Dear Mr Neill,

RE: MATURITY OF YOUNG ADULTS (18 TO 25 YEAR OLDS)

Thank you for your letter of 1 May 2018, on behalf of the Justice Committee.

Your letter asks 3 questions:

1. Are youth prosecutors involved in cases against young adults, aged 18-25?

There is no formal requirement for CPS youth specialist prosecutors to review cases involving young adults, but they undertake a range of work, which can include cases involving young adults, aged 18-25. This is in addition to reviewing and taking all major decisions in cases of children and young people, including those cases where a young person is connected with adults in the magistrates’ court.

The CPS has introduced new training for specialist youth prosecutors across England and Wales, which commenced in November 2016. This training takes account of developments involving the prosecution and diversion of youths, but also now specifically covers the issues of age and maturity of young adults when considering public interest to prosecute.

2. Has the CPS conducted or planned research on the impact of the guidance in the Code?

The CPS has not undertaken specific research on the impact of the guidance in the Code. Whilst the CPS does hold data relating to cases involving young adults, conducting analysis concerning the maturity of individual defendants in specific cases would be impracticable and require a disproportionate level of resources. The CPS systematically reviews charging decisions to ensure...
balance and consistency, via the organisation's internal systems for accountability and quality control.

3. How is the CPS monitoring the impact of the Code and training on maturity?

The CPS monitors prosecutors' compliance with guidance and relevant policies by way of Individual Quality Assessment. It examines whether decisions are properly informed and reasoned when deciding upon the suspect's level of culpability as part of the public interest test in the Code. This will include an assessment of age and maturity, where relevant. These reviews are undertaken regularly throughout the year.

We reminded all prosecutors in September 2017, via an internal communication, of the importance of considering age and maturity in weighing up whether a prosecution should be brought. Prosecutors are trained to request additional information about the background position of offenders, particularly when considering diversion and to ensure that the public interest criteria are correctly applied.

Additionally, the CPS has recently consulted on interim guidance on Secondary Liability (previously titled "Joint Enterprise") and a final version of the guidance was published on 22 May. You will have received a letter providing more information about this guidance, which can be accessed via the following link:


The guidance has been modified to reflect the issue of maturity concerning young adults and how it affects their culpability in criminal cases. It now states:

"The suspect's maturity: young adults will continue to mature into their mid-twenties. The maturity of the child or young person should be considered, as well as their chronological age."

We will include specific reference to age and maturity in all future updates to CPS legal guidance, where relevant and appropriate.

The CPS is also currently undertaking a review of the Code, and as part of that work we will consider whether any amendment could further address the maturity issue.

I do hope that this letter provides you with the clarity on the points raised and provides assurance that the CPS carefully considers maturity in all cases.

Yours sincerely,

ALISON SAUNDERS
DIRECTOR OF PUBLIC PROSECUTIONS