

Criminal Justice and Immigration Act 2008 and the Scaled Approach

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Safer Communities Executive Board Briefing

● *2nd July 2009*

Purpose of the presentation



To outline for management board members:

- The key aspects of the Criminal Justice and Immigration Act 2008
- The main provisions of the Youth Rehabilitation Order (YRO)
- The Scaled Approach and its implications for management board members

Key Aspects of the Criminal Justice and Immigration Act



- Changes to the purposes of sentencing
- YRO
- Changes to Referral Orders
- Youth Conditional Caution
- Custody-related changes
- Anti-social behaviour, Youth Default Orders, Rehabilitation of Offenders Act updates

The YRO



- Simplifies juvenile sentencing structure
- Sentencing proposal tailored to individual risk and need
- A menu of interventions to tackle offending behaviour
- Provides robust community sentences
- Can be used on multiple occasions by adapting the “menu”

What does it replace?



- **Action Plan Order**
- **Attendance Centre Order**
- **Community Punishment & Rehabilitation Order**
- **Community Punishment Order**
- **Community Rehabilitation Order**
- **Curfew Order**
- **Drug Treatment and Testing Order**
- **Supervision Order**
- **Exclusion Order**

YRO Requirements



1. Supervision Requirement
2. Programme Requirement
3. Activity Requirement
4. Attendance Centre Requirement
5. Curfew Requirement
6. Education Requirement
7. Residence Requirement (16/17 year olds only)
8. Local Authority Residence Requirement
9. Drug Treatment Requirement
10. Drug Testing Requirement (14 years old or over)

11. Mental Health Treatment Requirement
12. Intoxicating Substance Treatment Requirement
13. Exclusion Requirement
14. Prohibited Activity Requirement
15. Electronic Monitoring Requirement
16. Unpaid Work Requirement (16/17 year olds only)
17. **Intensive Fostering**
18. Intensive Supervision and Surveillance



Why a scaled approach?

- Audit Commission (2004) recommendation:
 - *'YOTs should make better use of Asset to determine the amount as well as the nature of interventions with individuals using a scaled approach'*
- Evidence says that interventions are more effective when:
 - the level and intensity of intervention is matched to an assessment of the risk of reoffending
 - it is focused on the risk factors associated with offending
- Mirrors the adult sector tiered framework of interventions
- The YRO requires a more **tailored and targeted** approach to the proposals made in court reports

The Scaled Approach



- Interventions designed to:
 - reduce the likelihood of reoffending
 - reduce the risk of serious harm to others
 - support the new sentencing framework
 - tailor intervention to individual risk and need

Minimum contacts for assessed intervention level



Intervention Level	Contact per month for first 3 months	Contact per month for rest of order
Intensive	12	4
Enhanced	4	2
Standard	2	1

Anticipated benefits



More efficient and effective allocation of YOT resources

Fewer young people in custody

Strengthened case management across the youth justice system

Improved practice in assessment quality, pre-sentence reports and intervention planning

Tailored interventions based on the young person's risks and needs

Reduced reoffending

Reduced risk of serious harm

Increased public confidence

