



Youth Justice Statistics Glossary

For further information about the Criminal Justice System please see:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/376901/guide-to-criminal-justice-statistics-november-2014.pdf

Anti-Social Behaviour Orders (ASBOs): *Civil orders, designed to prevent someone causing 'harassment, alarm or distress'. They can be issued on application to a court by a relevant body (police, local authority etc.) or, since December 2002, they can also be issued following conviction for a relevant criminal offence. Breach of an ASBO is a criminal offence, punishable by up to five years in prison (two years for juveniles).*

Individual Support Orders (ISOs): *Court orders only available for 10-17 year olds which can be attached to ASBOs made on application. ISOs impose positive conditions on the young person to address the underlying causes of the behaviour that led to their ASBO being issued. ISOs are available at magistrates' courts.*

Average custodial sentence length (ACSL): *Average length of determinate (fixed length) custodial sentences given in months. This excludes indeterminate sentences (life or Imprisonment for Public Protection sentences) as the length of these sentences is not recorded.*

Example of calculation of average custodial sentence length (ACSL):
Offenders in four cases are sentenced to immediate custody and the sentence lengths handed down are: six months, one year, 18 months and a life sentence. The calculation of ACSL excludes the life sentence as this is an indeterminate sentence and it is not known how long the offenders will serve in custody. The mean is calculated on the remaining three sentences implying the ACSL for these offences is: $(6+12+18)/3 = 12$ months.

Bail Supervision and Support: *Bail Supervision and Support (BSS) is an intervention provided by the YOT to help a young person meet the requirements of bail. One of its main aims is to ensure that remands to custody and secure remands are kept to a minimum. The young person may additionally be electronically tagged if it is felt necessary.*

Behaviour management: see section on Behaviour management.

Charge or laying of information: *This relates to when the defendant is first charged at a police station (specifically, where an individual is arrested and formally accused of a crime) or when the information is laid (specifically, where an individual receives a written summons advising that an action has begun against them, and that they are required either to appear in person, or to respond in writing, to the court regarding the alleged offence).*

Completion: *When a defendant's case is completed and a final decision is reached in either the magistrates' courts or the Crown Court.*

Conditional bail: Conditions may be added to a bail decision in order to: ensure attendance at court; prevent the young person offending while on bail; address a concern that the young person might interfere with witnesses or obstruct the course of justice; safeguard the young person's welfare; ensure availability for reports; ensure they attend an appointment.

The conditions might include not contacting a particular person or entering a particular area. The young person may additionally be electronically tagged if it is felt necessary.

Crime: A crime is an action or an instance of negligence that is deemed injurious to the public welfare or morals or to the interests of the state and that is legally prohibited. An incident is counted as a crime if reported to the authorities and following investigation is confirmed as a "crime" and recorded as such.

Criminal history: A young person is counted as having a criminal history if their Police National Computer (PNC) record shows that, at the time of receiving a youth caution (previously reprimands and warnings) or conviction for any offence, they had previously committed one or more offences that had resulted in one of these sanctions. The figures relate to cautioning or sentencing occasions for offences prosecuted by police forces in England and Wales including British Transport Police; they exclude sentences resulting from prosecutions brought by other authorities such as the Department for Work and Pensions (DWP), HM Revenue & Customs (HMRC) and the Ministry of Defence (MOD). The offending history of these young people relate to cautioning or sentencing occasions recorded on the PNC for **any** offence including summary offences dealt with by the police and non-prosecuting bodies. The offending history also includes some offences committed outside England and Wales. Where there were multiple offences on the same occasion, only the primary offence as recorded on the Police National Computer would be counted.

Date of offence: This relates to the date the alleged offence was committed.

Disposal: Disposal is an umbrella term referring both to sentences given by the court and pre-court decisions made by the police. Disposals may be divided into four separate categories of increasing seriousness starting with pre-court disposals then moving into first-tier and community-based penalties through to custodial sentences. See section on Disposal types.

First listing: The first hearing of the case in a magistrates' court, whether or not the defendant is present. This term is used in examining the average number of days from offence to completion.

First Time Entrants to the criminal justice system in England and Wales: First time entrants (FTEs) are classified as people resident in England and Wales, who received their first youth caution (previously reprimands and warnings) or conviction for an offence recorded on the Police National Computer by a police force in England or Wales or by the British Transport Police. Penalty notices for disorder, other types of penalty notice, cannabis warnings and other sanctions given by the police are not counted. The rates of FTEs per 100,000 people in the population are based on Office for National Statistics' mid-year population estimates. Where an offender was cautioned or convicted of more than one offence on their first occasion, the offence type relates to the principal offence on that occasion, this generally being the most serious offence or the offence that attracted the heaviest penalty.

Indictable proceedings: Indictable proceedings cover the more serious offences such as violent and sexual offences and robbery. Initial proceedings are heard at magistrates' courts but they then may be passed on to the Crown Court, either for sentencing, or for a full trial with a judge and jury. This group includes both 'indictable

only' offences, which can only be tried on indictment in the Crown Court by a judge and jury and 'triable-either-way' offences, which are triable either summarily in a magistrates' court or on indictment in the Crown Court.

Minimising and Managing Physical Restraint (MMPR): *MMPR is a behaviour management and restraint system, that has been developed specifically for staff working with young people in STCs and under-18 YOIs.*

All secure establishments currently report restraint incidents against the definition of RPI and this will continue. However, under MMPR, establishments are also required to report more detailed data on all uses of force, irrespective of whether they meet the RPI definition or not. This includes the use of MMPR techniques and any use of force that is not an MMPR technique.

Notifiable offences: *Notifiable offences are those offences which require the police to record an incident as a crime and report the occurrence to the Home Office.*

Otherwise dealt with: *Includes a number of orders, for example: hospital orders, confiscation orders and compensation orders.*

Parenting orders: *Parenting orders under the Crime and Disorder Act 1998 were implemented across England and Wales on 1 June 2000, and were extended under both the Anti-Social Behaviour Act 2003 and Criminal Justice Act 2003. They are made against parents and aim to prevent offending and anti-social behaviour by reinforcing parental responsibility.*

Police National Computer: *the Police National Computer (PNC) is the police's administrative IT system used by all police forces in England and Wales and managed by the National Policing Improvement Agency. As with any large scale recording system, the PNC is subject to possible errors with data entry and processing. The MoJ maintains a database based on weekly extracts of selected data from the PNC, in order to compile statistics and conduct research on re-offending and criminal histories. The PNC largely covers recordable offences – these are all indictable and triable-either-way offences plus many of the more serious summary offences. All figures derived from the MoJ's PNC database, and in particular those for the most recent months, are likely to be revised as more information is recorded by the police.*

Pre-sentence report: *This is a report to the sentencing magistrates or judges containing background information about the crime and the defendant and a recommendation on the sentence to assist them in making their sentencing decision.*

Primary/Principal offence: *Where more than one offence is considered in a court case or cautioning occasion, the offence that would/did attract the most severe sentencing outcome is deemed to be the principal offence and other offences also dealt with in that case would be ignored. If two offences in the same case attract the same sentence, the offence with the statutory maximum sentence is deemed the 'principal offence'.*

Proven Re-offending: *any offence committed in a one year follow-up period and receiving a court conviction, caution, reprimand or warning in the one year follow-up. Following this one year period, a further six month waiting period is allowed for cases to progress through the courts.*

Proven offence: *A proven offence is defined as an offence which results in the offender receiving a youth caution (formerly reprimand or warning), or conviction.*

Remands: See section on Remands.

Recordable offence: Recordable offences are those that the police are required to record on the Police National Computer. They include all offences for which a custodial sentence can be given plus a range of other offences defined as recordable in legislation. They exclude a range of less serious summary offences, for example television licence evasion, driving without insurance, speeding and vehicle tax offences.

Restorative Justice: Provides opportunities for those directly affected by an offence (i.e. victim, offender and members of the community) to communicate and agree how to deal with the offence and its consequences. Restorative justice approaches are most often used in Referral Orders. A Referral Order's primary aim is to prevent young people reoffending and provide a restorative justice approach within a community context.

Secure Estate: See section on Secure Estate.

Summary cases: The less serious cases, such as motoring offences and minor assaults, where by the defendant is not usually entitled to trial by jury. These cases are therefore completed in the magistrates' courts. Summary offences are subdivided into Summary Motoring and Summary Non-Motoring cases.

Summary motoring cases: Includes offences such as driving whilst disqualified, speeding and failure to stop.

Summary non-motoring cases: Includes offences such as TV licence evasion, minor assaults and criminal damage where less than £5,000 worth of damage is caused.

Substantive outcome: a pre-court or court disposal.

Summary offences: These offences are usually heard by a magistrates' court. This group is dominated by motoring offences, for some of which fixed penalties can be issued, but also includes offences such as common assault and criminal damage up to £5,000.

Triable only on indictment: These offences are the most serious breaches of the criminal law and must be tried at the Crown Court before a judge and jury. These 'indictable-only' offences include murder, manslaughter, rape and robbery.

Triable-either-way: These offences may be tried either at the Crown Court or at a magistrates' court. These offences include criminal damage where the value is £5,000 or greater, theft, burglary and drink driving. Triable only on indictment and triable either way are frequently amalgamated and referred to together as indictable offences.

Young person: The definition of a young person in the Children and Young Persons Act 1969 is a person over the age of 14, but under 18. In this publication young person covers people aged 10-17 years.

Youth Offending Teams (YOTs): Youth Offending Teams (YOTs) are multi-agency teams made up of representatives from police, probation, education, health and social services, and specialist workers, such as accommodation officers and substance misuse workers. YOTs were set up following the 1998 Crime and Disorder Act with the intention of reducing the risk of young people offending and re-offending.

Behaviour management

Behaviour management captures the processes and policies by which establishments manage challenging and difficult behaviour and promote positive behaviour amongst young people in the secure estate. This report covers four types of behaviour management:

Assault in the youth secure estate: *Assault is defined as “The intentional use of unnecessary force that results in physical contact with the victim”. The degree of force used is immaterial (e.g. touching, spitting, pushing or striking) and physical contact can be by any part of the assailant’s body or bodily fluid or by the use or display of any weapon or missile. It is not necessary for the victim to suffer injury of any kind. Assaults of a sexual nature are included.*

Restrictive Physical Intervention (RPI): *A Restrictive Physical Intervention is defined as: “Any occasion when force is used with the intention of overpowering or to overpower a young person. Overpower is defined as “restricting movement or mobility”.*

Self harm: *Self harm is defined as any act by which a young person deliberately harms themselves irrespective of the method, intent, or severity of the injury.*

Single separation: *Single separation refers to the confining of a young person in custody in their bedroom, to another room or area as a means of control and without the young person’s permission or agreement, without a member of staff being present and with the door locked in order to prevent exit.*

Disposal Types

Out of Court Disposals

Penalty Notice for Disorder: *A Penalty Notice for Disorder (PND) is an out-of-court disposal issued by the police for low-level disorder offences. Available for young people aged 16 and over, PNDs can be issued on the spot, providing a quicker means of dealing with minor offences and nuisance behaviour. Payment of the penalty amount discharges the recipient’s liability to prosecution for the offence. Penalty notices are no longer available for persons aged under 18 from 8 April 2013.*

Reprimand: *An out-of-court disposal for young offenders. This is the equivalent to an adult simple caution. Reprimands and Final Warnings were abolished on 8 April 2013 by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and replaced by Youth Cautions and Youth Conditional Cautions.*

Cautions: *From 2009/10, the reporting of conditional cautions was made mandatory; including those given to young people aged 16 and 17. This meant that from 1st April 2009 all returns distinguish conditional cautions from other caution type interventions. In addition Youth Conditional Cautions (YCC), for young people aged 16 or 17, were introduced from 1 April 2009.*

Youth Conditional Cautions: *A youth conditional caution allows an authorised person (usually a police officer) or a relevant prosecutor (usually a member of the CPS) to decide to give a caution with one or more conditions attached. When a young person is given a conditional caution for an offence, criminal proceedings for that offence are halted while the young person is given an*

opportunity to comply with the conditions. Where the conditions are complied with, the prosecution is not normally commenced.

Youth Cautions: *Youth Cautions are a formal out-of-court disposal that can be used as an alternative to prosecution for young offenders (aged 10 to 17) in certain circumstances. A Youth Caution may be given for any offence where the young offender admits an offence, there is sufficient evidence for a realistic prospect of conviction but it is not in the public interest to prosecute.*

First Tier Disposals

First-tier penalty: *This is an umbrella term used for the following orders made at court: bind over, discharges, fines and deferred sentences.*

Absolute discharge: *When the court decides someone is guilty, but decides not to punish them further at this time, they will be sentenced to a 'discharge'. Discharges are given for minor offences. An 'absolute discharge' means that no more action will be taken.*

Conditional discharge: *When the court decides someone is guilty, but decides not to punish them further at this time, they will be sentenced to a 'discharge'. Discharges are given for minor offences. A 'conditional discharge' means that the young person won't be punished unless they commit another offence within a set period of time (no longer than three years).*

Fine: *The size of the fine is reflected by the seriousness of the offence and the young person's financial circumstances. For a young person under 16 years of age, the responsibility for paying the fine rests with their parents/carers.*

Community Disposals

When a court imposes a community sentence, the young person doesn't go to prison, but the court says there are specific things the young person can, can't and must do while serving their sentence. The magistrate or judge will decide which combination of these 'requirements' will most effectively punish the young person for their crime, while also reducing the risk of them offending again.

Referral Order: *The Referral Order requires the young person to attend a youth offender panel consisting of a YOT representative and two lay members. The panel agrees a contract with the young person lasting between three and 12 months. The contract will include reparation and a number of interventions felt suitable for that young person (for example, a substance misuse assessment or an anger management programme). If completed successfully, the Referral Order is considered a 'spent' conviction and need not be declared.*

Reparation Order: *Reparation Orders require a young offender to undertake reparation either directly for the victim or for the community at large (for example, cleaning up graffiti or undertaking community work).*

Youth Rehabilitation Order (YRO): *The Youth Rehabilitation Order (YRO) was introduced at the end of November 2009. The YRO provides judges and magistrates with a choice of 18 rigorous community options from which they can create a sentence specifically designed to deal with the circumstances of the young offender before them. See below for details of the different YRO requirements.*

There are 18 requirements possible on a YRO, these are; Activity, Supervision, Unpaid Work, Programme, Attendance Centre Order, Curfew, Electronic Monitoring, Education, Exclusion, Drug Treatment, Drug Testing, Prohibited Activity, Intoxicating

Substance Treatment, Residence, Mental Health Treatment, Intensive Fostering, Local Authority Residence and Intensive Surveillance and Supervision.

YRO requirements

Activity Requirement: *An Activity Requirement requires a young person to participate in specified activities for a specified period, which can be residential or non-residential. Examples of activities include direct or indirect reparation, victim/offender mediation or sending a letter of apology to the victim.*

Supervision Requirement: *A Supervision Requirement requires the young person to meet with the responsible officer, or another person nominated by the responsible officer, as agreed. When included in a YRO, the Supervision Requirement will remain in force for the duration of the order.*

Unpaid Work Requirement: *An Unpaid Work Requirement is only available for young people aged 16 and 17 years at the time of their conviction. When a YRO with an Unpaid Work Requirement is made, the number of hours which the young person is required to work must be specified in the order.*

Programme Requirement: *A Programme Requirement is designed to allow young people who have offended to engage in a systematic set of activities (a programme) at a specified place on a specified number of days. It may require the young person to reside for specified days at a named place. Examples of programmes include anger management and Knife Crime Prevention Programme (KCPP).*

Attendance Centre Requirement: *An Attendance Centre Requirement requires the young person to attend the attendance centre specified in their order for the number of hours specified.*

Curfew Requirement: *The addition of a Curfew Requirement to a YRO means that the young person must remain in a specified place for the period specified in the order. The order can also specify different periods of curfew on different days.*

Electronic monitoring Requirement: *An Electronic Monitoring Requirement may be attached to a YRO with a Curfew Requirement and an Exclusion Requirement. An Electronic Monitoring Requirement must be imposed as part of a YRO (unless inappropriate to do so) where it is considered that the imposition of this Requirement will encourage and enable young people to comply with other Requirements (curfew) of their YRO.*

Education Requirement: *The Education Requirement requires a young person of compulsory school age to comply with approved education arrangements. Approved education arrangement for this purpose means arrangements for the young person made by their parent or guardian and approved by the local education authority of the area in which the young person lives.*

Exclusion Requirement: *The addition of an Exclusion Requirement to a YRO means that the young person is prohibited from entering a place specified in the order for a specified period.*

Drug Treatment Requirement: *A Drug Treatment Requirement means that the young person must submit to treatment during the period specified in the order with a view to the reduction or elimination of the young person's dependency on, or propensity to misuse, drugs. The treatment required and specified as part of the order must be either residential or non-residential treatment, but the court cannot further specify the nature of the treatment.*

Drug testing Requirement: *A Drug Testing Requirement requires that the young person must provide samples as instructed by their responsible officer or treatment provider in order to ascertain whether there are any drugs in their body during the treatment period.*

Prohibited activity Requirement: *Attaching a Prohibited Activity Requirement to a YRO means that the young person must not participate in activities as specified in their order on the day or days specified or during a specified period of time.*

Intoxicating Substance Treatment Requirement: *An Intoxicating Substance Treatment Requirement means that the young person must submit to treatment during the period specified in the order with a view to the reduction or elimination of the young person's dependency on, or propensity to misuse, intoxicating substances.*

Residence Requirement: *A Residence Requirement attached to a YRO requires the young person to reside with a specified person, e.g. a grandparent (that person's consent must be obtained), or at a specified place (known as a 'place of Residence Requirement') for the specified period. A place of Residence Requirement may only be included in a YRO if the young person is 16 or over at the time of conviction. The legal parental responsibility for that young person would not change.*

Mental Health Treatment Requirement: *A Mental Health Treatment Requirement requires a young person to submit, during the periods specified in the order, to treatment by or under the direction of a registered medical practitioner or a registered psychologist (a person registered in the part of the register maintained under the Health Professions Order 2001 which relates to practitioner psychologists) with a view to improving their mental condition.*

Intensive Fostering Requirement: *A YRO with Intensive Fostering should be considered where the young person has met the custody threshold (an offence punishable by imprisonment and for those under the age of 15, also persistent) and where a less intensive YRO would not be sufficient. Further, it should only be considered where the young person's living arrangements have contributed to their offending behaviour and the local authority has agreed to provide specialist Intensive Fostering support and, finally, where a YRO with Intensive Fostering is thought likely to prevent further offending.*

Local Authority Residence Requirement: *If a Local Authority Residence Requirement is attached to a YRO, the young person must reside in suitable accommodation provided by or on behalf of the local authority specified in the order. The order may also stipulate that the young person is not to reside with a person specified in the order. The accommodation specified in the order may include foster care provided by a registered fostering service or in supported housing that is not regulated under the Care Standards Act 2000, provided by local authority children's services or by a housing agency.*

Intensive Supervision and Surveillance: *an Intensive Supervision and Surveillance (ISS) Requirement has been set as a high intensity alternative to custody. ISS combines a set period of electronic tagging with a comprehensive and sustained focus on tackling the factors that contribute to the young person's offending behaviour. ISS is aimed at young offenders on the custody threshold and has to be considered as an option before a custodial sentence is given. ISS may also be attached to conditional bail.*

Custodial Disposals

Prison sentences are given when an offence is so serious that it is the only suitable punishment. A prison sentence will also be given when the court believes the public must be protected from the young person.

Detention and Training Order (DTOs): *Detention and Training Orders (DTOs) are determinate custodial sentences which can last from four months to 24 months in length. A young person spends the first half of the order in custody and the second half released on licence. If they offend whilst on licence, they may be recalled back to custody.*

Section 90 of the Criminal Court Sentencing Act (2000): *Any young person convicted of murder is sentenced under section 90.*

Section 91 of the Criminal Court Sentencing Act (2000): *Equivalent to a discretionary life sentence, the indeterminate section 91 sentence is for young people convicted of an offence other than murder for which a life sentence may be passed on an adult. The court shall, if appropriate, sentence a young person to detention for life.*

Section 226 (detention for life and detention for public protection) of the Criminal Justice Act (2003): *This is a sentence of 'detention for public protection' imposed if the court decides that on the basis of the risk presented by the young person an extended sentence would be inadequate to protect the public.*

Section 226B (Extended sentence for certain violent or sexual offences) (Sections 123-5 LASPOA 2012 (amending ss 226 & 228 Criminal Justice Act 2003) & schedule 20 LASPOA 2012): *Young people can be sentenced to an extended custodial sentence if they are convicted of a specified offence as listed in schedule 15 of the Criminal Justice Act 2003 and the court believes that they are dangerous.*

Section 228 of the Criminal Justice Act (2003): *For specified offences where the young person is assessed as dangerous, the court can impose an extended sentence for public protection. The extension applies to the licence period and does not affect the length of the custodial term.*

Remands

Bail Remands: *Consists of unconditional and conditional bail.*

Community Remand with interventions: *Community remands consist of the following types of remand decision: bail supervision and support (with or without tag), ISSP bail (with or without tag), or remand to local authority accommodation (with or without tag).*

Custodial remand: *If the court is not satisfied that imposing community-based bail will ensure compliance, or if the offence is serious, or if the young person frequently offends, then it may order a young person to be remanded in custody.*

Since 3rd December 2012, all children remanded to custody are dealt with by way of Remand to Youth Detention Accommodation, under the Legal Aid, Sentencing and Punishment of Offenders Act 2012. This replaced Remand in Custody and Court-Ordered Secure Remand.

Secure estate

There are three strands of the secure estate. These are: secure children's homes (SCH), secure training centres (STC) and young offender institutions (YOI).

Secure Children's Homes (SCH): *Secure children's homes (SCH) in England are run by Local Authorities and are overseen by the Department for Education in England. In 2013/14, the YJB commissioned 166 beds in 10 SCHs (nine in England and one in Wales). Hillside SCH in Wales is run by Neath Port Talbot local authority and overseen by the Welsh Government in Wales.*

They generally accommodate remanded or sentenced young people aged 12-14 years and girls and 'at risk' boys up to the age of 16. They can also accommodate young people placed by Local Authorities on welfare matters.

The SCHs that the YJB commissions range from four to 25 beds and have high staff to young person ratios allowing focus on the emotional, physical and mental health needs of the young people they accommodate.

Secure Training Centre (STC): *In March 2014, there were four purpose-built secure training centres (STC) in England offering secure provision to sentenced or remanded young people aged 12-17 years. They provide a secure environment where vulnerable young people can be educated and rehabilitated. They are run by private operators under contracts which set out detailed operational requirements.*

STCs have agreed Minimum Staffing Levels providing a baseline for each type of staff at any time, on a day-to-day basis, to ensure safety, security and control. Broadly speaking, staffing levels are three members of custody staff to young people living in a group of eight, and two members of custody staff to young people living in a group of six.

Young Offender Institution (YOI): *Young offender institutions (YOI) can accommodate young people and young adults who offend from between the ages of 15 to 21 years old. The YJB is only responsible for commissioning secure accommodation for young people up to the age of 17 years old. YOIs for under 18s hold 15 to 17 year old boys and until August 2013, 17 year old females. YOIs tend to be larger sites than STCs and SCHs with lower ratios of staff to young people. They are not considered appropriate for housing those young people that have been assessed as having higher levels of need. The YJB has, however, commissioned smaller specialist YOI units to meet the needs of some of those young people.*