

Out-of-court disposal work in youth offending teams

A thematic inspection by HM Inspectorate of Probation and HM Inspectorate of Constabulary and Fire & Rescue Services

Dame Glenys Stacey (HM Chief Inspector of Probation)
Wendy Williams (HM Inspector of Constabulary):

"Children who have committed a low-level offence, often for the first time, are not always taken to court. Instead YOTs work with them, to reduce the risk that they will go on to reoffend.

This is not the soft option one may think. In this inspection we found YOTs often doing really good, persistent and determined work with these children, to change their outlook and improve their lives for the better. With some changes, YOTs could do better still, but nevertheless the work is impressive."

WHAT ARE OUT-OF-COURT DISPOSALS?

Not all children who commit a crime are sent to court. In some less serious cases the police, often after receiving YOT advice, issue an out-of-court disposal. YOTs then work with many of these children to reduce the risk that they will offend again.

Out-of-court disposals:

Youth caution

a formal notice issued by a police officer. It cautions the child not to reoffend and warns them of the potential consequences of doing so

Youth conditional caution

like a caution but with specific conditions attached that the child must adhere to

community resolutions

where professional judgement is used to resolve the offence in an informal way, where appropriate involving the victim

All of these can involve work with the YOT

-84%

The change in the number of children receiving a formal criminal sanction (court conviction or caution) for the first time over the past ten years

30.7%

Reoffending rate after 12 months following a caution

51.3%

Reoffending rate after 12 months following a court sentence

?

There is no comparable national data that gives the reoffending rate following a community resolution

OUR INSPECTION

CASES

112 cases were inspected across 8 youth offending teams

32

youth conditional cautions

31

youth cautions

49

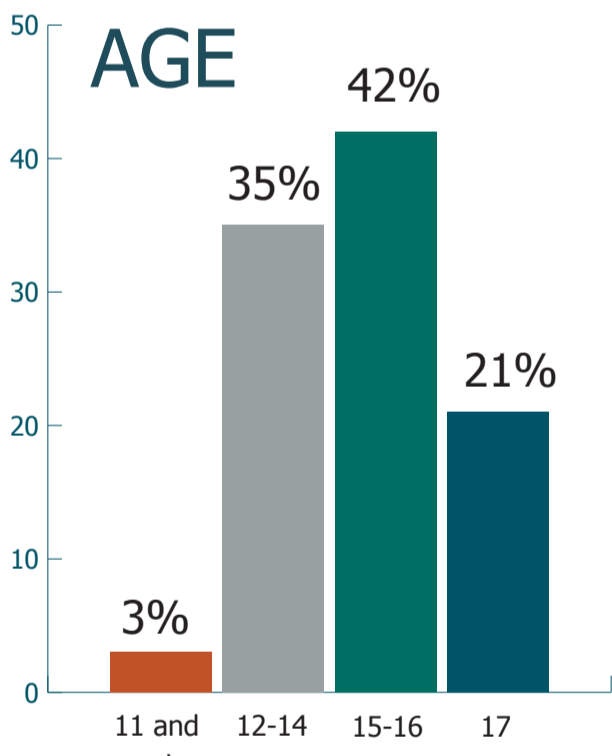
community resolutions

71% boys



29% girls

AGE



SURVEY

We surveyed YOTs to understand their current out-of-court disposal provision.

139

responses received

accounting for **90%** of YOTs in England and Wales

WHAT WE FOUND

INSPECTION FIELDWORK

81%

Proportion of community resolution cases where the child was less likely to offend following work with the YOT

85%

Proportion of children who fully complied with the requirements of a youth conditional caution. The YOT responded appropriately in ALL the remaining cases

51%

Proportion of cases where the recorded planning for work to prevent offending was good enough

All the inspected areas delivered a scheme that exceeded the minimum requirements of statutory guidance

SURVEY

43%

Areas report having a formal decision-making panel for out-of-court disposals

52%

Areas have a joint decision-making process, including the YOT and police, for at least some community resolutions

88%

Areas where YOT undertake assessment on at least some cases before the disposal decision is made

RECOMMENDATIONS

The Ministry of Justice and the Youth Justice Board should:

- include community resolutions in criminal justice system reoffending statistics, and evaluate their effectiveness in reducing offending and improving outcomes for children.

The Youth Justice Board should:

- make sure that guidance on use of assessment frameworks meets the needs of local areas when seeking to undertake out-of-court disposal work.

Youth offending team management boards should:

- make sure that out-of-court disposal work is evaluated, is of good quality and is effective.

Youth offending teams and chief constables should:

- make sure that all victims have a fully-informed and effective opportunity to have their views heard, and to receive an appropriate restorative intervention.

Youth offending teams should:

- make sure that assessment and planning are of good quality, and take account of the child's views on what may help them to avoid offending.

Chief constables should:

- make sure that referrals to YOTs are sufficiently timely to meet the needs of victims for speedy justice and achieve the objectives of out-of-court disposals; and make the YOT aware of all community resolutions given by the police.