



Northern Ireland  
Assembly

## Research and Information Service Briefing Paper

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Paper 131/12

3 September 2012

NIAR 447-12

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# Briefing Paper on Hull Study Visit

## 1 Introduction

This briefing paper has been prepared to inform the Committee for Justice on a study visit to Hull. The purpose of the visit was to meet with multi-disciplinary representatives of criminal justice agencies including: Humberside police, Hull Youth Justice Service, Humberside Criminal Justice Board, HM Court Service and judiciary in relation to the Hull Triage system and to examine the youth court process. The first section outlines how the triage system in youth cases operates in Hull and its outcomes to date. The second section provides an overview of performance in the criminal justice system and its impact on the reduction of timescales in processing cases from arrest to disposal. The key points taken from the Hull study visit are:

- There has been a reduction in the number of First Time Entrants (FTEs) entering the criminal justice system;
- There has been a downward trend in number of cases coming before the Hull Youth Court which is currently working 2.5 days per week;
- A five year crime comparison indicates that there has been a 28% reduction in the total crime rate;

- The compliance rate in relation to the Triage scheme is 90%;
- Diversion reoffending rates are 19%;
- There are future plans to roll out the scheme to adult defendants;
- Performance has improved significantly- the time from arrest to disposal in 2008 was 54 days in all cases and 46 days in Magistrates' cases. As a result of the improvements in performance, timeliness is no longer measured as the system is consistently at optimum levels of performance.

## 2 Hull Triage System

### 2.1 What is the Police Custody Youth Triage and how does it work?

The city of Hull is well defined: there is one primary care trust, one youth justice service and one police force; therefore it is not difficult to get partner agencies around the table. Hull Police Custody Triage was established in 2009 under the Youth Crime Action Plan (YCAP) and involves youth justice, Humberside police and the Crown Prosecution Service. Partnership is strong and there is an attitude of 'let's give it a go and see if it works'. Prior to the introduction of the Hull Youth Justice Police Custody Triage, there were high caseloads and large numbers of children's cases going to court which impacted on the resources and time that could be spent on the number of high risk offenders. Triage was developed due to an identified need as there was a high rate of First Time Entrants (FTEs) into the youth justice system and a high use of custody and inappropriate disposals. One of the benefits highlighted was the reduction in crime rate and Triage has been part of this. A five year comparison (2007/08-2011/12) indicates a 28% reduction in the total crime rate.<sup>1</sup> There has been a 23% reduction in the crime rate for the period April to July 2012/13 (8177) compared to the same period in 2011/12 (10688).<sup>2</sup>

Triage is an initiative from Hull Youth Crime Partnership which aims to reduce the number of people entering the criminal justice system and the protocol has been agreed by Hull Youth Offending Team, Humberside Police and the Crown Prosecution Service (**See Annex A**). The objectives of Triage are to:

- Reduce First Time Entrants;
- Reduce remands to secure accommodation;
- Reduce levels of custodial sentences.

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<sup>1</sup> Information received via email from D/Supt Humberside Police on 2 August 2012

<sup>2</sup> Information received via email from D/Supt Humberside Police on 2 August 2012

The benefits of the Triage scheme are:<sup>3</sup>

- It offers the opportunity to deal with low level or low risk cases out of the criminal justice system. The offence can be addressed and the young person can be supported to stop offending through restorative interventions including work with the young person and their family;
- It identifies a young person's needs so that it can respond quickly with the right resources;
- By moving low level offences away from the criminal justice system, busy youth courts can be freed up to deal with more serious youth offending.

The scheme consists of two parts, the first part is the Triage element operated in the police custody suite and the second part is Challenge and Support.

In the Triage element of the scheme, youth justice workers are embedded in the police custody suite and the service operates 7 days a week, 14 hours a day. Youth justice workers assess children and young people who come into custody after they have been interviewed by the police to determine if they are suitable for the Triage scheme or if they need to go to court.

There are eligibility criteria that have to be met; the child or young person must be a resident of Hull; admit responsibility for the offence; have no previous convictions; be willing to engage with workers to address the offence; and engage in a restorative process. According to the Court Administration and Prevention Manager at the Hull Youth Justice Service, young people who have been involved with racially aggravated or domestic violence incidents are not eligible for the Triage scheme.<sup>4</sup> The decision to participate in the scheme is a voluntary decision taken by the young person and their parents. A representative from Hull youth justice service highlighted that triage does not interfere with normal procedures in the custody suite. Youth justice workers in triage can often act as the appropriate adult if it is not possible for the parent to attend. However parents are encouraged to act as the appropriate adult and if a child is in the care system, a care worker will attend the interview rather than the parent.

As the system was being set up it became obvious that police were dealing with children without access to information which could be critical in informing charging decisions. The youth justice workers have access to online to social care or youth justice information available about the young person that can inform charging decisions. In cases where children are not arrested into custody but dealt with by local police teams, they are given an explanation of the scheme and given an appointment to attend the Triage clinic in the police station. It has been highlighted that this is a good test of voluntariness. Compliance with the Triage scheme is 90%. If the person does not comply with the Triage scheme, their non-compliance is recorded and can affect future decisions if they reoffend. If a person is a repeat offender and is in

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<sup>3</sup> Information obtained from a leaflet on the Youth Triage Project.

<sup>4</sup> This was discussed with the Court Administration and Prevention Manager at the Hull Youth Justice Service on the study visit and in a telephone conversation on 21/06/12

custody, they will appear in court. Staff will identify this very early on and preparation is done before the case goes to court.

When a decision has been made to include the child or young person in the Triage scheme, they will sign an agreement form that asks them to agree with Triage workers and the Challenge and Support workers **(See Annex 2 of this paper)**. The child or young person will agree to undertake a number of activities which may include the following:<sup>5</sup>

- Needs Assessment
- Restorative Justice
- Constructive Use of Leisure Time
- Health Awareness
- Health Assessment
- Education, Training or Employment
- Final Review of intervention
- Parental Support
- Programme of work

Contact levels with the child or young person are monthly at the most but can depend on the level of need and the scheme is not tied into national standards. The whole of the triage process is done in communication with victims and reportedly feedback from victims has been positive.

## 2.2 Outcomes

More than 1000 children have been dealt with in triage over the last three years and there have been a number of positive outcomes to date in relation to the scheme:

- There has been a 52% of reduction in the number of FTEs in the criminal justice system;
- Bed nights (remand and sentenced) have reduced by 34%;
- Diversion reoffending rates are 19%.

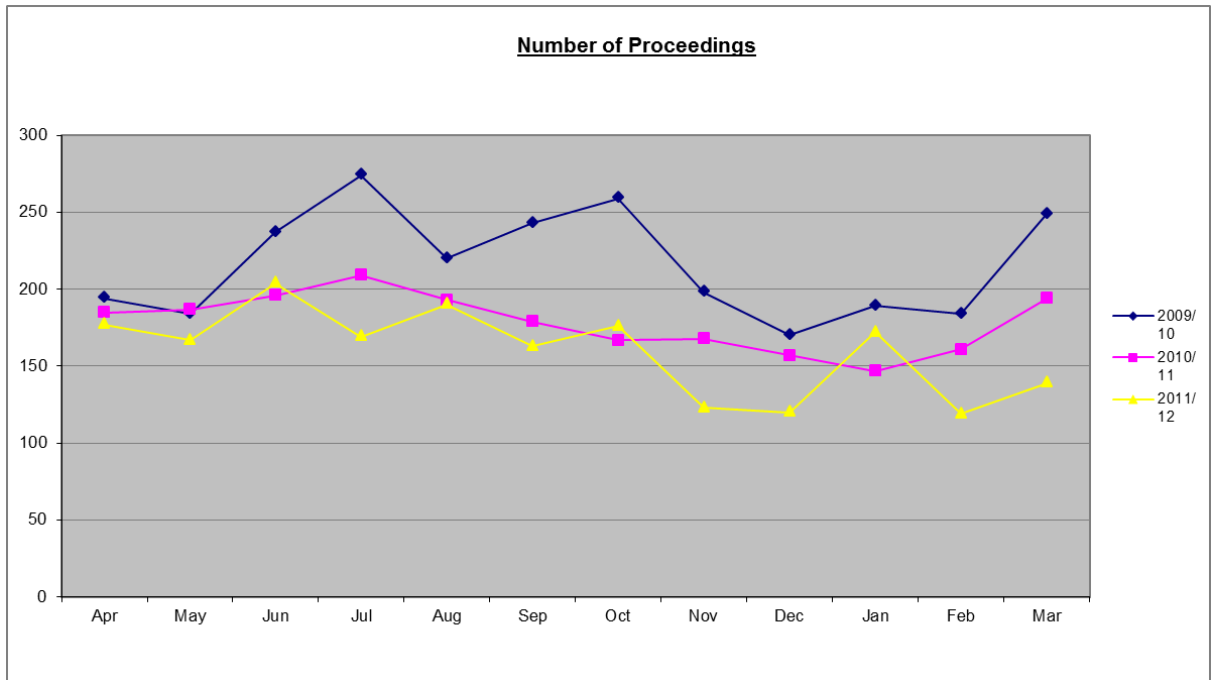
It has been estimated that there have been £8-9 m savings resulting from the scheme in contrast to £0.25 million investment. It has also been reported that there are raised levels of public confidence. Hull Youth Court used to have a busy youth court working 5 days a week. Now, the youth court is working 2.5 days a week and the clerk is considering cutting down sitting days to 2 days a week. The table below

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<sup>5</sup> See Annex 2 of this paper for Youth Triage Agreement

indicates a downward trend in the number of proceedings in Hull Youth Court reducing from 249 in March 2009/10 to 139 in March 2011/12.

**Table 2 – Hull Youth Court Proceedings<sup>6</sup>**



**2.3 Triage and effect on Detection rates**

D Division of Humberside police has a Sanction Detection Rate target of 31.6% for all crime (8723 sanction detections are required). The sanction detection rate is the ratio of sanctions to police recorded crimes.<sup>7</sup> Sanction detections include charge, caution, reprimand, final warnings and fixed penalty notices. The Sanction Detection Rate for D Division from 01/04/11 to 31/03/12 was 33.6% (9268). Triage diversions and restorative practice are not included in the Sanction Detection Rates, however if included, the Detection Rate including Discretionary Policy (Triage and restorative practice) for all crime in the same period of time is 34.5%.<sup>8</sup> We were informed during the study visit that it was agreed to take a hit for performance levels in low risk crimes.

<sup>6</sup> Table taken from presentation given by Nick Metcalfe and Siobhan Larkman Hull Youth Justice Service on Thursday 14<sup>th</sup> June 2012 in Study Visit to Hull.

<sup>7</sup> <http://www.hmic.gov.uk/crime-and-policing-comparator/about-the-data/>

<sup>8</sup> Information obtained from a powerpoint presentation given by D/Supt, Humberside Police D Division given on 14 June 2012 and clarified in a telephone conversation on 30/08/12

## 2.4 Future plans for triage

There have been a number of lessons learned by agencies involved with the scheme thus far. The partnership approach reflects the city's restorative practice philosophy. The concept of voluntarism has been judged to be successful. Currently there are plans to roll out triage to adult offenders due to the success of youth triage. It was highlighted by a representative of one of the partner agencies that if an adult offender is a First Time Entrant to the criminal justice system, something life changing has happened.

## 3 An overview on performance of the Hull Youth Justice System

The first section of this paper looked at the Triage system in Hull which diverts children and young people from the prosecution process in low level serious offences. The following sections of the paper consider the overall performance of the criminal justice system including the length of time it takes to process cases that go to court from arrest to disposal.

A representative from Humberside Criminal Justice Board (HCJB) gave a presentation on the journey through the criminal justice system.<sup>9</sup> Humberside Criminal Justice Board is a non-statutory body which provides partnership across the criminal justice system and includes representation from the police, the CPS, probation and prisons, youth offending teams (YOTs), court services, Legal Services Commission, Victim Support and Health. The purpose of the HCJB is to deliver effective, efficient and fair justice for the community of Humberside and has three priorities:

- Reducing reoffending;
- Supporting victims and Witnesses;
- Efficiency and effectiveness.

It was pointed out that research shows that if cases take longer to process, that a person is more likely to reoffend. The presentation provided the background and policy context on improved performance in the criminal justice system in Humberside. In 1997, the average time from arrest to disposal was 142 days. In 1997, the government set out the Prolific Young Offenders (PYO) Strategy. The PYO pledge was designed to:

- Tackle delays in the criminal justice system;
- Demonstrate to a young offender the link between offending and its consequences;
- Increase public confidence in the criminal justice system by demonstrating that a young person accused of a crime is met with a swift response;
- Reduce stress for victims, witnesses and jurors;

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<sup>9</sup> A Presentation by Robbie Walker, Humberside Criminal Justice Board on Youth Offending- A Journey Through the Criminal Justice System

- Increase the prospect of a conviction;
- Decrease the cost to the criminal justice system.

In 2001, the PYO scheme was delivering in England and Wales: the average time from arrest to disposal reduced from 142 days to 71 days. In 2007, the Criminal Justice: Simple, Speedy, Summary (CJSSS) was introduced. The aim of CJSSS was to:

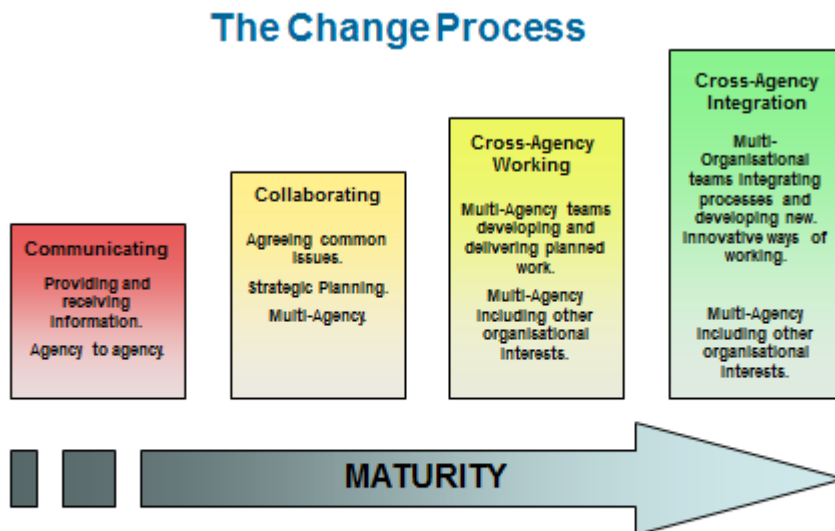
- Achieve a reduction in the number of hearings from five to an expectation of one (for guilty pleas) and two (for contested cases);
- Permit simple cases taking on average between one day and 6 weeks from charge to disposal.

CJSSS was introduced for adult cases, but Humberside went live with youth cases from the start. The average time from arrest to disposal reduced from 71 days to 65 days.

In 2008, the Deter Young Offenders (DYO) management framework was introduced with the objectives of reducing the rate of reoffending and improving timeliness in the criminal justice system. The streamlined process was also introduced to:

- Provide a more proportionate prosecution file to process straightforward guilty plea cases for sentencing in the Magistrates' court; and to
- Produce a file sufficient for first hearing in likely contested or more complex cases to enable the court to make effective case management decisions to support CJSSS.

The representative from Humberside Criminal Justice Board reported that in in 2008, the average time from arrest to disposal was 54 days for all cases (indictable crown court cases) and 46 days for Magistrates' cases. In Humberside, where cases are deemed not suitable for other diversions, it takes 8-15 days from charge to first appearance in court. In 2009, a scaled approach was introduced which involves assessing the risk of harm and proportionate intervention. In addition, Youth Triage was introduced to reduce FTEs into the CJS, reduce reoffending, reducing youth remands and custody and improving satisfaction. In 2010 there was a focus on restorative approaches and reoffending. Reportedly, timeliness is no longer measured as the system is consistently at optimum levels of performance and there is a balance between process efficiency and efficient justice. In undergoing this change process, the following elements were required: communicating, collaboration, cross agency working and cross agency integration (see the diagram below).



The representative from HCJB suggested that on the scale of maturity that they were at the higher end of maturity. In order to facilitate the change management process it was suggested that leadership needs to be present at local and national level. Change management also requires relationships, focus and stamina.

During discussions, it was highlighted that there were some changes in cultural attitudes which had contributed to improved performance. The CJSSS has changed the defence culture in relation to guilty pleas. We were informed that in Humberside high numbers of guilty pleas are anticipated guilty pleas. We were also informed that there is a standard fee in youth court cases. The Criminal Procedural Rules in England and Wales place a burden on the defence to 'show their hand'. A magistrate from Hull Youth Court highlighted that pre-court work has had an impact and that there has been a reduction in youth court cases due to inter-agency co-operation. Reportedly there are four trials on the books in the youth court in Hull waiting to be heard.

According to one of the youth court magistrates, rarely would cases be adjourned in relation to legal aid. A plea would be taken whether or not there was legal aid and then adjourned for a legal aid application. However a person's liberty would not be at risk.

## 4 Conclusion

A number of key points emerged from the visit. Partnership is strong in the Hull Youth Justice System and there is an attitude of 'giving things a go'. Police Youth Custody Triage in Hull has had a number of successful outcomes: there has been a reduction in the number of First Time Entrants (FTEs) into the criminal justice system; diversion reoffending rates are low at 19%; there has been 28% reduction in the total crime rate



over 5 years; and in the reduced number of proceedings before Hull Youth Courts. The compliance rate in the Triage Scheme is high at over 90%. It is planned to roll out the scheme to adult defendants.

The performance of the youth justice system has improved significantly since 1997. The average time from arrest to disposal in 2008 was 54 days for all cases and 46 days for magistrates' cases much improved from 142 days in 1997. As a result of the improvements in performance, timeliness is no longer measured. The importance of inter-agency co-operation was emphasised during the visit has having a significant impact on the reduction of youth cases coming before court including the impact of pre-court work.

## Annex A- Operation Procedure- YOT Staff in Policy Custody Suite-Triage Scheme

Action	Responsibility	Refer also to
<ol style="list-style-type: none"> <li>1. The scheme operates at Priory Road Police Station custody suite.</li> <li>2. The hours of operation are 0800 – 2200.</li> <li>3. The scheme is operated by YOT staff who have been security vetted by Humberside Police.</li> <li>4. The scheme operates to a protocol agreed by Hull Youth Offending Team, Humberside Police and the Crown Prosecution Service.</li> <li>5. YOT staff identify all young people who enter the custody suite.</li> <li>6. YOT staff access YOIS and Carefirst to explore any known information about the young person.</li> <li>7. YOT staff assist custody staff in the care and initial assessment of the young person as required.</li> <li>8. YOT staff assist custody staff to contact parents/carers to attend the custody suite.</li> <li>9. YOT staff act as Appropriate Adult as required.</li> <li>10. On completion of the PACE interview YOT staff conduct a rapid assessment interview with the young person and parent/carer, having obtained parental consent.</li> <li>11. YOT staff and the Police Case Reviewing Officer determine the appropriate level of triage.</li> <li>12. <b>Triage 1.</b> Results in No Further Action or Bail for further enquiries. YOT staff complete ONSET referral form and e mail to Youth Engagement Team. Record action on Triage Information sheet. Record activity on Carefirst.</li> <li>13. <b>Triage 2.</b> Results in bail for further enquiries/ full assessment/Final Warning. YOT staff makes appropriate referral and record on YOIS.</li> <li>14. <b>Triage 3.</b> Results in bail to court or police remand to court.</li> <li>15. Bail to court – YOT staff alert YOT court team by YOIS e mail and record on Triage Information sheet.</li> <li>16. Remand to court – YOT staff complete Bail ASSET or update full ASSET as appropriate. Complete YJB Placement Alert. Undertake bail enquiries. Alert YOT court team of activities and bail information in preparation for court hearing.</li> <li>17. Saturday/Bank Holidays. YOT staff act as Court officers and attend Youth Court as required.</li> </ol>		

Annex 2- Hull Youth Triage Agreement

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## Youth Triage

### Agreement

Name.....D.O.B.....

Address.....

.....

Offence(s).....

I have been sent to the Hull Triage Team instead of being dealt with by the police or sent to court because it has been decided that this is the most suitable way to deal with my case. If I am successful on the Triage programme I can avoid getting a criminal record.

#### Triage Agreement

I understand that I need to agree to all conditions below if I want to stay on the Triage programme. If I don't stick to this agreement I understand that

- It will be recorded and kept on my records.
- My case will be reviewed.

#### What I must do (Conditions)

1. I will not re-offend or get involved in anti-social behaviour
2. I agree to take part in a programme which might include any of the following activities
  - Needs Assessment
  - Restorative Justice
  - Constructive Use of Leisure Time
  - Health Awareness
  - Health Assessment
  - Education, Training or Employment
  - Final Review of intervention
  - Parental Support
  - Programme of work

3. I agree to attend all appointments with my Challenge and Support Worker

4. I agree to inform the Challenge and Support Team (01482 612858) immediately of any change of address, or contact details.

**General Terms of Agreement:**  
**Information**

While you are on the Triage programme we do assessments and get information about you and your situation. This will be stored so that all the necessary information is available to anyone dealing with your case.

The information is stored, as computer data and written records, by the Hull Triage and Hull Youth Offending Team.

This information is confidential and is kept safely so that other people cannot get hold of it.

**Sharing Information**

If we decide that it will help you to have a Family Support Plan we will share information with the other organisations and agencies involved. We need to do this so that we can develop the right support plan for you and your family.

We only share information with other people who are also working with you on your case, and they have the same rules of confidentiality as us.

The Youth Offending Team has rules about sharing information (called the Youth Offending Service information sharing protocol) which we always have to comply with.

**Statistical Evaluations**

We also need to see if this programme is working and helping young people to keep out of trouble. The government in London and local government in Hull both want to know about this. So we share “statistical information” with them. These are only numbers, such as how many young people we have dealt with, and how many of them kept out of trouble afterwards. No names or other personal information is shared.

**Signatories:**

We the undersigned understand what we must do and agree to comply with what we are asked to do.

- Print name . . . . .
- Young Person (Signature) . . . . .
  
- Print name . . . . .
- Parent / Guardian (Signature) . . . . .
  
- Print name . . . . .
- Triage Worker (Signature) . . . . .

**Date of Agreement:** .....