

# Review

## **Number of cases considered by the Youth Crime Board and the subject matter of decisions made by the Board**

### *Sub-evaluation of the Youth Crime Board*

The Act on Combatting Youth Crime (lov om bekæmpelse af ungdomskriminalitet), the Youth Crime Act, came into force on 1 January 2019 and led to the establishment of the Danish Youth Crime Board (Ungdomskriminalitetsnævnet). The Research Division of the Ministry of Justice has outlined an evaluation plan consisting of six sub-evaluations of the Youth Crime Board. The present sub-evaluation focuses on the economic consequences of the reform, which is examined by observing the development in the number of cases considered by the Youth Crime Board and the subject matter of the decisions made by the Board in 2019, 2020 and 2021.

The sub-evaluation is based on information from data regarding the cases considered by the Youth Crime Board. The results of previous sub-evaluations of the Youth Crime Board are also included.

### **The results of the analyses can be summarised as follows:**

- Overall, 2,488 main cases and 1,176 recurring cases were considered by the Youth Crime Board in 2019, 2020 and 2021.
- Computed on the basis of number of persons, a total of 2,398 children/young people had a main case considered by the Youth Crime Board at least once during the three years under review. 86 children/young people had a main case considered by the Youth Crime Board twice, while two children/young people had a main case considered by the Youth Crime Board three times.
- Prior to the establishment of the Youth Crime Board, the Ministry of Justice estimated the expected number of children/young people who would have their case considered by the Board. The estimate said that 2,450 children/young people would have a case considered by the Board in the first three years after the establishment. Accordingly, there is great consistency between the estimated and the actual numbers.
- 91 per cent of the main cases have been referred due to suspicion of/sanction for offences against the person, while 9 per cent have been referred due to other serious criminal offences.
- The distribution of the number of main cases regarding 10-14 year olds and 15-17 year olds respectively has changed somewhat during the three years under review. In 2019, cases involving 10-14 year olds accounted for 51 per cent of the total number of main cases, in 2020 the proportion was 46 per cent and in 2021 it was 41 per cent.

- In more than two-thirds of the main cases, an improvement plan was decided upon, while in less than 2 per cent of the main cases an immediate response was decided upon. In 29 per cent of the main cases, it was decided not to initiate an improvement plan or an immediate response, which is often the outcome in cases where it is assessed to be either unnecessary or not to be beneficial to the child/young person to introduce such measures. The former reason relates to children/young people who are not assessed not to be thriving or to be at risk of committing further offences. The latter reason relates to children/young people who are already subject to comprehensive social measures under the Social Services Act (lov om social service) and where a decision by the Youth Crime Board, including supervision by the Supervision Unit for Juveniles (ungekriminalforsorgen), is assessed not to be beneficial to the child/young person and/or the measures already introduced.
- Decisions involving improvement plans in main cases:
  - o Just under one-third of the improvement plans included decisions of placement in out-of-home care of which the majority of cases concerned placement in an open institution. In 81 per cent of the decisions to place a child/young person in out-of-home care, the child/young person was already placed in out-of-home care prior to the Board hearing.
  - o As regards the improvement plans that solely comprised measures under section 13(1) of the Danish Youth Crime Act (ungdomskriminalitetsloven), it was often decided that the child/young person was to have a support/contact person appointed (73 per cent), was to receive family treatment/treatment of own problems (55 per cent) or was to join a youth club, participate in leisure activities, education/training or the like (48 per cent). Most often, the decisions included measures falling within one to three provisions of the Act.
  - o There was great consistency between the local authorities' recommendations for the placement of a child/young person in out-of-home care and the Youth Crime Board's decisions in those cases. In 92 per cent of the main cases in which the Board made a decision to place a child/young person in out-of-home care, it was recommended by the local authority. Accordingly, in 8 per cent of the cases, out-of-home care placement was decided without a recommendation by the local authority. By contrast, the local authority recommended out-of-home care placement in 43 cases in which the Youth Crime Board did not make such decision.