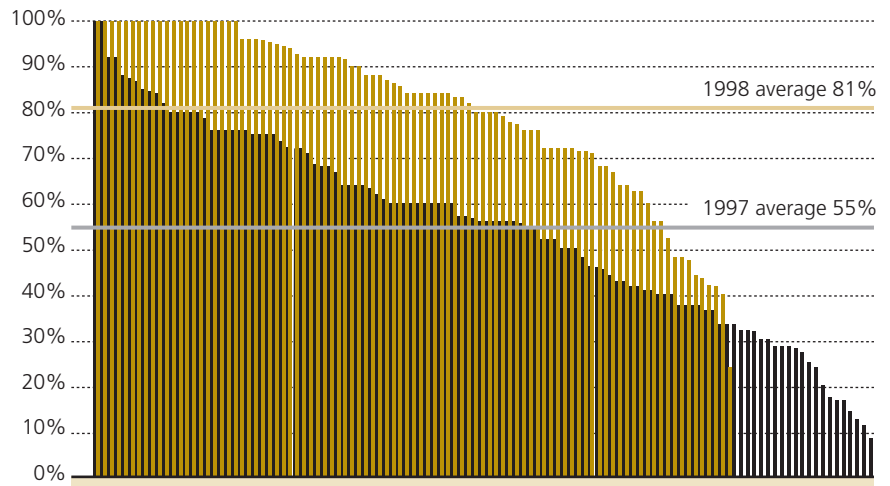
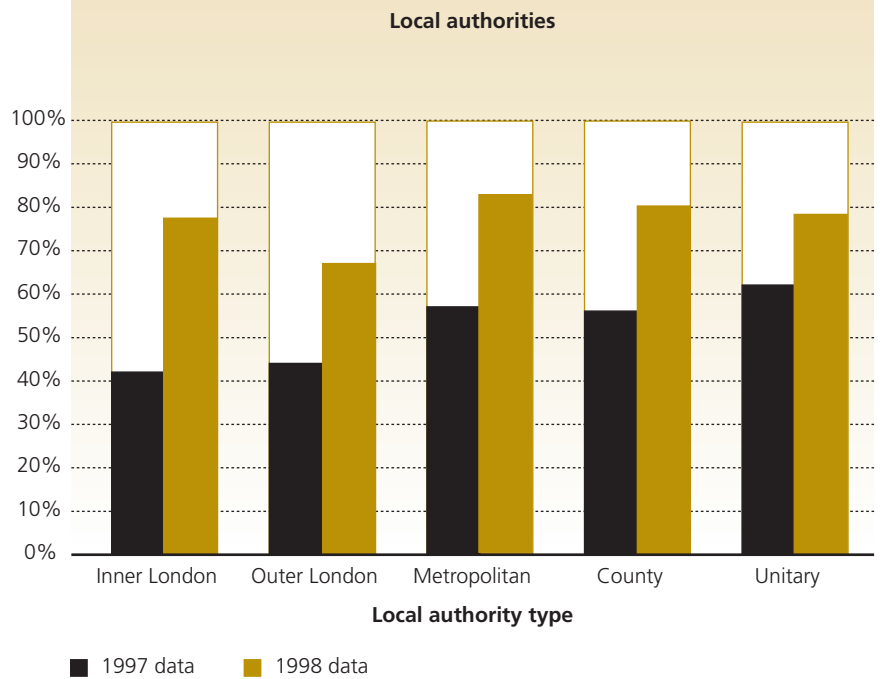


EXHIBIT 10B

Percentage of first interviews for supervision orders carried out in five days, by authority type

The improvement was particularly marked in inner London boroughs.

Source: 1998 audit data returns, based on 25 or more supervision orders given between 1 July 1997 and 30 June 1998.



16. Improvement was also shown on the national standard that requires a supervision plan to be drawn up within ten working days. On average, 73 per cent of plans were drawn up in this time, compared with fewer than 50 per cent the previous year [EXHIBIT 11A], and a number of authorities achieved the standard for all of the plans in the sample. The improvement was shown in all types of authority [EXHIBIT 11B].

EXHIBIT 11A

Percentage of supervision plans drawn up within ten working days

On average, 73 per cent of plans were drawn up in this time.

Source: 1998 audit data returns, based on 25 or more supervision orders given between 1 July 1997 and 30 June 1998. 1997 data based on 118 authorities; 1998 data based on 93 authorities.

Percentage of supervision plans

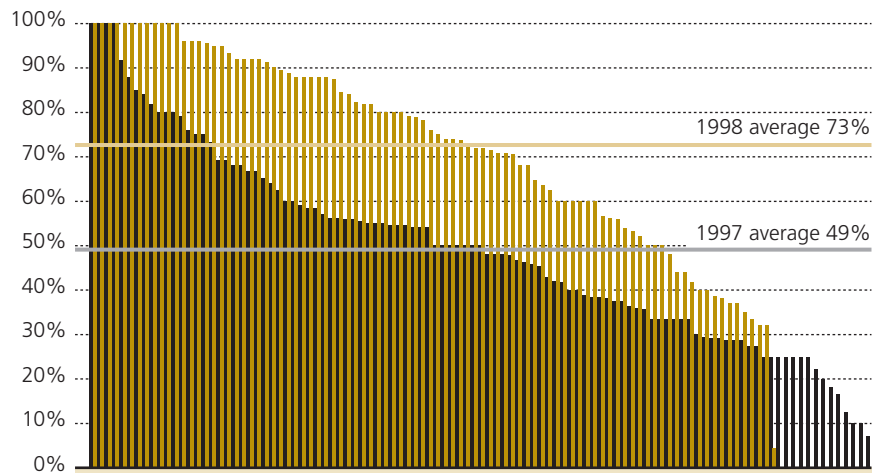
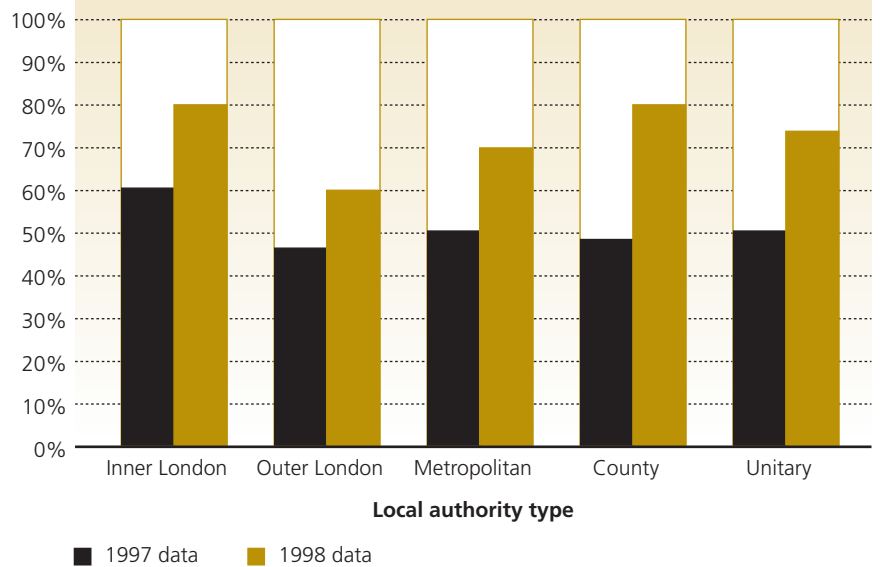


EXHIBIT 11B

Percentage of supervision plans drawn up within ten working days, by authority type

Improvement was shown in all types of authority.

Source: 1998 audit data returns, based on 25 or more supervision orders given between 1 July 1997 and 30 June 1998.



Re-offending

17. The exercise on monitoring re-offending (Ref. 2) was not repeated for this round of data collection, as authorities found it too time-consuming, given their current information systems. Monitoring re-offending on a regular basis will, however, be required by the Youth Justice Board when the new YOTs are established. So developing good information systems that enable routine monitoring of the performance measures described in the preceding sections will be increasingly important as the provisions of the Crime and Disorder Act are implemented.

Access to local support services

18. Youth justice managers were asked about the availability of local services and facilities, such as mental health services and housing advice, to support their work. Most were able to gain access to advice on benefits and housing without any difficulty, but although help with mental health problems was available in most areas, two-thirds of managers reported problems in gaining access to it [EXHIBIT 12]. One-third also reported difficulty accessing help with drug problems. Around one-third of authorities had a mentoring scheme in their local area, but one-quarter had difficulty in getting access to it.

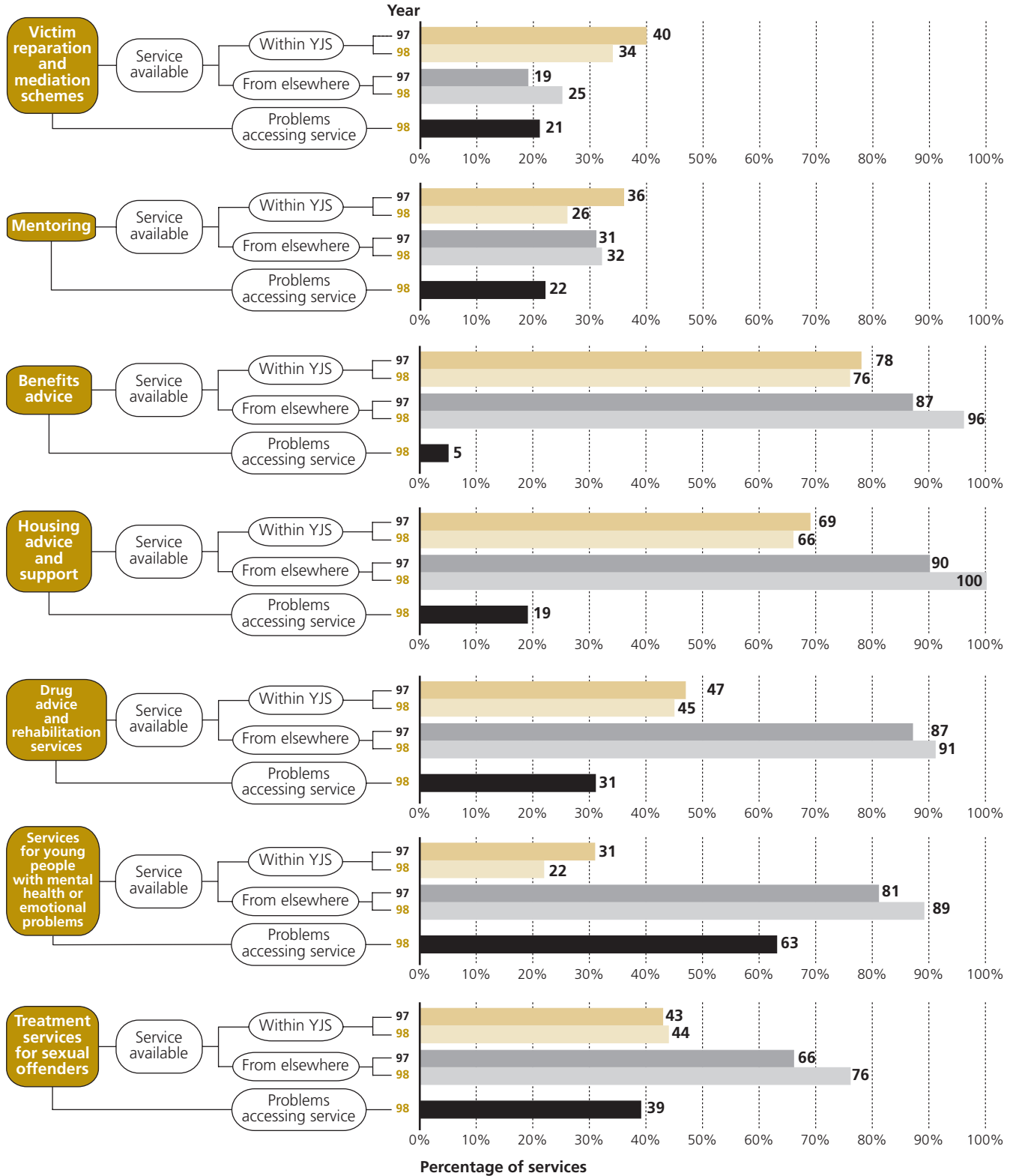
Employing volunteers for specific tasks

19. *Misspent Youth '98* (Ref. 2) suggested that staff time could be saved and redirected to dealing with offending behaviour if all of the 'appropriate adult' visits (when a young person is interviewed by the police) were carried out by trained volunteers instead of by qualified social workers and probation officers. This figure is not encouraging, as only 12 per cent were carried out by trained volunteers in 1998, compared with 19 per cent the previous year.

EXHIBIT 12

The availability of local support services

Although help with mental health problems was available in most areas, two-thirds of managers reported problems in gaining access to it.



Source: 1997 and 1998 audit data returns

RECOMMENDATIONS



Misspent Youth '99

- 1 Youth justice services have made major improvements between 1997 and 1998. Together with the police, CPS and courts, they have helped to reduce the time taken to sentence young offenders. Further reductions in this time are still needed, particularly the stage between being charged by the police and first appearing in court. Youth justice services have also reduced the average time they take to produce PSRs for courts, bringing it closer to the requirements of the national standards. There is still variation between areas, so some have scope to improve further.
- 2 More could still be done to address the behaviour of young offenders. The number receiving 'caution plus' programmes at the pre-court stage could be increased in all areas before final warning schemes are introduced everywhere. The time spent by staff with young offenders has risen substantially, implying that more resources are being directed towards addressing offending behaviour. This trend will need to be maintained as YOTs become responsible for supervising young people on final warning programmes, action plan orders and reparation orders, in addition to supervision orders.
- 3 Youth justice services have also improved their performance on starting supervision orders and drawing up supervision plans in good time, but many are still failing to meet the national standards in all cases. The standards need to be met in order to give the appropriate messages to young offenders that their behaviour is being taken seriously.
- 4 The challenge now is to continue these improvements in the run-up to the implementation of the Crime and Disorder Act in April 2000, and to ensure that the new YOTs keep them at the top of their agenda.

References

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