

To: SOCIAL WORK (OPERATIONS AND SERVICES) SUB COMMITTEE	Subject: HAMILTON SHERIFF YOUTH COURT PILOT – THE FIRST SIX MONTHS
From: DIRECTOR OF SOCIAL WORK	
Date: 10 AUGUST 2004	Ref: JD/MH/JS

1. PURPOSE OF REPORT / INTRODUCTION

- 1.1. To inform Committee of the research findings on The Hamilton Sheriff Youth Court Pilot: The First Six Months.
- 1.2. A research team from Stirling University was commissioned to undertake a two-year evaluation of the Youth Court Pilot
- 1.3. The research findings evaluate the operation of the Youth Court during the first six months to identify any changes that might be required to enhance its operation.

2. BACKGROUND

- 2.1. The establishment of the Youth Court Pilot at Hamilton Sheriff Court was previously reported to Committee in February 2003.
- 2.2. The main aim of the Youth Court is to reduce the frequency and seriousness of offending by 16 and 17 years olds through targeted and prompt disposals with judicial supervision and continuing social work involvement.
- 2.3. The Youth Court Pilot is part of the 10 Point Action Plan launched by the Scottish Executive in May 2002 as part of the Programme to Reduce Youth Crime.

3. PROPOSALS / CONSIDERATIONS

- 3.1. Distinctive features of the Youth Court include:

- fast tracking of young offenders to and through the court
- fast track breach procedures
- a multi-agency implementation group to review the operation of the court
- a full-time co-ordinator to service the implementation group and co-ordinate practice across agencies
- dedicated Youth Court staff to support and service the Court (Fiscal, Clerk, Social Workers)
- additional programmes for young offenders

- 3.2. Between June and December 2003, a total of 147 referrals involving 120 young people were made to the Youth Court. Deferring sentence was used in 35 cases, 7 were found not guilty/had a plea of not guilty accepted and 65 young people were sentenced receiving one or more disposals: probation order (38); fine (17); restriction of liberty order (16); community service order (12); custodial sentence (1).
- 3.3. Electronic monitoring on bail was welcomed by sheriffs as an alternative to a custodial remand, but has not been used extensively,
- 3.4. The multi-agency approach was perceived to be working well, with the Youth Court implementation group providing a useful forum for identifying and addressing operational issues.
- 3.5. Issues arising in the early stages included referral criteria being used differently by different agencies, some ambiguity in criteria relating to 'persistent offending' and 'seriousness and lack of clarity about certain aspects of the review process.
- 3.6. One of the main strengths of the Youth Court was perceived to be its fast-track procedures assisted by factors such as a high proportion of pleas in the early stages, rolling up of charges under one complaint which encourages plea-bargaining and fewer trials; trials being assigned more quickly and fewer motions for adjournments.
- 3.7. The early phase of the pilot appears to be working effectively in particular:
- Greater clarity among agencies about their respective roles
 - Establishment of effective protocols for multi-agency working
 - Fast-tracking of cases to and through the Court
 - A reduction in the number of trials and adjournments
 - Provision of additional personnel assigned to the Youth Court
 - Provision of a wide range of community programmes for young offenders
- 3.8 The final phase of the evaluation will examine the influence of the Youth Court on sentencing practice, its impact on reducing re-offending and promoting social inclusion, and cost-effectiveness.
- 3.9 Data in the Research Findings relates to both North and South Lanarkshire. The following is a breakdown of North Lanarkshire figures:
- 52% from Motherwell
 - 22% from Bellshill
 - 26% from Wishaw

Between June and mid-December 23 young people were dealt with by the Youth Court as follows:

- Deferred sentence was passed in 6 cases, there has been one custodial disposal of 3 months, one has received a monetary penalty
- 5 were sentenced with a probation order only
- 12 had sentences of one or more disposals; Probation (12), community service (5), fines(3), Restriction of Liberty Order (5)

3.10 The pilot study was extended to Airdrie Sheriff Court in June 2004.

4. FINANCIAL / PERSONNEL / LEGAL / POLICY IMPLICATIONS

4.1 Additional staffing dedicated to the Youth Court have included:

- 3 qualified Social Workers located in 3 Area Teams (Motherwell, Wishaw and Bellshill) covered by Hamilton Sheriff Court.
- 2 Placement Coaches (to assist in programme completion compliance)
- 3 Groupworkers

4.2 Additional resources include the Remand Fostering Service commissioned from NCH Scotland, a group conferencing service from SACRO and the provision of additional groupwork programmes for young offenders.

4.3 The programme used for groupwork "Offending Is Not The Only Choice" (OINTOC) had been submitted for accreditation to the National Accreditation Panel in July 2004.

4.4 The Hamilton Youth Court Initiative is compatible with the Children's Hearing System and has dovetailed with North Lanarkshire's Youth Justice Strategy.

5. RECOMMENDATIONS

5.1. Committee is asked to:

- (i) note the development of the Pilot Youth Court at Hamilton
- (ii) request the Director of Social Work to provide a further report (following the completion of the evaluation)
- (iii) otherwise note the contents of this report.



Jim Dickie
Director of Social Work
29 July 2004

For further information on this report please contact Susan Devlin, Manager Children, Families and Justice Section TEL: (01698 332032)

A copy of the research findings is available in the members library