

Beyond
YOUTH CUSTODY

YOUTH JUSTICE TIMELINE

Dr Tim Bateman and Professor Neal Hazel



LOTTERY FUNDED

Youth justice timeline

This timeline sets out a brief history of youth justice in England and Wales from the first attempts to separate young offenders from adults in the criminal justice system a little over 220 years ago. Although not intentionally focused on custodial provision, many of the significant events concern attempts to reform, replace or divert children from various types of institutions. The recognition of a need for resettlement support after custody is also a recurring theme – from the embryonic youth justice system to the present day.

- 1792** The Royal Philanthropic Society opens a centre in London to take convicted children who might otherwise be transported abroad. In 1797 it starts supporting children after they leave – possibly the first such resettlement scheme.
- 1823** Prison ships are introduced to house some young offenders – the first government sponsored institutions to separate young offenders from adults. Criticised for being harsh and cruel, the last of these hulks closes in 1846.
- 1838** Parkhurst Prison opens in the Isle of Wight as the first land-based penal institution run by the state exclusively for juveniles. Castigated by prison reformers, the prison is ‘re-roled’ for adults in 1864.
- 1847** Juvenile Offenders Act is the first legislation to distinguish between adults and children in the justice system. Children under 14 now to be tried summarily in a magistrates court for lesser offences.
- 1854** Reformatory School Act enables voluntary reformatories to be approved by the Inspector of Prisons. Based on the principles of a Victorian Christian home, reformatories are intended to save troubled children from a fallen life.
- 1854** Youthful Offenders Act allows courts to sentence children under 16 to a stint in a reformatory for between two and five years as an alternative to prison – but they must serve an initial 14 days in prison.
- 1893** Reformatory Schools Act gives courts the option of sending children to reformatories without the initial two weeks in prison. The prison element is finally abolished in the Reformatory Schools Act 1899.
- 1901** Youthful Offenders Act permits remand homes for children who are committed for trial. Young people may be held in remand homes or in workhouses instead of being kept in adult prisons.
- 1902** The first borstal institution for young males opens on an experimental basis near Rochester in Kent. Sir Evelyn Ruggles-Brise introduces a strict regime based on physical drill, training and education.
- 1907** Probation of Offenders Act allows magistrates to discharge offenders on the condition that they are supervised in the community. Initially, it is principally aimed at replacing punishment for young offenders.
- 1908** Children Act establishes a separate juvenile court for the first time, dealing with both crime and welfare issues, abolishes custody for children below 14, and now requires the police to provide remand homes.
- 1908** Prevention of Crime Act rolls out borstals nationally for males aged 16-20 on an indeterminate sentence between one and three years. Release is followed by a supervised licence period of resettlement in the community.
- 1933** Children and Young Persons Act requires courts to have regard to a child’s welfare, raises the age of criminal responsibility to eight years old, and abolishes the death penalty for the under 18s.
- 1933** Home Office approved schools are also created by the Children and Young Persons Act. Replacing both reformatories and industrial schools, the voluntary units house both children deemed criminal and those beyond parental control.
- 1948** Criminal Justice Act abolishes committal to adult prisons for children under 17, but allows other types of custody. Non-custodial attendance centres are introduced where children over 12 are to be sent for specified daytime activities.
- 1952** Detention centres are opened, where sentences of up to three months are intended as a ‘short, sharp shock’ for 14 to 20 year olds. The 1948 Act had introduced them to replace court-imposed corporal punishment.
- 1959** Rioting at Carlton Approved School sees staff being stoned, and mass absconding damages public confidence in approved schools. The resulting inquiry recommends the use of more closed facilities for difficult children.
- 1961** Ingelby report recommends raising the age of criminal responsibility from eight to 12. Appointed by the Home Secretary in 1956, the Ingelby Committee also emphasises local authority welfare, early intervention and support for the family.

- 1963** **Children and Young Persons Act** raises the age of criminal responsibility to 10. Responding to the Ingleby report, it also requires local authorities to undertake preventative work with children and families at risk of offending.
- 1964** **The first secure unit opens** in Kingswood, near Bristol. Proposed by a Home Office Inspectorate group in 1961, the custodial units are intended for children aged 10 to 18 who have absconded from open approved schools.
- 1964** **Longford report** recommends the abolition of the juvenile court and replacement by a panel of experts. The recommendation is adopted by the Labour government and appears in a white paper, but is subsequently dropped.
- 1967** **Court Lees Approved School** is exposed in the press and there is a later Home Office inquiry for alleged abusive use of corporal punishment. It is one of several similar scandals at approved schools, fuelling public discontent.
- 1969** **Children and Young Persons Act** introduces supervision orders and care orders. Secure units and approved schools are combined into local authority community homes. Its raising the age of criminal responsibility to 14 is never implemented.
- 1971** **The first of two youth treatment centres** opens at St Charles, Essex. The Department of Health units are for young people considered too disturbed for other custodial options. Both youth treatment centres are closed by 2002.
- 1982** **Criminal Justice Act** merges youth imprisonment and borstals into youth custody centres for the under 21s, restricting use to a last resort. Detention centres are reaffirmed as a short, sharp shock. 'Specified activities' are introduced.
- 1983** **Intermediate treatment and intensive probation initiatives** are introduced by the Department of Health to fund alternatives to custody for children. £15 million of funding leads to 98 new diversionary projects by 1985. Custody rates fall dramatically.
- 1985** **United Nations 'Beijing Rules'** (UN Standard Minimum Rules for the Administration of Juvenile Justice) emphasise that the detention of children should only be a last resort. In 1990 'Riyadh Guidelines' set standards for care in juvenile justice.
- 1988** **Criminal Justice Act** restricts the use of custody for children and provides specified activities as a statutory alternative to custody. Youth custody centres and detention centres combine to form young offender institutions.
- 1989** **Children Act** abolishes care orders and supervision orders in criminal proceedings. It also establishes a separate family proceedings court so that the juvenile court can deal purely with young offenders.
- 1989** **UN Convention on the Rights of the Child** is published. Article 3 states that children's best interests should always be a primary consideration, and Article 37 limits custody to the shortest possible time.
- 1991** **Criminal Justice Act** replaces juvenile courts with youth courts and includes 17 year olds for the first time. The age that the youth court can impose custody is raised from 14 to 15, and curfew orders are introduced for the over 16s.
- 1993** **Two-year-old James Bulger is murdered** by two 10-year-old boys in Liverpool. The media and public backlash against young people hardens political attitudes to young offenders and influences justice policy for decades.
- 1993** **Criminal Justice Act** signals a punitive turn for the justice system. It allows more scope for courts to impose tougher sentences, taking into account offender history and offences committed while on bail.
- 1994** **Criminal Justice and Public Order Act** increases the offences range referred to the Crown Court and doubles the length of the detention period available. Youth courts can use new custodial sentences for 12-14 year old persistent offenders.
- 1996** *Misspent Youth* is published by the Audit Commission – a report criticising the youth justice system as too costly, inefficient and ineffective. It recommends greater interagency co-operation in national government and local practice.
- 1997** *No More Excuses: A new approach to tackling youth crime in England and Wales* is released as a White Paper by the new government. Its hardened tone emphasises offenders taking personal responsibility and system efficiency.
- 1998** **The first secure training centre** for 12 to 14 year olds opens in Kent, implementing the 1994 Act's secure training order. Children serve half their sentence in custody and half in the community, reemphasising resettlement.
- 1998** **Crime and Disorder Act** introduces the principal aim for youth justice as being the prevention of offending. It establishes multi-agency youth offending teams and a range of orders. Doli incapax for children under 14 is abolished.

- 1998** **Youth Justice Board** is established following the Crime and Disorder Act. The new body is responsible for monitoring and promoting good practice. In April 2000 it also takes responsibility for commissioning custodial places.
- 1999** **Youth Justice and Criminal Evidence Act** creates referral orders, where first-time offenders pleading guilty are diverted from courts to lay panels. Contracts agreed with offenders emphasise restorative justice. They are available nationwide in 2002.
- 1999** **Anti-social behaviour orders** are introduced following the 1998 Act. These civil court orders are disproportionately received by children, imposing restrictions for sub-criminal behaviour. Breaching is a criminal offence punishable by custody.
- 2000** **First set of national standards specific to youth justice** is introduced by the Youth Justice Board, defining the minimum required level of service provision from agencies. Funding is conditional on related key performance targets.
- 2000** **Detention and training order** replaces detention in a young offender institution and the secure training order. Sentences of four to 24 months are served half in detention and half on community licence, requiring youth offending team co-ordinated resettlement support.
- 2001** **Intensive supervision and surveillance programme** is piloted as a rigorous community alternative to custody for persistent offenders. Rolled out in 2003, an intensive supervision and surveillance programme can be a condition of bail, an order or a post-custody licence condition.
- 2002** **Presumption of early release** is introduced for children serving detention and training orders (except in certain circumstances), subject to an electronically monitored curfew. Release one or two months early means longer community licence resettlement.
- 2002** **Justice Munby** rules that children in custodial institutions are entitled to the same mainstream services that most children in the community receive; they are still protected by the Children Act 1989 and human rights legislation.
- 2003** **Criminal Justice Act** introduces indeterminate and extended custodial sentences for public protection. It stipulates that all previous convictions should be treated as aggravating unless it is unreasonable to treat them as such.
- 2004** **Children Act** extends safeguarding duties to criminal justice agencies. It stipulates greater co-operation between youth offending teams and child protection services, and underlines the safeguarding duties of custodial institutions.
- 2004** **The first adolescent forensic unit opens** at the Westwood Centre, West Lane Hospital, Middlesbrough. Locked units for 12 to 18 year olds effectively replace the much larger previous youth treatment centres.
- 2008** **Youth Crime Action Plan** is published, with a target of reducing first-time entrants to the youth justice system by a fifth by 2020. The government pledges almost £100 million to fund youth crime reduction initiatives.
- 2008** **Criminal Justice and Immigration Act** replaces all existing community orders with the youth rehabilitation order, addressing reoffending risk through an individualised intervention package. Requirements for courts to balance the prevention of offending with welfare remain unimplemented.
- 2008** **Statutory alternatives** to custody are also introduced by the Act, by attaching intensive supervision and surveillance or intensive fostering to a youth rehabilitation order. Courts must justify not imposing such an alternative where they sentence a child to custody.
- 2012** **Legal Aid, Sentencing and Punishment of Offenders Act** devolves remand custody costs to local authorities. It also allows courts to conditionally discharge children, allows repeated referral orders and restricts the scope of public protection sentences.
- 2013** **Transforming Youth Custody** proposes secure colleges for 12-17 year olds to replace existing custody, with the first to open in 2017. The government's response to consultation emphasises a commitment to improving partnership working in resettlement.
- 2014** **Anti-Social Behaviour Crime and Policing Act** replaces anti-social behaviour orders with injunctions for the prevention of nuisance and annoyance (civil) and criminal behaviour orders. In addition to restrictions, the new orders allow courts to impose activity requirements.

This timeline has been produced by the Beyond Youth Custody partnership, consisting of Nacro, ARCS (UK) Ltd, The Centre for Social Research at the University of Salford, and the Vauxhall Centre for the Study of Crime at the University of Bedfordshire.

Authors: Dr Tim Bateman and Professor Neal Hazel

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Website: www.beyondyouthcustody.net

Email: beyondyouthcustody@nacro.org.uk

Twitter: @BYCustody