

Mr Bob Neill MP
House of Commons
London
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15th November 2017

Dear Bob,

Young adults at court

I watched the Justice Select Committee meeting on 7th November on young adults across the criminal justice system with interest. You may find it useful if I provide you with an update on the young adults at court project.

Developing the young adults at court model

In 2015, the Centre for Justice Innovation identified that there was evidence to suggest that a court process that was more procedurally fair— one marked by clear communication and in which defendants felt they had a voice— could make a particular difference to outcomes for young adults. Following the publication of our report, the Barrow Cadbury Trust further funded us to set up a young adults at court project, whereby a small number of court areas could, with our support, develop and, ultimately, test whether a more procedurally fair court process for young adults could be effective in reducing reoffending and improving other outcomes.

The project started in May 2016, led by practitioners from across criminal justice agencies in five magistrate court areas. Local working groups of practitioners from across criminal justice agencies were convened to look at how a better process could be developed. Any new adaptations proposed by the groups had to be cost neutral, and had to be deliverable within current legislative, operational and resource constraints.

By March 2017, each area had contributed to the development of a common set of eligibility criteria and a common model of practice for young adults coming to court. This model was designed to make simple changes that (i) improved the information provision between agencies about young adults coming to court; (ii) provided better information to young adults coming to court; (iii) adapted existing courtroom communication and information provision to emphasise defendant understanding of the process and voice within it; (iv) provided better follow up and information following a court appearance; and (v) coordinated pre-existing advice and services to young adults better. This new court model was explicitly designed to complement national initiatives such as the NPS review of provision for young adults¹ and the CPS's assessment of training around maturity.²

Testing the young adults at court model

Having developed the common model, the goal has been to test it. The five sites developed clear plans to support implementation of the model. Some of the sites originally planned to be implementing the model in the autumn of 2017, with others coming on stream later in the year.

¹ Ministry of Justice (2017) *Government Response to the Justice Committee's Seventh Report of Session 2016–17: The treatment of young adults in the criminal justice system*, p6

² Ministry of Justice (2017) *Government Response to the Justice Committee's Seventh Report of Session 2016–17: The treatment of young adults in the criminal justice system*, p16

While developing their implementation plans, the five sites identified that it would be necessary to brief all relevant practitioners and sentencers about the new model and that this briefing had resource implications across all the sites. To support them, we have developed common briefing materials for all relevant practitioners in all 5 sites. The roll-out of this briefing pack, and other smaller set-up activities, is to be funded by the Barrow Cadbury Trust in combination with, in some of the sites, the local Police and Crime Commissioners.

In addition, the Barrow Cadbury Trust has tendered for an independent evaluation of the pilots. Researchers from Manchester Metropolitan University have developed a scope for this though it remains subject to change based on further discussions locally and nationally. At the time of writing, the appropriate research approvals and permissions are on hold pending a decision regarding the pilots.

Permission to proceed

At the start of the project, the advice from HMCTS headquarters was that the decision to implement any new model of court practice should be taken locally through existing local governance arrangements. However, as the project progressed, officials from HMCTS HQ, the Ministry of Justice and the Judicial Office decided that implementation of a new young adult model would need 'national sign off' after all.

Without going into the detail of the various meetings we, the 5 sites and others have had to get 'national sign off', no 'national sign off' has been given as of yet. However, at a meeting in August 2017, it was usefully clarified by officials from the Ministry and Judicial Office that it was Ministers who would need to give the requisite 'national sign off' in order for the sites to proceed and this would be taken forward by officials. In addition, officials suggested that even if sign off was given, and the model was to be implemented, the sites that have worked to develop the model and implementation plans may not be the ones in which Ministers decide that pilots would take place. Alongside the sites and our efforts to get clarity on the way ahead, we are also aware that 4 of the 5 relevant Police and Crime Commissioners have written to the Lord Chancellor to inquire about progress. Lastly, we and Barrow Cadbury are also aware of a number of other places in the country interested in testing out this model.

Where we are

In summary, five sites have developed a model and are ready to implement it and test it out (though the delay may well have had an impact on the enthusiasm of the practitioners in some of the sites). Resources remain in place to cover set-up implementation activities. Resources remain in place to evaluate it. Other areas, outside of the original five, are keen to test it too. The missing piece of the jigsaw is the permission to proceed, on which we continue to work with officials.

I hope this update has been useful. I am, as ever, happy to discuss in further detail.

Yours sincerely,



Director
Centre for Justice Innovation

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