

Youth Court Pilot Briefing Note
Meeting with Cabinet Minister Kenny MacAskill
Wednesday 10 February 10.30am Scottish Parliament

Introduction

Following consultation with Lanarkshire Community Justice Authority (LCJA) Partners, primarily North and South Lanarkshire Councils the following report has been prepared.

Background

The Youth Court was introduced to Hamilton Sheriff Court in June 2003 and extended to Airdrie in June 2004. The objectives of the Youth Court Pilot are to:

- reduce the frequency and seriousness of re-offending by 16 and 17 year old offenders (and some 15 year olds who are referred to the Court) through targeted and prompt disposals with judicial supervision and continuing social work involvement;
- promote the social inclusion, citizenship and personal responsibility of these young offenders while maximising their potential;
- establish fast track procedures for those young persons appearing before the Youth Court;
- enhance community safety, by reducing the harm caused to individual victims of crime and providing respite to those communities which are experiencing high levels of crime; and
- assess the viability and usefulness of a Youth Court using existing legislation and to demonstrate whether legislative and practical improvements might be appropriate.

The sentences available to the Youth Courts are identical to those available to the Sheriff Summary Court. However the resources available to the Youth Courts are specifically designed for this younger group of offenders and Sheriffs may stipulate access to them as a condition of a probation order or structured deferred sentence. They include a broader and more intensive range of community programmes, services that can tackle the social and personal problems which might lead these young people to re-offend and enhanced intervention programmes specifically targeted at the young offender age group.

The Youth Court pilots were evaluated in 2006 and this evaluation found that the Courts had been successful in meeting the objectives set for them. The evaluation particularly highlighted the particular strengths of the Youth Court model over previous arrangements including:

- the fast-tracking of young people to and through the court
- the availability of a wider range of resources and services for young people involved in offending

- effective teamwork among the relevant agencies and professionals concerned
- good information sharing, liaison and communication
- dedicated staff within agencies, resulting in clear channels of communication

Current Situation

Overall the Youth Court was set up to provide a quick and appropriate response to youth crime, providing resources to meet the needs of individuals, including intensive supervision.

The overall cost is split into two components:

- Funding of Local Authority posts
- Funding to contract services from external providers

Local Authority Posts

- 0.5 Coordinator
- 11 Dedicated Youth Court Social Workers
- 12 Social Work Assistants/Support Workers
- 3 Group Workers

In addition Youth Court funding part funds the Youth Justice Fostering Service provided by Action for Children and intensive support service provided by Quarriers where necessary 24 hours per day 365 days per year. Finally some of the funding is used for befriending services (Covey Befriending Service) and direct support to young people.

Implications for Withdrawal of Service

Withdrawal of Youth Court funding would have major implications for services working with and preventing youth offending in North Lanarkshire, including:

- Reducing the ability to provide intensive service assessments to Courts
- Removing the fast-tracking of young people through Court
- Reducing the credibility built up by Social Work services through the effective teamwork highlighted in the evaluation
- Reducing ability for good information sharing, liaison and communication through removal of the dedicated staff
- In particular the ability to provide structured deferred sentence based intervention and service probation review arrangements would be removed as these are particular processes that were introduced and funded through the Youth Court.

Overall both Local Authorities provide Social Enquiry and other reports to the Court and service all orders made, including programme work, support services to the young person and their family, supervision of community service, group work (specifically designed for young people) and where appropriate to maintain their own tenancy.

Conclusion

LCJA would wish to highlight the comprehensive nature of the services provided which enables our Partners respond appropriately both low level need and intensive support needs while reducing the use of custody and reoffending. The ability to undertake full assessments contributes greatly to the provision of appropriate services tailored to the individual and the process as a whole concentrates minds on the overall aim of reducing reoffending.

The responsiveness associated with the Youth Court has according to front line practitioners made a real difference to the compliance of young people. Young people feel directly accountable to the Sheriff's and the relationship between the young people person and the Sheriff whom they see at regular reviews reinforces the need to be of good behaviour.

It is the view of LCJA that the Youth court Pilot and associated funding has increased staffing and effectiveness of interventions for young people going through the Courts. This in turn has increased community safety and we would wish to register our concern that withdrawal of funding would inevitably lead to these improvements being lost.