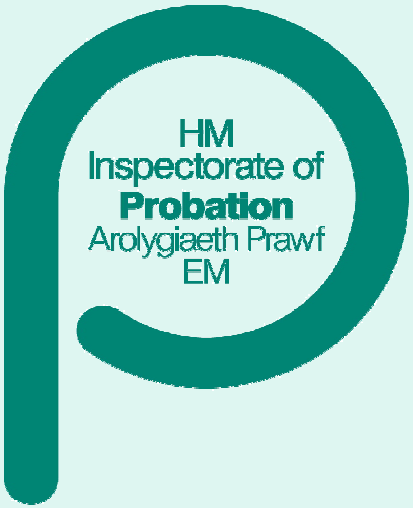

Court Work and Reports Thematic Inspection
YJB Convention 2010

Julie Fox
Assistant Chief Inspector

Methodology

- Four inspectorates: HMI Probation, HMI Court Administration, HM Crown Prosecution Service Inspectorate, and HMI Constabulary
- Based on criteria
- Fieldwork involved meetings with staff from seven YOS areas, HMCS, CPS, Police and Probation as well as Judges, District Judges and magistrates
- Court observation
- We inspected 126 Pre Sentence Reports, 62 breach reports and 9 Bail Supervision and Support Reports
- A number of children and young people and parents/carers were interviewed
- Approximately 140 questionnaires were completed by sentencers and six by defence solicitors
- There was a week of interviews with national officers.

Findings - overall

- YOTs and courts are not getting value for money (VFM)
- It is positive that fewer young people (YP) are being remanded and sentenced to custody although the proportions have risen slightly
- Role of YOT court staff is unclear (with one exception)
- This is the '*shop window'* where YOTs '*sell their wares*' and influence sentencers to accept their proposals
- Lack of leadership and strategic direction both locally and nationally
- In our view, reports lack 'crafting' which is what they need

Findings - what's in a report?

- '***Crafting skills***' include:
  - **Interviewing skills**
  - **Assessment skills** (including Risk of Harm to others /Likelihood of Reoffending, Safeguarding)
  - **Analysing and identifying offending patterns** *(why has this YP committed this offence at this time?)*
  - **Writing and communicating skills** with well argued and logical proposals – *minimum intervention to eliminate or reduce offending in order to protect the public and support the individual*
  - **IT skills**
  - **An up to date knowledge** of criminal law, child development and behaviour, diversity and disability, criminology, current relevant research and effective practice.

Findings – work prior to court

- Police inform YOTs re YP due in court
- First court appearances can be frightening and confusing for YP and their parents/carers
- Some good documents but not universally available or monitored' *You have to go to Court'* and '*Making it count in court'* , rarely PSR leaflets
- No contact with YP/parents/carers post charge and pre-court
- Diversion from court considered but not monitored
- Lack of suitable accommodation influenced the availability of bail packages
- B&B still being used despite Joint Chief Inspectors report (2008) on safeguarding

Findings – work prior to conviction

- Before court in cells – defence solicitor delays, but also order of business results in longer stays in cells for YP
- After court in cells – lack of IT access, time to find suitable placement, new placement form when returning to same place, docs still missing
- YJB Placement team working hard to reduce ‘lost’ docs
- Rare use of video conferencing – sometimes difficult with the institution availability
- Return transportation is bus route rather than taxi
- Useful YJB sentencing data toolkit *(suggest split into court area as well as YOT)*

Findings – work prior to sentence

- Not all YOTs had minimum facilities i.e. office space, interview room, IT, telephone, resource material e.g. legal info
- No advance dates for PSRs and Youth Offender Panel meetings
- Lack of engagement with YP/parents/carers e.g. introductions/explanations
- Lack of response to local needs e.g. diverse population
- Too many YOT staff on duty, what is their role?
- Problems for outside area YP - lack of contact and knowledge

Findings (1) – reports

- Expedited reports (*e.g. Standdown/Specific Sentence Reports*) were rare and quality was poor
- Reports after 30th November 2009 were more timely *(75% on time)*
- CPS bundles mainly available
- 82% had no home visit for purpose of report
- No evidence of discussions with YP/parents/carers, nor given copies
- Lots of description and context but not analysis
- Diversity not sufficiently covered in 61% of reports (50% in white defendants, 75% in black and minority ethnic)

Findings (2) – reports

- Only 42% sufficiently addressed safeguarding or vulnerability issues
- Quality of RoH 71% and LoR 51% insufficient - completing an Asset but not doing an assessment?
- 80% of proposals commensurate with the seriousness of the offence
- Unnecessary use of complex language, formulaic
- Overall quality of reports not sufficient in 75% of cases
- But sentencers were positive about reports

Findings (1) - leadership

- Lots of work on Scaled Approach and Youth Rehabilitative Order – YOT staff positive about the amount and quality of the training
- Lack of strategic interest in court work – input needs to add value to quality
- Need ***effective*** relationships (not cosy) between courts and YOTs – how this is achieved is a local issue – what are the desired outcomes for the YOT and the court?
- Trust and partnership working is essential

Findings (2) - leadership

- Joint training (sentencers/YOT staff) was rare
- Positive relationships with Probation
- Safeguarding issues not co-ordinated nor evidence seen re consideration by Local Safeguarding Children Board
- Co-ordinated feedback from sentencers to improve the quality of the work rarely seen
- Lack of performance data e.g. parents/carers attendance, diversions, diversity etc
- National leadership could facilitate better and more consistent work in courts e.g. PSR skills and knowledge development

Court Work and Report Inspection

- Due for publication March 2011

On our website:

http://www.justice.gov.uk/inspectorates/hmi-probation

Thank you