

<b>Title of Report:</b>	<b>Youth Justice</b>
<b>Report to be considered by:</b>	Overview and Scrutiny Management Commission
<b>Date of Meeting:</b>	16 April 2013

**Purpose of Report:** To provide an update on the use of the Youth Restorative Disposal in West Berkshire and its impact on the national indicator to reduce first time entrants to the Youth Justice System.

**Recommended Action:** To note the report

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# Executive Report

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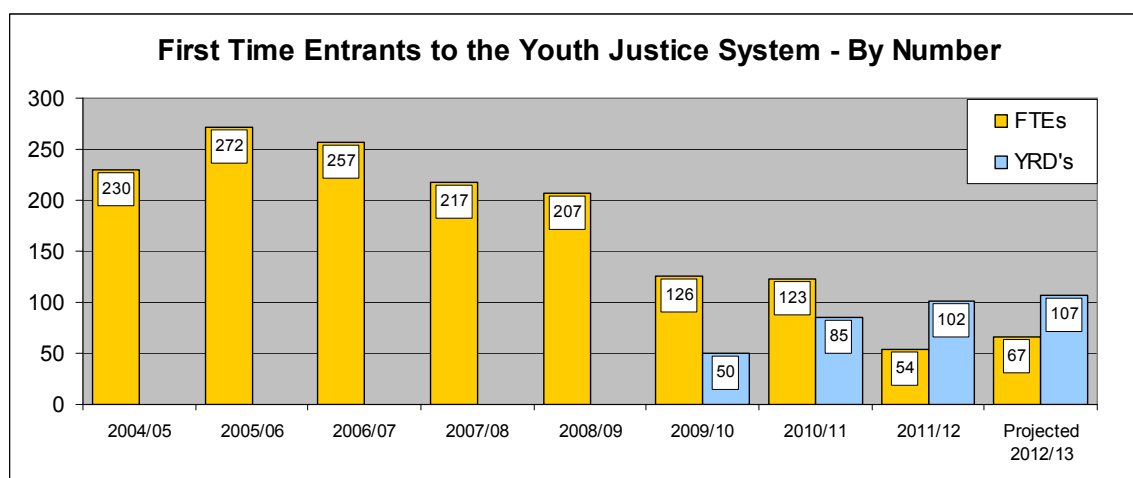
## 1. Introduction

- 1.1 On 21 February, the Overview and Scrutiny Management Commission received information from the Head of Children's Services indicating that contributory factors to the drop in the number of young people entering the youth justice system was the introduction by the police of the Youth Restorative Disposal and Youth Cannabis Warning.
- 1.2 The Commission requested that an update be provided to evaluate the effectiveness of these schemes and to assess the impact prior to, and following, the introduction of the schemes.

## 2. Reduction in First Time Entrants

- 2.1 First Time Entrants (FTEs) are made up of young people receiving Reprimands (a disposal for a first, low level offence with no requirement for the Youth Offending Team (YOT) to intervene, but locally a screening system to offer services for those with relevant risk factors); Final Warnings (a disposal for a first more serious offence or for a second less serious offence, with the YOT to assess and provide appropriate interventions to reduce risk factors); and lastly for some young people sentenced in court for the first time with no previous offences. This will either be for a more serious first offence or because the young person denies the offence.
- 2.2 First Time Entrants dropped between 2005/06 to 2008/09 from 272 young people entering the formal youth justice system for the first time to 207. This reduction would be largely due to the expansion in preventive and early intervention work in West Berkshire. (Refer to Graph 1 below).

Graph 1



- 2.3 Previously the National Indicator in relation to FTEs was based on the number of young people entering the youth justice system for the first time. This has now

changed to the number of first-time entrants per 100,000 young people aged 10-17, for which historical data is available from the financial year 2007/8. (Refer to Table 1).

**Table 1**

<b>Rate per 100 000 of YP aged 10-17 from YJB dataset (financial year)</b>	2007/08	2008/09	2009/10	2010/11	2011/12
<b>YOT Data</b>	1,235	1,201	737	696	312
<b>South East Data</b>	1,741	1,394	1,176	819	579
<b>National Data</b>	1,862	1,493	1,180	884	712

- 2.4 For West Berkshire there has been a 75% decrease in First time Entrants between 2007/8 and 2011/12, compared with a 61% decrease nationally.
- 3. Use Of The Youth Restorative Disposal (YRD)/Youth Cannabis Warning (YCW)**
- 3.1 This section outlines the impact of the introduction by the police of the Youth Restorative Disposal and Youth Cannabis Warning.
- 3.2 In 2009 Thames Valley Police introduced the YRD for low level crime. The YRD is an informal disposal not recorded on the Police National Computer (PNC), and with a restorative component, with national pilots finding these were popular with victims and the police, the latter particularly relating to the reduction in paperwork to deal with low level crime. Their introduction has had a significant impact on the reduction in first time entrants (FTEs).
- 3.3 In addition the Youth Cannabis Warning was introduced, again as an informal sanction for those found in possession of cannabis for the first time, but with a referral to Substance Misuse Services.
- 3.4 Graph 1 highlights the impact of the introduction of the YRD on FTEs.
- 3.5 In West Berkshire only 30 YRDs and 0 YCWs were issued in 2009, as they were not introduced until September 2009. Their use increased to 121 in 2010, 141 in 2011 and 132 in 2012. Whilst they do not count as FTEs, as the YRD/YCW is not a formal sanction, their use does need to be taken into account in consideration of the reduction in FTEs.
- 3.6 A comparison of the Berkshire YOTs shows that the use of YRDs and YCWs has continued to rise in West Berkshire, compared to the other Berkshire YOTs which peaked in 2010/11. (Refer to Tables 2 and 3 below).

**Table 2**

Numbers of YRDs/YCWs since introduction in 2009 by YOT area

Year	Bracknell	Reading	Slough	Wokingham	Windsor & M	West Berks
<b>2009/10</b>	54		105	49	56	63
<b>2010/11</b>	226	178	250	94	129	117
<b>2011/12</b>	121	166	206	92	119	160
<b>2012 Q1-3</b>						85

**Table 3**

Numbers of YRDs where the young person has had a previous YRD or outcome

Year	Bracknell	Reading	Slough	Wokingham	Windsor & M	West Berks
<b>2009/10</b>	4		5	3		12
<b>2010/11</b>	16	30 over 2 year period	17	6		27
<b>2011/12</b>	9		12	6		36
<b>2012 Q1-3</b>						17

3.7 The following sets out some characteristics of young people receiving YRDs and their offences.

### 3.8 Gender

The proportion of YRDs/YCWs being given to girls decreased from 47% in 2011, to 28% of all YRDs/YCWs given in 2012, more reflecting the proportion in the formal youth justice system. For 2012 it no longer seemed more likely that girls would get a YRD than boys.

### 3.9 Age

The younger age group are more likely to get YRDs/YCWs with 73% of those given YRDs/YCWs in 2012 being aged 10-15 years, contrasted with 49% of those receiving a formal police or court sanction being a similar age. (Refer to Table 4).

**Table 4**

<b>Age</b>	<b>2012 Proportion of those being given a YRD/YCW</b>	<b>2012 Proportion of those receiving a formal police or court sanction</b>
<b>10-11</b>	5%	1%
<b>12-13</b>	28%	12%
<b>14-15</b>	40%	38%
<b>16-17</b>	27%	50%

3.10 Ethnicity

Data from the January 2012 annual schools census for West Berkshire, looking only at students on roll at secondary schools of compulsory school age, shows that for the West Berkshire secondary population as a whole, 12.7% are from BME background (all ethnic groups other than White British). Of all YRDs/YCWs given in 2012, 12.1% were given to young people of BME background. This is encouraging as it had previously seemed that young people from BME backgrounds were underrepresented in the YRD population.

3.11 Offence Types

In 2012 39% of YRDs/YCWs were given for offences of violence against the person. Otherwise, they were given mainly for theft and handling 30%, drugs 12% and criminal damage 11%. Whilst steep falls in offending resulting in a formal sanction can be seen in Graph 2 (see Appendix 1), adding YRDs/YCWs back in, Graph 3 (see Appendix 2), shows less impact, although still with reductions across most crime categories.

3.12 Reoffending

Of the 121 YRDs/YCWs in 2010, 36% have now reoffended. However, significantly only 26% of those with no previous disposal went on to reoffend, whilst 68% of those who had had a previous disposal went on to reoffend. In 2012, the reoffending following being given a YRD/YCW was 31% for those who had had a previous disposal compared with 10% where it was a first time disposal. Reoffending by those given a YRD/YCW when it is not a first disposal is greater than the reoffending by the YOT population. Although police officers are now requested to discuss the giving of a subsequent YRD/YCW with their supervisors and discuss with the police decision-maker in IOM it may be useful to keep monitoring this. 28 YRDs/YCWs were given in 2010, 30 in 2011 and 35 in 2012 where it was not the first offence.

**4. Youth Restorative Disposal Issues**

4.1 As can be seen above the YRD is generally being used with the younger age group for low level crime, and where it is given for a first, low level offence young people, victims and police are positive about his development, particularly if there is a

restorative component. Where there have been concerns these have related to young people being given more than one YRD and the impact on their reoffending rates, and occasionally where a YRD is proposed to being given for a higher level offence.

- 4.2 In relation to the issue of multiple YRDs, locally now if a second YRD is being considered, a supervisor and the police decision maker must be consulted. From 1 April 2013 all decisions other than for a first offence, must be made jointly between the police and YOT.
- 4.3 Also, officers are advised to consult local police systems when considering giving a YRD, as they can find out then, if they have had a previous YRD. As YRDs are not recorded on the Police National Computer (PNC), only consulting PNC can lead to multiple YRDs being given.
- 4.4 Thames Valley Police are presently revising policies in relation to YRDs, including looking at the restorative justice training of officers, the level of restorative justice with YRDs and ensuring a reduction in multiple YRDs given the resultant high rate of reoffending.

## **5. Conclusion**

- 5.1 There has been a gradual decline in the number of young people entering the Youth Justice System from 2005/6 to 2008/09 which will be attributable to general prevention and early intervention services developed in West Berkshire and the targeted services of the Early Intervention Team.
- 5.2 The reduction in First Time Entrants became a dramatic decrease following the introduction of the YRD by Thames Valley Police in 2009. The YRD is an informal response, and is useful to keep low risk young people out of the criminal justice system, saves police and court time, can be valued by victims and communities when a restorative approach is taken
- 5.3 Thames Valley Police and the YOT have been ensuring that issues identified with the YRD policy are identified and addressed and this is ongoing. However, a reduction in second or further YRDs will lead to an increase in FTEs, although with the young person being given a formal sanction which may involve the YOT, this should mean that reoffending decreases.
- 5.4 From the 1 April 2013 all decisions about disposals other than the first disposal which is made by the police, must be made jointly by the YOT and Police, which is also likely to lead to a reduction in multiple YRDs.

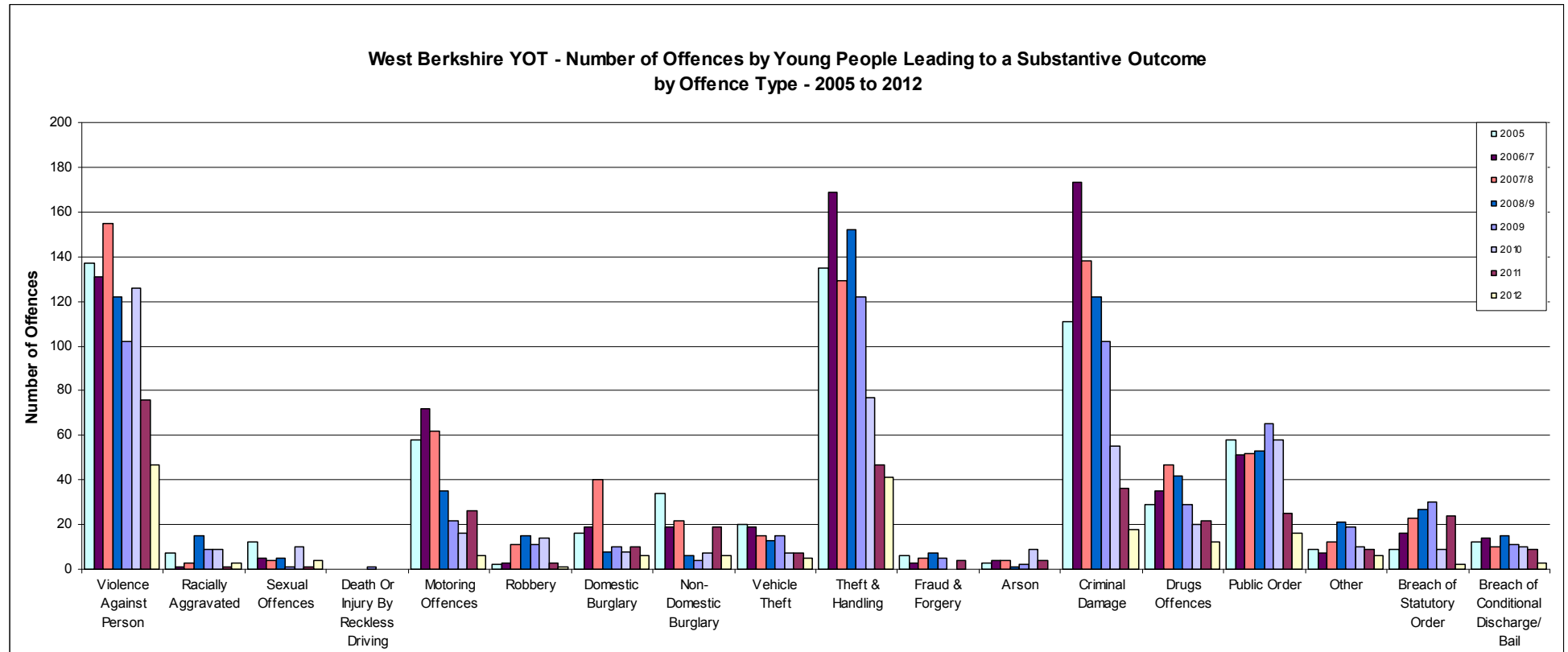
## **Appendices**

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There are no appendices to this report.

# Appendix 1

## Graph 2



## Appendix 2

### Graph 3

