

Review

Implementation of decisions, supervision and the re-hearing of cases – a sub-evaluation of the Youth Crime Board

In 2018, the then Danish government (the Liberal Party, the Conservative People's Party and the Liberal Alliance), the Social Democratic Party and the Danish People's Party entered into an *Agreement on a reform of the measures taken to combat youth crime – all actions have consequences*. One of the reform measures was the introduction of the Act on Combatting Youth Crime (*lov om bekæmpelse af ungdomskriminalitet*), including the establishment of the Danish Youth Crime Board (*Ungdomskriminalitetsnævnet*), which came into force on 1 January 2019.

The Research Division of the Ministry of Justice has outlined an evaluation programme consisting of six sub-evaluations, of which the present evaluation deals with the implementation of the Youth Crime Board's decisions, the supervisory function of the Danish Supervision Unit for Juveniles and the re-hearing of cases. Three sub-evaluations have previously been published. The report *The Youth Crime Board Meeting - evaluation of the Danish Youth Crime Board* was published in May 2021 and the reports *Screening and referral. A sub-evaluation of the Youth Crime Board* and *Youth protection examinations and recommendations. A sub-evaluation of the Youth Crime Board* was published in December 2021.

One of the aims of this sub-evaluation of the implementation of decisions, supervision and the re-hearing of cases is to illustrate the practice and processes applied and the experiences gained in this connection by youth justice workers in the Danish Supervision Unit for Juveniles (*Ungekriminalforsorgen*) and local authority employees. Another aim is to illustrate children's/young people's experience in complying with the decisions of the Board and in being under the supervision of the Supervision Unit for Juveniles.

The sub-evaluation is based on information retrieved from various data sources, including data retrieved from cases considered by the Youth Crime Board, specifications from the Supervision Unit for Juveniles and interviews conducted with youth justice workers from the five local units under the Supervision Unit for Juveniles, local authority employees from ten municipalities selected based on the experience gained by the municipality with cases considered by the Youth Crime Board and on geography, 18 children/young people and five custodial parents.

A summary of the results of the analyses:

Decisions made by the Youth Crime Board

- During a period of close to three years, 2,230 children/young people had at least one case each considered by the Youth Crime Board, a total of 2,303 cases. In 69 per



cent of the cases, an improvement plan was decided upon, in 0.5 per cent of the cases, an immediate response only was decided upon, in 1 per cent of the cases, an improvement plan *and* an immediate response was decided upon, and in 30 per cent of the cases, it was decided not to initiate an improvement plan or an immediate response.

- 16 per cent of the improvement plans completed lasted less than six months, more than half of the plans lasted 6-12 months and just over one fourth lasted 13-24 months. The remaining 3 per cent of the improvement plans completed lasted more than 24 months. The short time spans of the improvement plans may reflect the circumstance that the young people were close to coming of age or that a request was made to stop the plan.

Implementation of decisions

- The general perception of the local authority representatives interviewed was that in most cases it did not pose a problem to implement the decisions of the Youth Crime Board in due time but that there might be barriers such as waiting time for access to social care measures or lack of available capacity at secure young offender institutions.
- Some of the local authority representatives and the youth justice workers asked for an improved possibility to design improvement plans with several social care measures in a way that enables the various measures to be implemented at different dates in different stages. The aim of this is to increase the flexibility in case of waiting time for one rather than all social care measures of the plan and to make it more manageable for the child/young person to embark on an improvement plan.

Supervision and monitoring of children/young people by the Supervision Unit for Juveniles

- The first supervisory interview must be conducted by the Supervision Unit for Juveniles no later than seven days after a decision is made by the Youth Crime Board and the second interview must be conducted no later than two weeks after the first supervisory interview. The deadline for the first supervisory interview was observed in more than nine out of ten cases during the period under review and the deadline for the second supervisory interview was observed in largely the same share of the cases.
- Most of the children/young people interviewed described participating in the supervisory interviews as ‘okay’ or ‘nice enough’ and had the perception of being involved and listened to. Some children/young people found that the supervisory interviews helped them, for example by acting as continuous reminders to ‘*stay on the right path*’. As a negative aspect of the supervisory interviews, quite a number of children/young people mentioned the long transport time from their home to the local unit under the Supervision Unit for Juveniles where the interview was conducted.
- As regards the perception of being monitored by the Supervision Unit for Juveniles, quite a number of children/young people found it ‘annoying’ while most of them also gave the impression that they understood the purpose.

Actions taken by the Supervision Unit for Juveniles in response to avoidance of supervision or to failure to comply with decisions

- Overall, the youth justice workers and the local authority representatives point to four general reasons why children/young people avoid supervision or fail to comply with the decisions of the Youth Crime Board: (1) the child/young person is not used to participating in an improvement plan and initially it may seem unmanageable to the child/young person to meet all the obligations, especially if many social care measures are involved, (2) the child/young person may lack motivation to meet the obligations, for example because of substance abuse, a generally indifferent attitude or the custodial parents' opposition to the Board's decision which rubs off on the child/young person, (3) avoidance of supervision may owe to parents who lack mental resources and who forget appointments for supervision, and (4) some children/young people have difficulty meeting obligations due to severely reduced mental functional capacity.

Cooperation between authorities on supervision of children/young people

- The general experience of youth justice workers and local authority representatives is that the cooperation and dialogue between the Supervision Unit for Juveniles and the local authorities on the supervision of children/young people is good overall.
- Measured over a little less than one year, 12 per cent of the 15-17-year olds were or had been supervised both by the Supervision Unit for Juveniles and the Supervision and Monitoring Units (*Kriminalforsorgen i Frihed*) (double supervision). According to some of the youth justice workers, not all young people notice that they are subject to double supervision as they are primarily interviewed by a representative from one authority – either the Supervision Unit for Juveniles or the Supervision and Monitoring Units.

Re-hearing of cases by the Youth Crime Board

- Most children/young people (71 per cent of a total of 2,230 children/young people) did *not* have their case brought before the Youth Crime Board again.
- During a period of close to three years, 29 per cent of 2,230 children/young people had their cases brought before the Youth Crime Board again. 18 per cent of the 2,230 children/young people had their cases brought before the Board again at least once, while 11 per cent had their cases brought before the Board again two or more times.
- The most frequent reason for bringing cases before the Board again is that the child/young person has avoided supervision and/or failed to comply with the decision made by the Board. Another fairly frequent reason for bringing a case before the Board again is that the child/young person is suspected or convicted of new offences against the person or other serious offences and that the Supervision Unit for Juveniles and/or the local authorities request a change or termination of an improvement plan.
- In a large number of the cases brought before the Youth Crime Board again, the Board decides to make changes to an ongoing improvement plan. This is, for example, the case in more than half of the cases brought before the Board again

because the child/young person has avoided supervision and/or failed to comply with the decision made by the Board.

Perception of significance of improvement plans and supervision

- The majority of the children/young people interviewed mention that they have undergone positive personal development following the decision made by the Youth Crime Board. Most of these children/young people believe that this reflects the impact of the improvement plan and the supervision, while some believe that their positive personal development reflects factors that are not related to the decision made by the Board.
- In line with this, four out of five custodial parents interviewed mention that the improvement plan and the supervision have had a positive impact on the family and the personal development of their child. For example, the decision has relieved the powerlessness previously experienced by the custodial parents as regards the anti-social behaviour adopted by their child.
- It is generally assessed by the youth justice workers interviewed that the individual improvement plans and supervision have had a positive impact on the behaviour and well-being of most of the children/young people. The experience gained by the local authority representatives is more mixed. The local authority representatives generally emphasise that the children/young people are very different and that the outcome therefore may vary.

Purpose of establishing the Youth Crime Board achieved

- The results of the sub-evaluation suggest that the four purposes of establishing the Youth Crime Board that relate to the phase under review have largely been achieved. The purposes were to establish social care measures tailored to the situation of the individual child/young person, to strengthen the responsibility of the custodial parents, to ensure that the authorities meet their obligations and to supervise the child's/young person's compliance with the decision made by the Board.