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Executive Summary

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Executive Summary

This publication looks at the Youth Justice System (YJS) in England and Wales for the year ending March 2016 in terms of the number of young people (those aged 10-17) in the system, the offences they committed, the outcomes they received, their demographics and the trends over time. Comparisons are made with data from the previous year (year ending March 2015), and five or 10 years ago.

Overview

The YJS in England and Wales works to prevent offending and reoffending by young people under the age of 18. The system is different to the adult system and is structured to address the needs of young people. The YJS is far smaller in terms of volume of people than the adult system.

The overall number of young people in the YJS continued to reduce in the year ending March 2016. Reductions have been seen in the number cautioned or convicted for the first time (First Time Entrants, FTEs). There have also been reductions in the total number of young people receiving youth cautions and court convictions and in those receiving custodial sentences. Compared with the year ending March 2006, there are now 83% fewer young people who were FTEs, 81% fewer young people who received a youth caution or court conviction¹ and 66% fewer young people in the average custodial population.

For those young people in custody, the rate of assaults and self-harm incidents has increased in the past year, while the rate of use of physical restraint has fallen slightly.

Total numbers of reoffenders and reoffences have also continued to fall (by 15% and 10%, respectively, compared to the previous year), while the 12 month reoffending rate for young people (March 2015 cohort) was 37.9% - stable compared to the previous year, although 4.3 percentage points higher compared to the year ending March 2006.

Arrests and youth cautions

In the year ending March 2016 the police carried out a total of 896,200 arrests in England and Wales, of which 88,600 were of people aged 10-17 years, 10% of the total; this is the same as the proportion of young people in England and Wales in the general population that are of offending age (that is, those aged 10 years or older).

The number of arrests of young people has fallen by 7% compared with the year ending March 2015 and by 75% compared with the year ending March 2006. There have been year on year decreases since arrests peaked in the year ending March 2007.

¹ Based on data from the Police National Computer. A 10 year comparison using data from the Youth Justice Application Framework is not available.

Young people who identified themselves as from a Black, Asian and Minority Ethnic (BAME) group accounted for 21,900 (25%) of arrests of young people in the year ending March 2016, with 10,800 (12%) from a Black ethnic group. This compares with 62,600 (71%) for White young people. For the remaining 5% of young people, ethnicity was not stated or unknown.

Females accounted for 14,900 arrests of young people (17% of the total), while males accounted for 73,700 (83% of the total).

In the year ending March 2016, the police issued 18,000 youth cautions (previously reprimands and final warnings). This is a decrease of 17% on the 21,700 given in the previous year, and a decrease of 85% on the 122,300 given in the year ending March 2006.

First Time Entrants (FTEs)

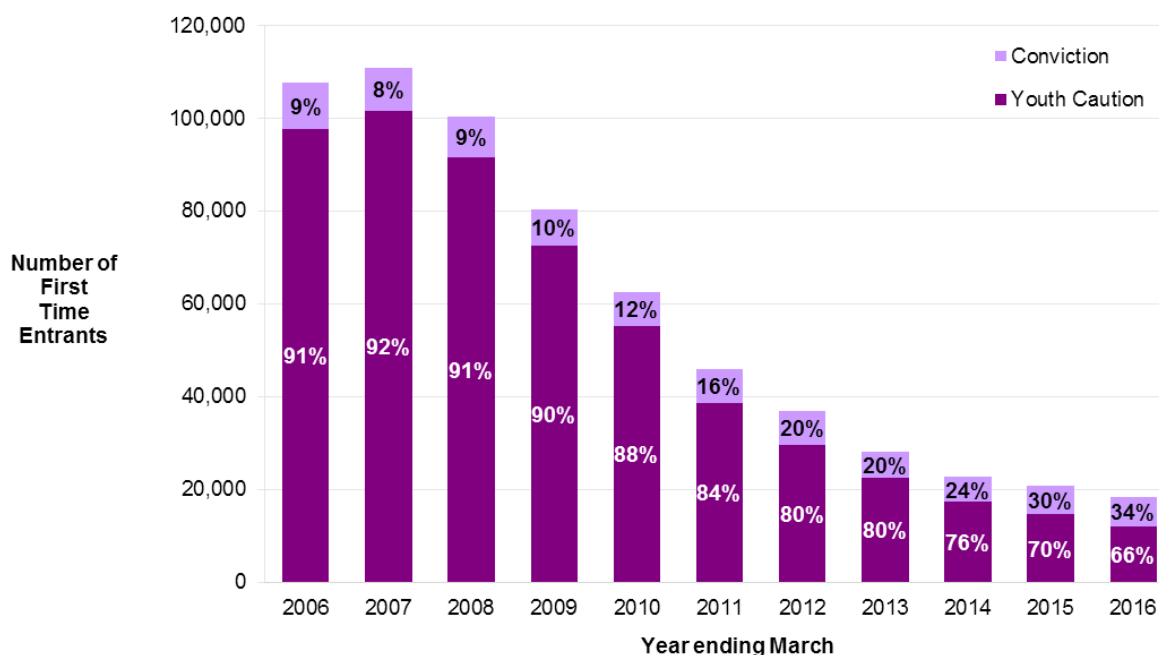
The number of FTEs in the YJS has fallen continually since it peaked in the year ending March 2007 (figure ES.1). In the year ending March 2016 there were 18,300 FTEs. This represents a fall of 12% in the last year and a fall of 83% since the year ending March 2006.

Of the 18,300 FTEs in the year ending March 2016, 66% received a caution, with the remaining receiving convictions (predominantly resulting in community sentences). In the year ending March 2006, youth cautions accounted for 91% of FTE disposals. The proportion of FTEs receiving a caution has fallen year on year since the year ending March 2007.

The proportion of total proven offending by young people that were first (rather than repeat) offences is falling over time. In the year ending March 2016, there were around 45,200 primary offences² committed by young people (aged 10-17 years) recorded on the PNC, which resulted in a caution or conviction. Of these 40% were first offences, and the rest were further offences. This compares to around 218,100 proven offences committed by young people in the year ending March 2006, of which 49% were first offences.

² Young people may be cautioned or convicted on more than one occasion in a year, and may have committed more than one proven offence at each occasion. The most serious offence is then counted as the primary offence

Figure ES.1: Trends in First Time Entrants, years ending March 2006 to March 2016



In the year ending March 2016, 31% of FTEs to the YJS were young people aged 10-14 and the average age of a FTE was 15.2 years.

Young people from BAME groups accounted for 19% of all FTEs in the year ending March 2016 while White young people accounted for 72% (9% unknown). This compares with 11% BAME and 85% White in the year ending March 2006 (3% unknown). Ethnicity here is not self-reported but as recorded by the police.

In the year ending March 2016, young females accounted for 21% of FTEs, compared to 78% of males (with the remaining 1% unknown).

Young people receiving a caution or court conviction

There were 32,900 individual young people who received a youth caution or court conviction in England and Wales in the year ending March 2016. This number has reduced by 13% from the year ending March 2015 and by 61% since the year ending March 2011³.

Compared with the year ending March 2011, the number of young people cautioned or convicted who identified themselves as from a BAME group has fallen by 47% compared with a 65% fall for White young people. In the year ending March 2016, young people from BAME groups made up 22% of the young people who received a youth caution or conviction compared to 75% for White young people (with the remaining 4% unknown⁴).

³ 10 year comparison is not available.

⁴ Figures do not add up to 100% due to rounding.

In the year ending March 2016, females accounted for 18% of young people who received a caution or conviction compared with 82% for males.

Young people aged between 10 and 14 accounted for 24% of all young people who received a caution or conviction in the year ending March 2016, the remaining 76% being aged 15-17.

Proven offences by young people

Overall young people were convicted or cautioned for a total of 79,600 proven offences⁵ in the year ending March 2016. The number of proven offences has been decreasing; it has fallen by 9% from the year ending March 2015 and by 74% since the year ending March 2006.

The most common offence types committed by young people were: violence against the person (26% of the total); theft and handling offences (14%); and criminal damage (12%). Compared with the year ending March 2006, the number of proven offences has fallen among all offence types, but particularly for theft and handling stolen goods, motoring offences and public order.

This different rate of decrease has led to a change in proportions of offence types. The largest proportion of proven offences in the year ending March 2016 were violence against the person offences which also increased the most compared with March 2006 (by eight percentage points). There was also an increase of four percentage points for drugs offences. The largest decrease was for motoring offences which decreased by eight percentage points. Theft and handling offences decreased by four percentage points.

Use of remand for young people

There were 16,300 sentencing occasions involving remand episodes given by the courts for young people in the year ending March 2016 (down by 12% from the year ending March 2015 and by 51% from the year ending March 2011⁶). In the majority of these cases (87%) the young person was bailed, while in 3% of cases the young person was remanded in the community with interventions. In the remaining 9% of cases the young person was remanded to youth detention accommodation⁷.

The average remand population in custody in the year ending March 2016 was 210 young people, accounting for 22% of the average custodial population. This is the same proportion as the year ending March 2006 when the average population in custody on remand was 620.

⁵ This includes **all** offences for which a young person was given a caution or conviction and not just the primary offence.

⁶ 10 year comparison not available.

⁷ Figures do not add up to 100% due to rounding.

For those young people remanded to custody in year ending March 2016, 64% were not sentenced to immediate custody following their remand: 27% were acquitted and 38% were given a non-custodial sentence^{8,9}.

Young people sentenced

In the year ending March 2016, there were 27,900 young people sentenced in England and Wales¹⁰. This number has fallen by 10% compared with the previous year and by 71% since the year ending March 2006. Community sentences (including referral orders and Youth Rehabilitation Orders) were most commonly imposed (68% of sentences).

There were 1,700 young people sentenced to immediate custody in the year ending March 2016 (6% of all those sentenced). This number has fallen by 9% since the year ending March 2015 when 1,800 young people were sentenced to immediate custody and by 73% since the year ending March 2006, when the number was 6,100.

The average custodial sentence length¹¹ for young people sentenced for indictable (more serious) offences was 16.1 months in the year ending March 2016, which was an increase from 14.8 months in the year ending March 2015 and from 11.4 months in the year ending March 2006.

Young people in custody in the youth secure estate

Only 10-17 year olds enter the youth secure estate. However, young people aged 18 remain in custody in the youth secure estate if they only have a short period of their sentence left to serve, to avoid disrupting their regimes. The data presented here are for the under 18 population only.

The average population of young people in custody in the year ending March 2016 was 960. The average population in custody has reduced by 8% from the previous year, and by 66% from the year ending March 2006 (**figure ES.2**).

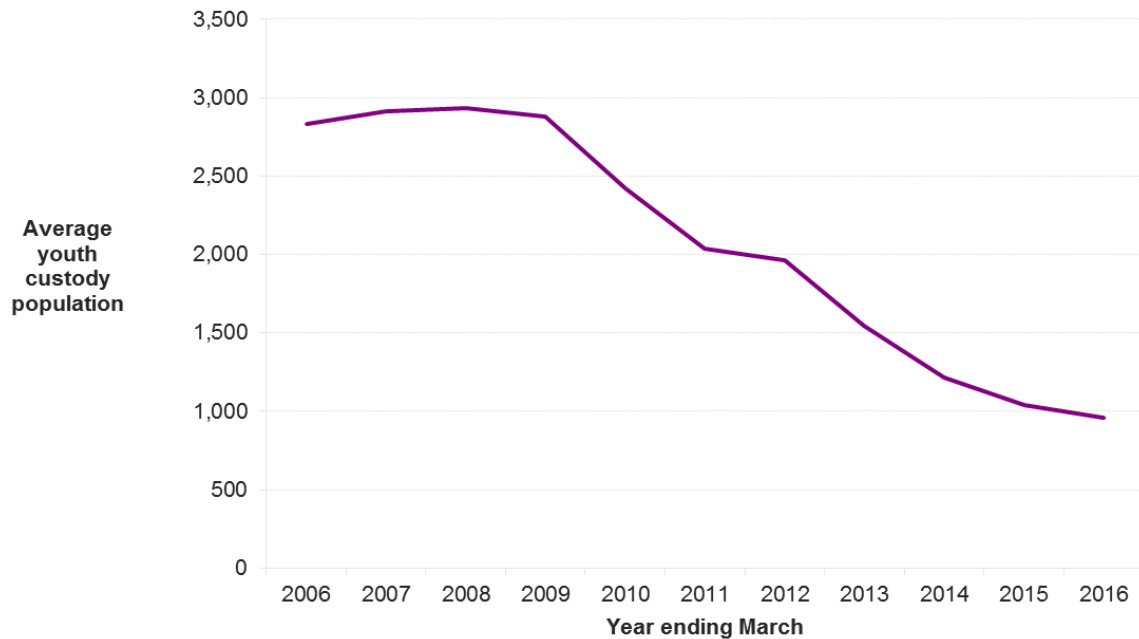
⁸ Percentages may not sum due to rounding.

⁹ This data excludes those magistrates' courts custodial remands committed to the Crown Court for trial or sentence.

¹⁰ The same young person can be sentenced on more than one occasion during the year, so this is not a count of distinct young people.

¹¹ This is the full length of sentence imposed (for fixed term sentences only) not just the period actually spent in custody.

Figure ES.2: Average under 18 custody population, years ending March 2006 to March 2016



Despite the declining numbers in custody, the average number of young people detained for some offence groups has increased compared with the previous year – especially drug offences, but also sexual and violent offences.

Compared with the year ending March 2011¹², the proportion of young people in custody for more serious offence groups has increased. The proportion of young people in custody for violence against the person, robbery and sexual offences have increased from 52% in the year ending March 2011 to 68% in the year ending March 2016. The greatest increase has been in the proportion of young people in custody for violence against the person offences which has seen a 10 percentage point increase since the year ending March 2011 (from 24% to 34%). The proportion for sexual offences also increased over this period (from 5% to 10%). The biggest decrease was for breach of statutory order where the proportion has decreased from 16% to 2%¹³.

In the year ending March 2016, 58% of the young people in custody were from a White ethnic background. Young people from BAME groups accounted for 41% of the under-18 custodial population. This compares with 22% of young people from BAME groups who received a youth caution or conviction in the same year. Young people from a Black ethnic background accounted for 21% of young people in custody. This compares to 75% of young people who received a youth caution or court conviction in that year who were from a White ethnic background and 9% who were from a Black ethnic background.

¹² 10 year comparison not available.

¹³ A change in data recording between different administrative systems may account for a large part of this decrease.

In the year ending March 2016, females accounted for 4% of the average under-18 custody population (a decrease from 8% compared with the year ending March 2006). This compares to 18% of young people who received a youth caution or court conviction who were female.

The average number of days a young person spent in the secure estate in one episode¹⁴ was 118 days in the year ending March 2016. This is an increase of eight days from the 110 days in the previous year.

In the year ending March 2016, the average time young people spent solely

- on remand was 59 days,
- on a DTO was 112 days,
- on a section 91 sentence was 278 days, and
- on other sentences was 394 days.

The length of time has increased compared with the previous year for each legal basis. In this publication, we have changed the methodology for calculating the time spent in custody, and have retrospectively applied this to previous years. The new approach results in averages that are higher than previously published (refer to the Explanatory notes for further information).

Behaviour management and safety in the youth secure estate

Behaviour management refers to the processes and policies by which youth secure establishments manage challenging or harmful behaviour amongst young people. The data include some 18 year olds who are kept in the youth secure estate.

In the year ending March 2016, there were:

- 4,300 restrictive physical interventions (RPIs)
- 1,400 incidents of self harm
- 2,900 assaults
- 2,400 single separations, in Secure Training Centres (STCs) and Secure Children's Homes (SCHs) only.

Compared with the year ending March 2015, only RPIs have reduced (by 11%); the other incidents have all increased (self harm by 5%, assaults by 6% and single separation by 34%). However, the number of these incidents have all decreased compared with the year ending March 2011¹⁵. They have decreased by 40% for RPIs, 3% for self harm, 14% for assaults and 45% for single separation.

¹⁴ An episode refers to the time a young person would spend in the secure estate for a distinct episode regardless of the legal basis for their detention, from the time of entering custody to their release within the year period. For some young people this may not represent the whole time a young person spends in the secure estate, as they may have a period of detention which either begins or extends beyond the reference period.

¹⁵ 10 year comparison not available.

Numbers of such incidents are affected by the size of the population in custody, which has been falling over time, so rates are used to standardise for these changes.

In the year ending March 2016, the rate of RPIs was 27.8 per 100 young people in custody, a decrease from 28.2 in the year ending March 2015 but an increase from 20.5 in the year ending March 2011.

In the year ending March 2016, the rate of self harm incidents was 8.9 per 100 young people. The rate has continued to increase compared with both the year ending March 2015 and the year ending March 2011 (increasing from 7.7 and 4.1, respectively).

In the year ending March 2016, the rate of assaults was 18.9 per 100 young people, an increase compared with both the year ending March 2015 and March 2011 (increasing from 16.2 and 9.7 respectively).

In the year ending March 2016, the rate of single separation incidents was 52.3 per 100 young people (in STCs and SCHs only), an increase from 35.5 in the year ending March 2015 but a decrease from 64.5 in the year ending March 2011.

The Minimising and Managing Physical Restraint (MMPR) system has been implemented in six of eight STCs and under-18 YOI's (MMPR is not used in SCHs). There were a total of 3,100 use of force incidents (for restraint) recorded under the MMPR system for the year ending March 2016, an average of 30.3 incidents per 100 young people in custody per month. MMPR techniques were involved in 73% of all use of force incidents (2,300).

Deaths in custody and number of safeguarding and public protection incidents

In the year ending March 2016, there were no self-inflicted deaths of young people in custody in the secure estate. There was one death in July 2015 due to natural causes (the formal inquest verdict is awaited). Prior to that, there were three deaths during the year ending March 2012. Between the years ending March 2006 and March 2016, there were six deaths.

Youth Offending Teams (YOTs) are required to report to the YJB safeguarding and public protection incidents that occur in the community regarding children and young people under (or recently under) the YOT's supervision. Mandatory reporting is required when a young person is charged with offences of murder/manslaughter, rape or they are subject to multi-agency public protection arrangements and a serious further offence is committed. Safeguarding reporting is required in the event of the death of a young person, attempted suicide or if they are the victim of rape¹⁶.

In the year ending March 2016, 190 safeguarding and public protection incidents were reported to the YJB. This compares to 210 incidents reported in the year ending March 2015.

¹⁶ Full details can be found in the operating procedures available here: www.gov.uk/guidance/report-serious-incidents-guide-for-youth-justice-practitioners

Reoffending by young people

There were 36,300 young people who received a caution, a non-custodial conviction at court or who were released from custody in the year ending March 2015. This is the number of young people in the cohort used to calculate reoffending statistics.

Of these, 13,700 committed a proven reoffence within the one year follow-up period. This gives a proven reoffending rate of 37.9%, which remained stable compared to the previous year (38.0%) after a number of years of increasing. This rate is 4.3 percentage points higher compared with that for the 2004 cohort.

The number of young people in the reoffending cohort has gone down in each year since the year ending March 2007. There have also been decreases in the number of young people that subsequently reoffend and the number of reoffences they committed – down by 15% and 10%, respectively, compared with the previous year's cohort (March 2014).

Young people who reoffended committed a total of 45,300 reoffences, at an average of 3.3 offences each.

The reoffending rate for those released from custody is 68.7%. It increased by 1.5 percentage points compared to the previous year but has decreased by 6.8 percentage points compared with 2004.

Criminal history of young people

In the year ending March 2016, young people cautioned and convicted for any offence (as recorded on the PNC) had on average 2.2 previous cautions or convictions, a slight decrease from 2.3 in the year ending March 2015 and an increase from 1.7 in the year ending March 2006.

The proportion of young people sentenced for indictable offences that had a criminal history has been reducing. In the year ending March 2016, 74% of these young people had criminal history, compared with 77% in the year ending March 2015 and 88% in the year ending March 2006.

The majority of young people sentenced for indictable offences with the most extensive criminal histories (15 or more previous cautions or convictions) were sentenced either to immediate custody (43%) or to a community sentence (26%). For those with no previous cautions or convictions, the proportions sentenced to these disposal types were 2% and 31%, respectively.

The proportion of young people sentenced to custody who had no prior criminal history was 12% in the year ending March 2016. This is the highest the proportion has been in the last 10 years.

Average time from offence to completion

The criminal court timeliness measure is an estimated average of the time criminal cases spend in the Criminal Justice System, across both magistrates' courts and the Crown Court.

In the year ending March 2016, for all completed criminal cases involving young people, the average number of days from the time that the offence took place until the case was completed (and a final decision was made) was 130 days (the median was 94 days). This is an increase from 125 days (median 88 days) in the previous year and continues the upward trend since year ending March 2011¹⁷.

¹⁷ 10 year comparison not available.