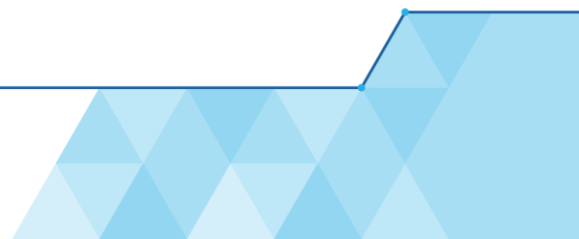




Ministry
of Justice

Annex A: Youth Custodial Remand Analysis



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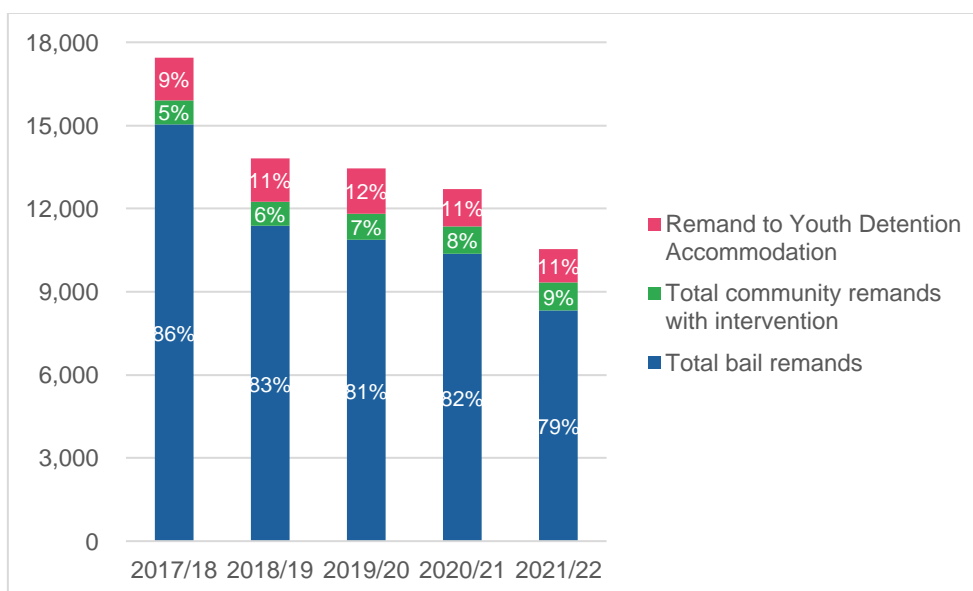
Introduction

This annex provides more detailed breakdowns of the information set out in the main consultation document. This includes up to date versions of some of the figures and analysis published in the [Ministry of Justice’s Review of Custodial Remand for Children \(January 2022\)](#). It can be read as a standalone annex or in conjunction with the main consultation document. This annex uses predominantly published data from the Ministry of Justice (MoJ), Youth Justice Board (YJB) and Youth Custody Service (YCS) related to children who are remanded to custody. The main source is the [Youth justice statistics: 2020 to 2021](#). This paper also includes some previously unpublished information.

Overall Remand Numbers

Figure 1 shows that the total number of remand episodes given by the courts has decreased from around 17,500 to 10,500 between 2017/18 and 2021/22. This has mainly been driven by a fall of 45% in bail remands. In comparison, the volume of remands to youth detention accommodation (i.e., remands to custody) have also fallen whilst community remands with intervention numbers have increased slightly over the five-year period. The fall in bail remands had led to an increase in the proportions of remands to youth detention accommodation and total community remands with intervention.

Figure 1: Number of remands by type given by the courts, 2017/18 – 2021/22.

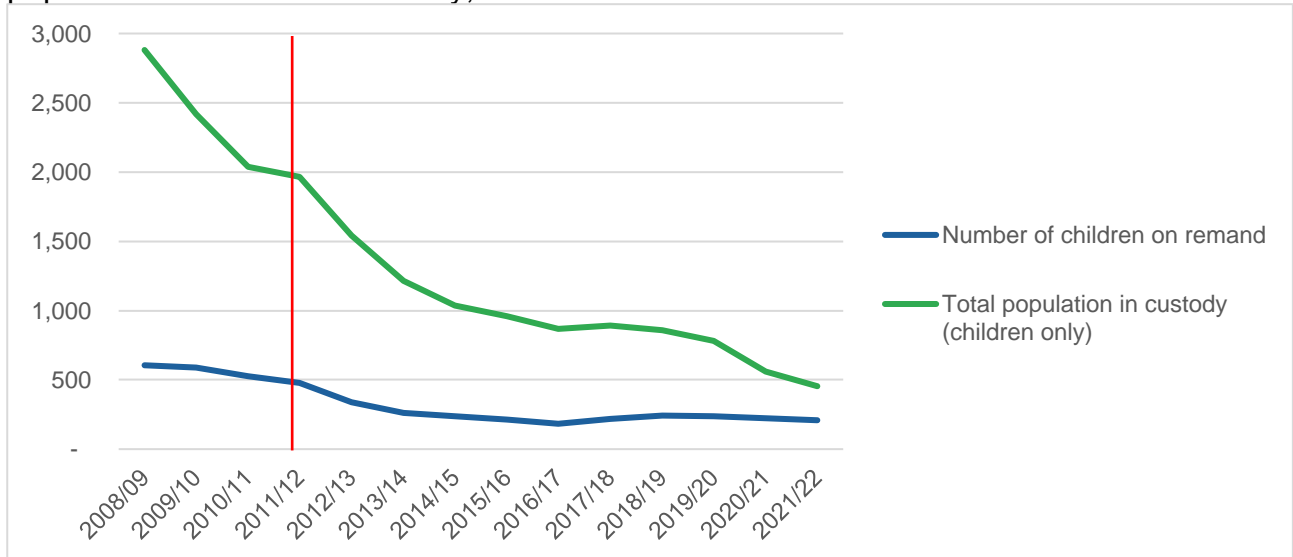


The community remands with intervention (9%) group is made up of bail supervision and support (5%), intensive supervision and support (ISS) bail (2%), and remand to local authority accommodation (3%).

The following charts look at remands to custody specifically and how the custodial remand population (looking both at children specifically, and the youth custody population as a

whole) has changed. The red line in *Figure 2* illustrates when LASPO and the last remand funding reform took place. Since 2011/12 there has been a decrease in the number of children remanded to custody on average as well as a larger decrease in the average numbers of children in youth custody.

Figure 2: Monthly average number of children remanded to custody and monthly average population of children in custody, 2011/12 - 2021/22



In recent years, the number of children remanded to custody has remained fairly stable even as the children in custody population reached record lows.

This remains true for the latest data. *Figure 3* shows the latest remand and total youth custody populations (both figures include some people aged over 18-years-old who remain in the youth estate before being released or transferred to the adult estate, referred to as young people in the rest of this annex).

Figure 3: Total youth custody population and custodial remand population (children and 18-year-olds), January 2019 - April 2023

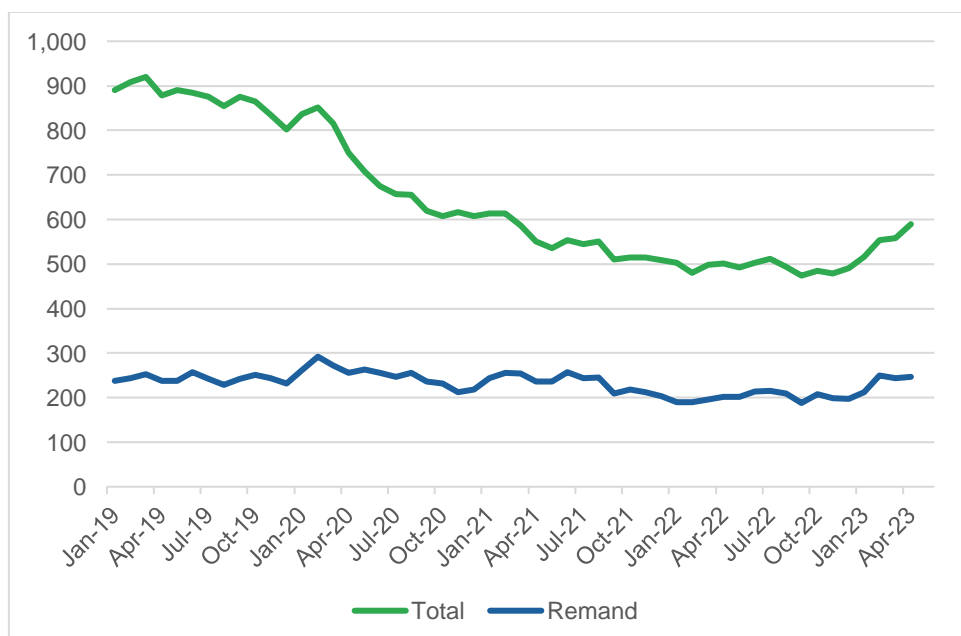
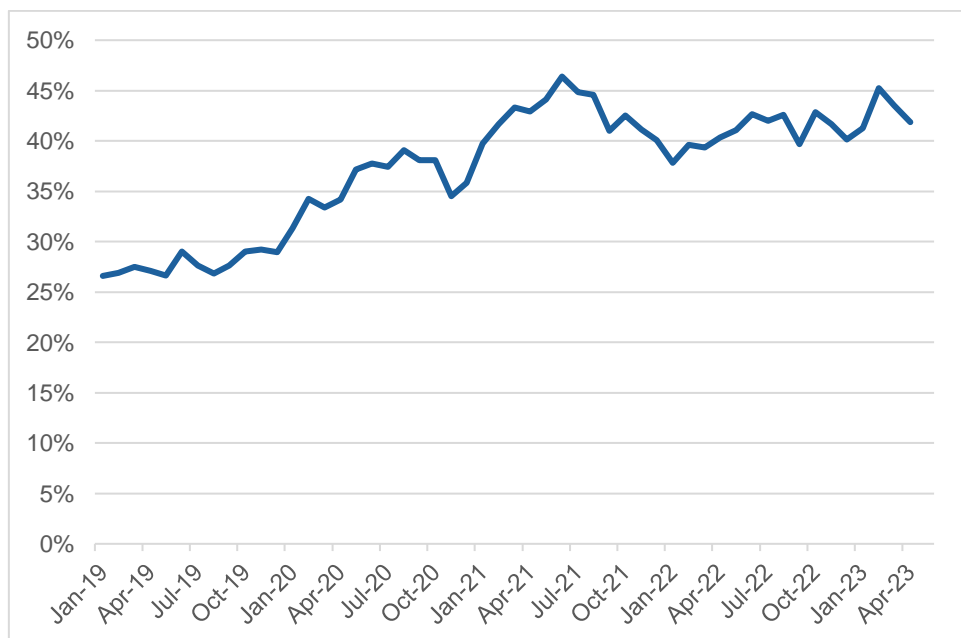


Figure 4 expresses the numbers remanded to youth custody as a proportion of the total youth custody population. The increase was driven by the sentenced youth custody population falling at a faster rate than the custodial remand population, rather than an increase in custodial remands.

Figure 4: Number of children and young people remanded to custody as a proportion of the total youth custody population, January 2019-April 2023.



The change since January 2023 is likely to be explained by the decision to move away from presuming the automatic transition of a young person from the youth estate to the adult estate at their 18th birthday, and for some young people to remain up to their 19th birthday, where appropriate.

Time On Remand

Figure 5 shows the length of custodial remands that ended in each year between 2018/19 and 2021/22. Children on remand for 1-91 days make up the largest proportion of children remanded to custody. However, this proportion has decreased in recent years, with an increase in children spending longer on remand. This can also be seen by the line on the graph representing a steady increase in the median number of nights children spend on remand from 2019/20.

Figure 5: Custodial remands for children ending by nights, 2018/19 – 2021/22

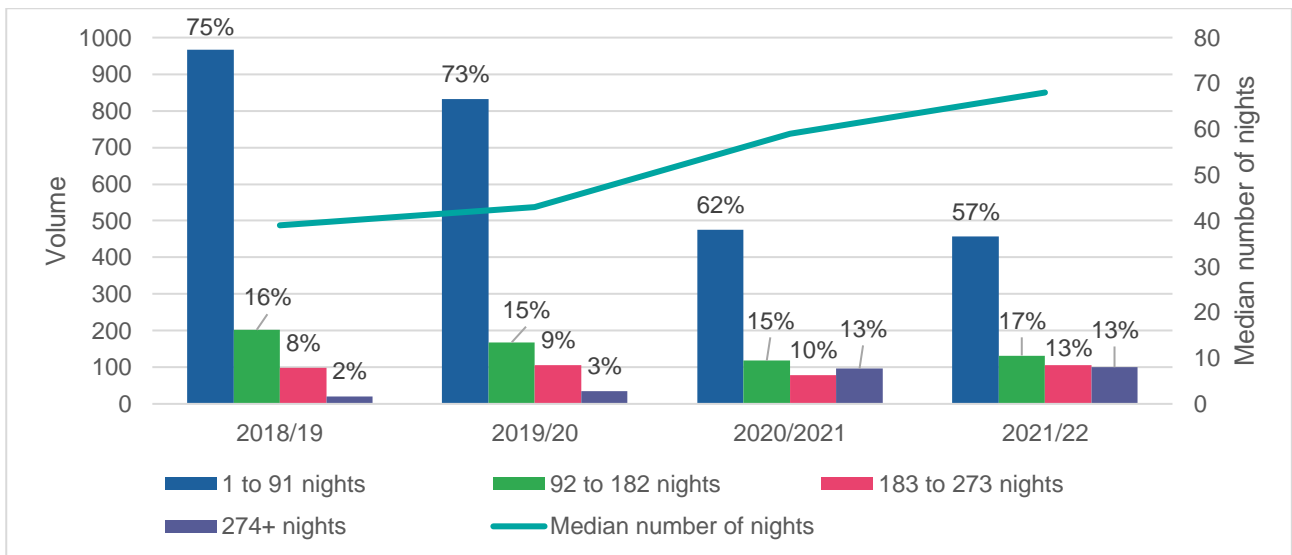
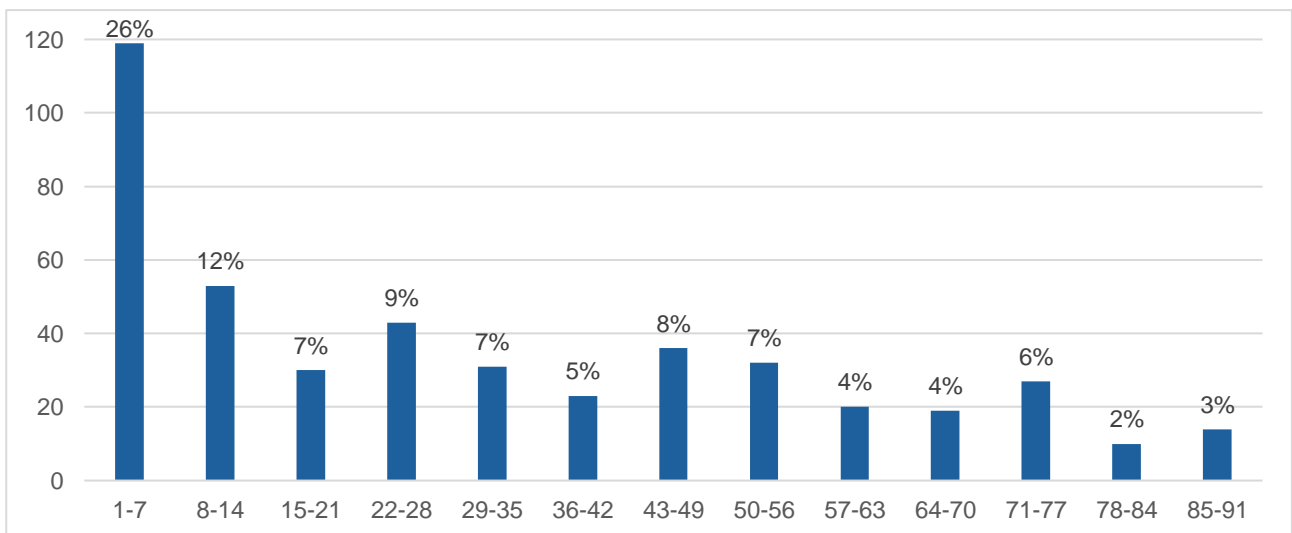


Figure 6 breaks down these 1-91 nights groups in more granular detail and shows that the largest group of these remands to custody last between 1-7 nights.

Figure 6: Custodial remands for children ending, 1-91 nights breakdown, 2021/22



Additional data has been used to allow a comparison of the period following the previous funding reform period (2013/14 – 2015/16) to the most recent period with data available (2020/21 – 2022/23). Multiple years are considered to allow for longer remands that span more than one financial year to be captured.

In line with previous figures, Figure 7 shows the numbers of remands to custody fell. However, there was an increased amount of longer remands above 273 nights.

Figure 7: Number of custodial remands for different night lengths, 2013/14 – 2015/16 and 2020/21 – 2022/23.

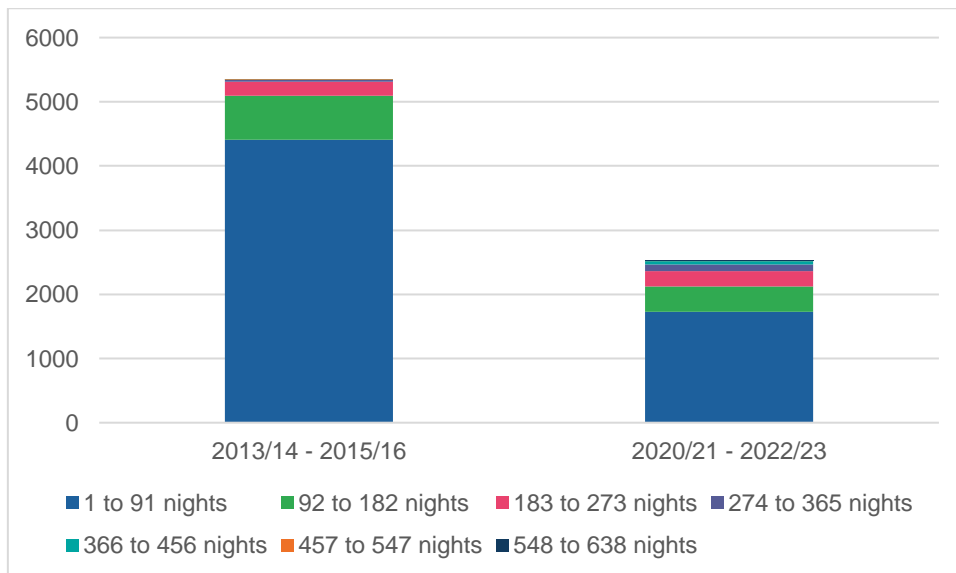


Figure 8 shows there has been a decrease in the proportion of shorter remands. 82% of remands between 2013/14 – 2015/16 were 1-91 days, whereas 68% of remands in and 2020/21 – 2022/23 were 1-91 days. Additionally, while still small in terms of volumes, there are a small proportion of custodial remands lasting over 274 nights.

Figure 8: Proportion of custodial remands and different night lengths, 2013/14 - 2015/16 and 2020/21 - 2022/23

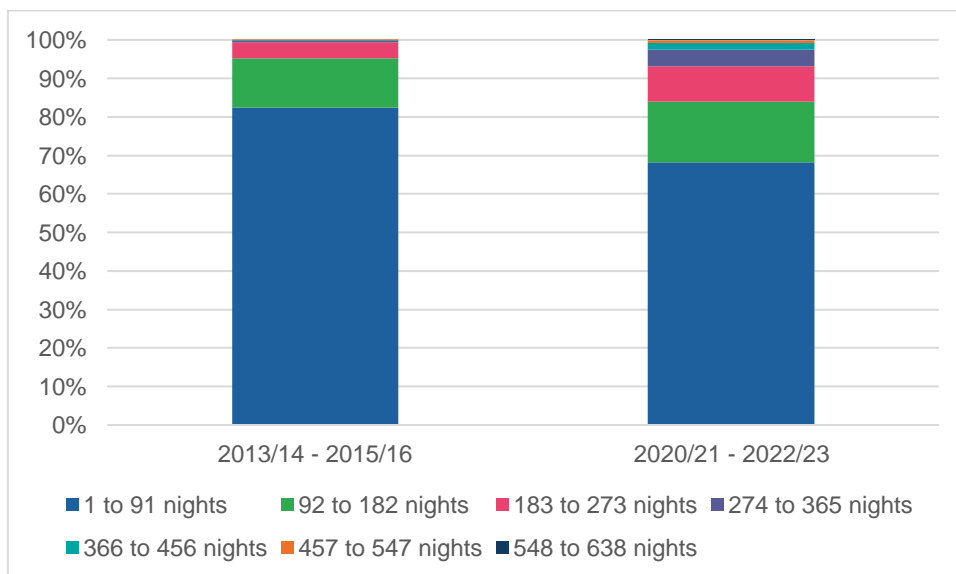
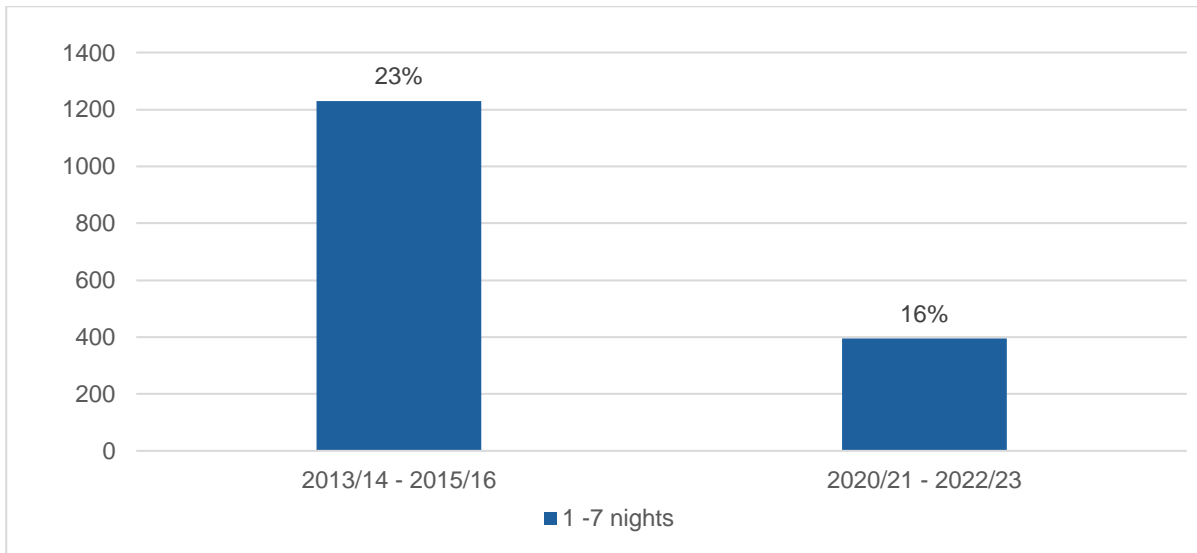


Figure 9 shows the proportion of custodial remands lasting 1-7 nights fell between the two periods from 23% to 16%.

Figure 9: Volume and proportion of custodial remands for 1-7 nights, 2013/14 - 2015/16 and 2020/21 - 2021/22



Demographic Information

This next section looks at the breakdown of the average remand population by their age, sex, ethnicity, and home region. This information is for children (under 18's) only.

Age

Figure 10 shows that children aged 17 still make up the highest monthly average volumes of children remanded to custody.

Figure 10: Monthly average number of children remanded to custody by age, 2011/12 – 2021/22

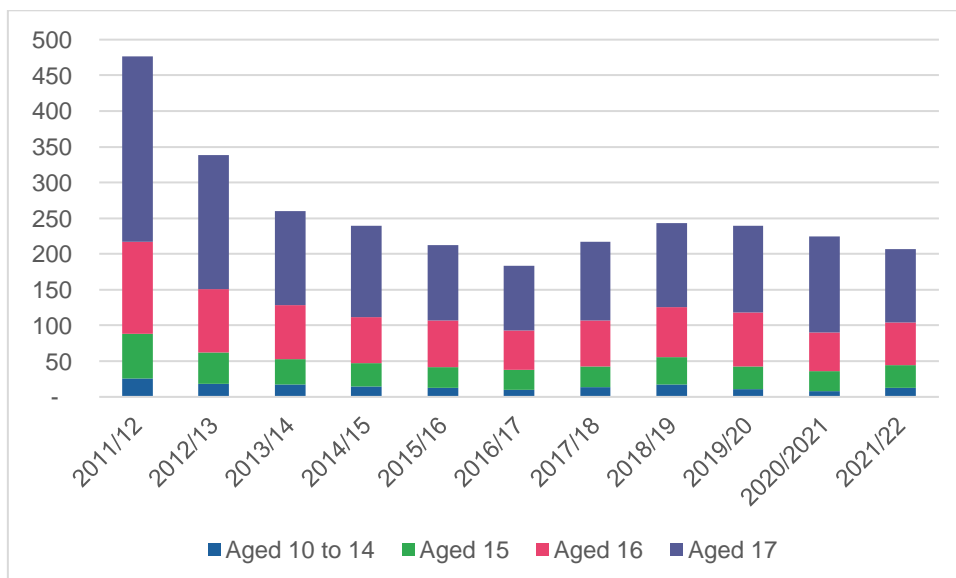
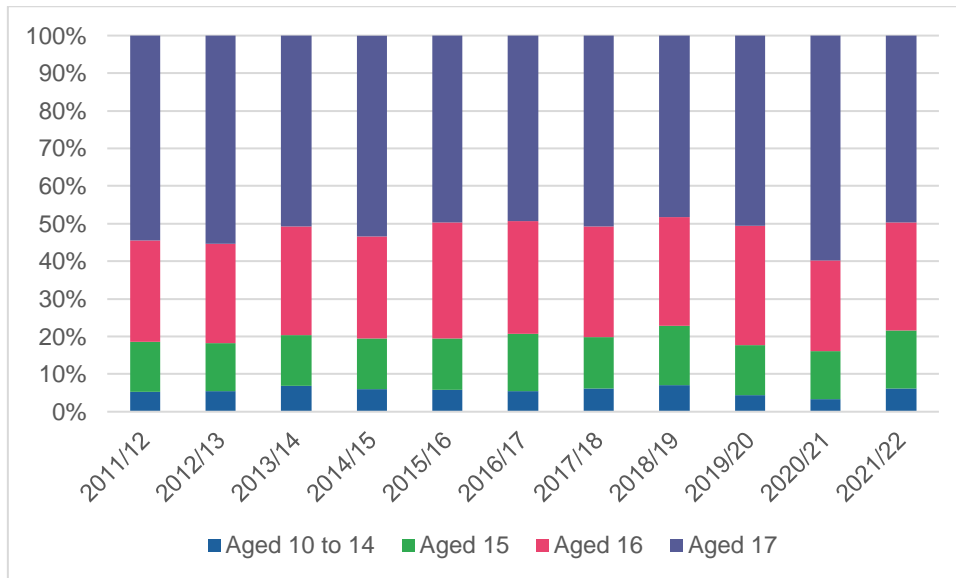


Figure 11 shows that while volumes have changed the proportions in each age group have remained broadly consistent. Children aged 10-14 continue to make up around 5% of the average monthly remand population, 15-year-olds are around 15%, 16-year-olds around 30%, and 17-year-olds around 50%.

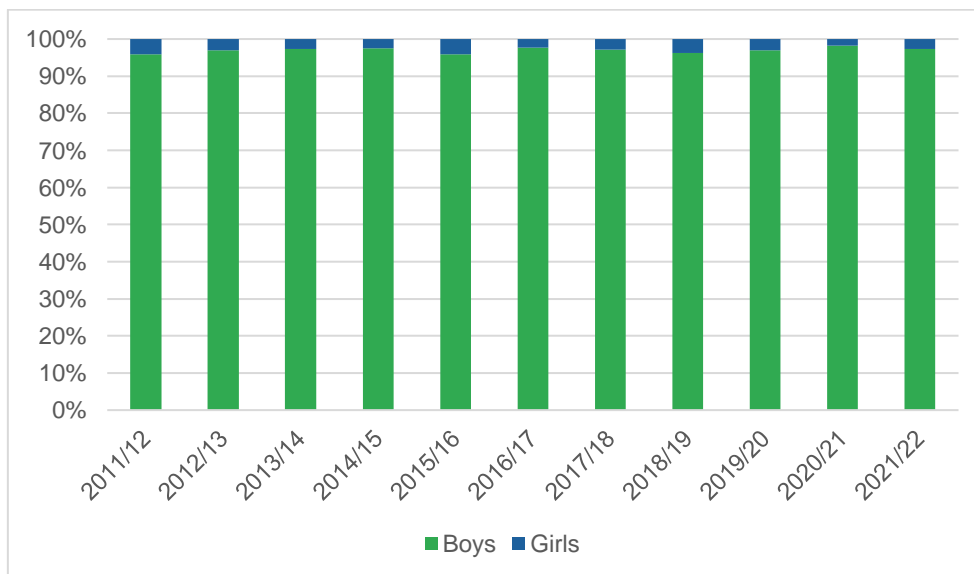
Figure 11: Proportions of children remanded to custody by age, 2011/12 - 2021/22



Sex

The overwhelming majority of the children remanded to custody are boys and this has remained consistent over time, as evidenced by *Figure 12*.

Figure 12: Children remanded to custody by sex, 2011/12 – 2021/22



Ethnicity

Figure 13 shows that the average custodial remand population for all ethnicities except mixed fell between 2011/12 and 2021/22.

Figure 13: Children remanded to custody by ethnicity, 2011/12 - 2021/22

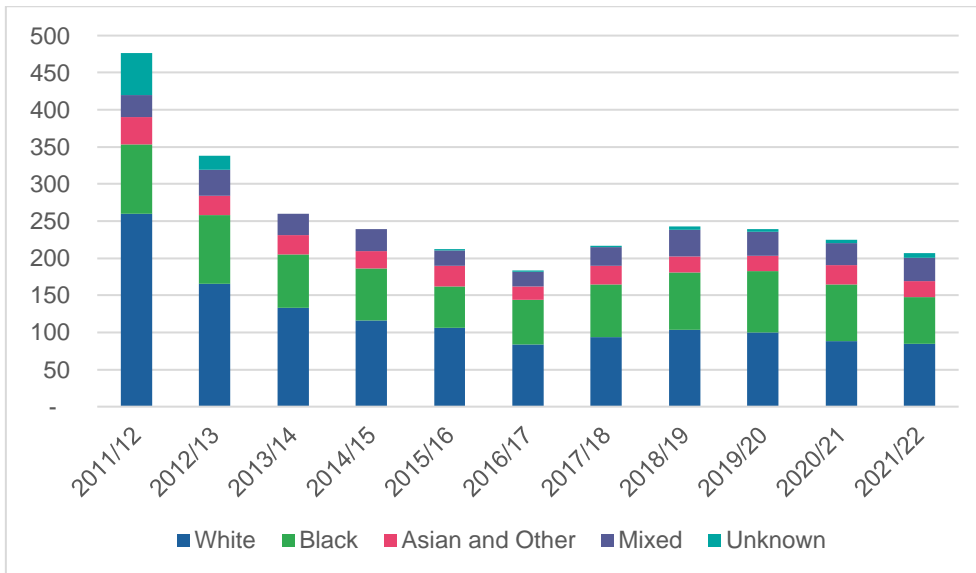
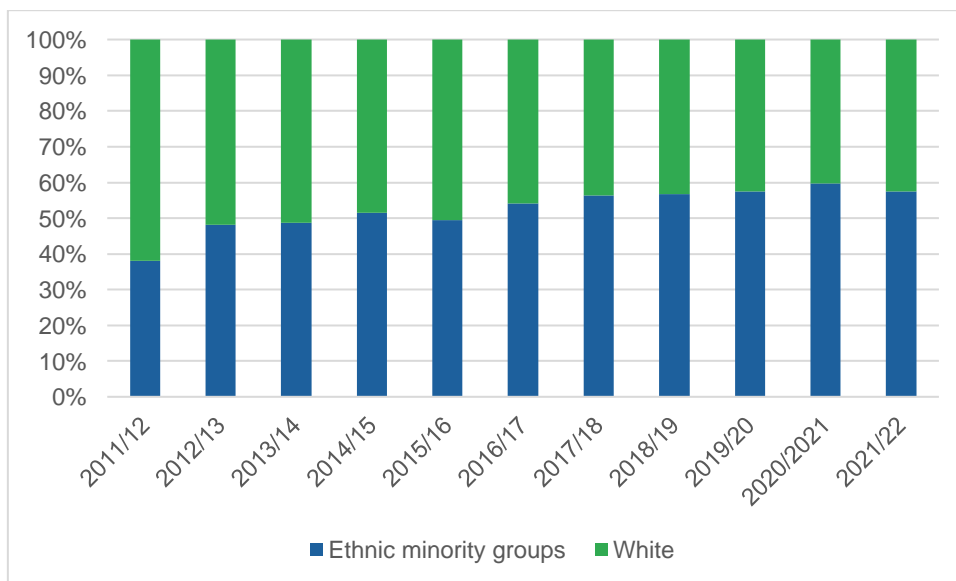


Figure 14 shows the proportion of white children remanded to custody has fallen over time. This has meant children from ethnic minority groups now form over 50% of the children remanded to custody. Note that this figure excludes cases where the ethnicity is unknown from the proportions. From 2013/14 onwards unknowns made up between 0-3% of the remand population in each year.

In 2021/22 children from a mixed ethnic background accounted for 15% of those remanded to youth custody an increase from 11% in 2013/14. In 2021/22 the proportion of children from an Asian or Other background was 11%, around the same level as it was in 2013/14. The proportion from a black background was 30% in 2021/22, with the proportion ranging between 28% and 34% since 2013/14.

Figure 14: Proportions of children remanded to custody by ethnicity, 2011/12 - 2021/22

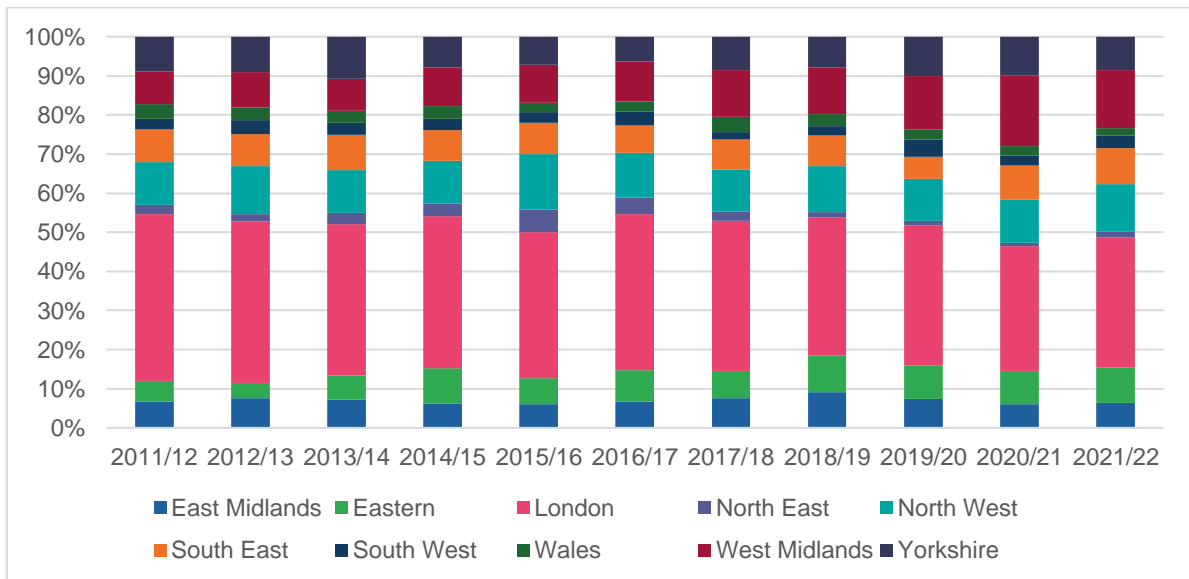


Region

Figure 15 shows London remains the biggest driver of remands to custody. Though the proportion from London has fallen from 43% to 33% between 2011/12 and 2021/22.

Eastern and West Midlands have proportionally increased in that time by 4% and 7% respectively.

Figure 15: Children remanded to custody by region of home Youth Justice Service



Type of custodial establishment

Figure 16 shows the average custodial population of children remanded to youth detention accommodation by type of custodial establishment, for the year ending March 2022. It shows that the majority (70%) of children remanded to custody were placed in young offender institutions.

Figure 16: Monthly average population of children remanded to youth detention accommodation, split by sector 2021/22

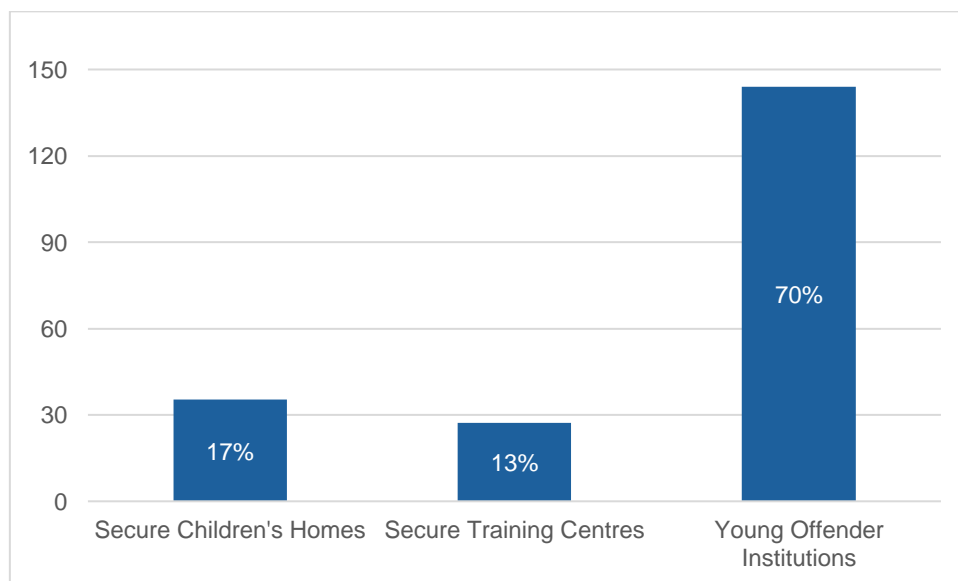
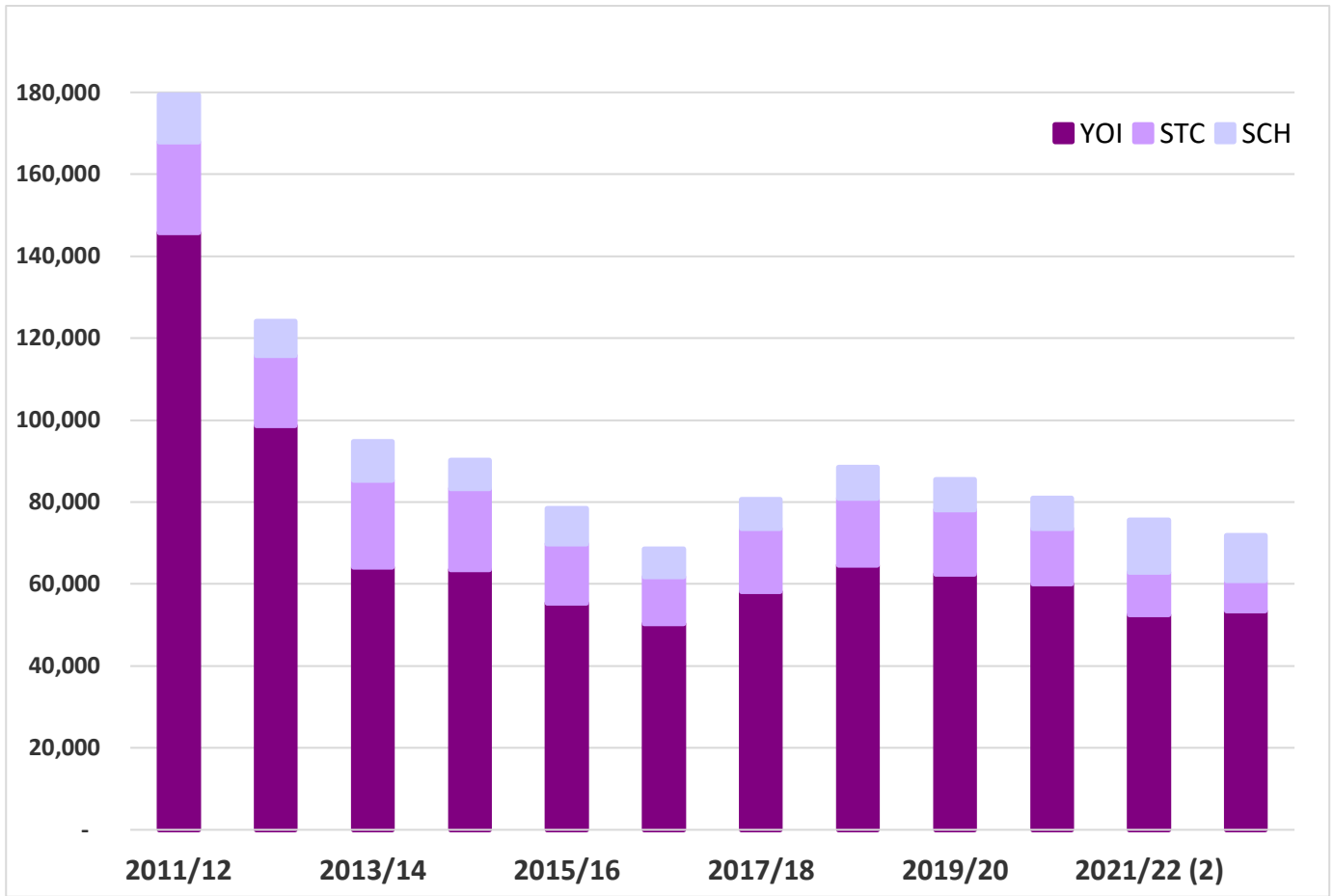


Figure 17 shows how the total number of bed nights are split between YOIs, STCs, and SCHs.

Figure 17: Number of Remand Bed Nights, 2011/12 to 2022/23

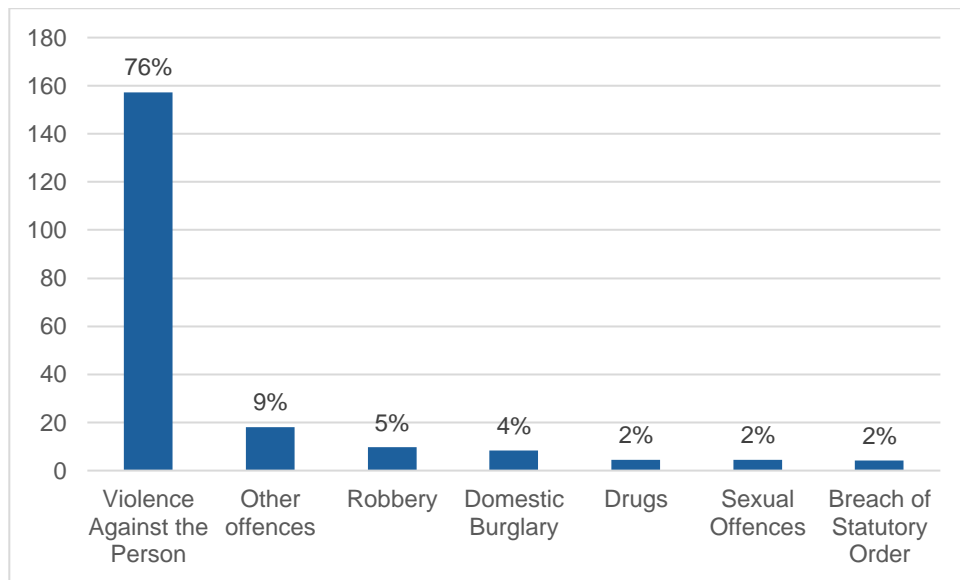


Note that 2014/15 data contains 47 bed nights where the debt is not recoverable, and (2) 2021/22 and 2022/23 data is provisional and subject to change.

Offence Split

Figure 18 shows that 76% of children were remanded to custody for violence against the person offences.

Figure 18: Average monthly population of children remanded to custody by offence type, 2021-22



Cases from the Crown Court are much more likely to lead to a custodial remand due to the more serious nature of offences heard there. *Table 1* shows how the cases proceeded against have changed since 2012 by offence group. Between 2012 and 2022 volumes fell for all offence groups.

Table 1: Total cases proceeded against in Crown Court by offence group, 2012-2022

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
01: Violence against the person	507	391	363	360	306	323	357	368	224	292	273
02: Sexual offences	219	166	221	175	148	129	81	60	41	53	51
03: Robbery	912	706	595	449	323	339	303	269	184	148	125
04: Theft offences	427	331	249	210	142	139	143	123	101	75	90
05: Criminal damage and arson	58	26	32	32	21	17	12	18	21	1	12
06: Drug offences	149	190	175	172	157	150	142	113	111	97	103
07: Possession of weapons	53	69	60	54	64	76	81	72	35	34	40
08: Public order offences	180	146	144	118	85	96	63	73	41	49	52
09: Miscellaneous crimes against society	94	91	61	67	56	55	41	28	34	35	29
10: Fraud Offences	5	16	5	11	11	5	4	3	1	3	1
11: Summary non-motoring	73	51	43	48	48	34	22	15	7	11	6
12: Summary motoring	18	18	11	4	5	10	5	3	3		5
Grand Total	2,695	2,201	1,959	1,700	1,366	1,373	1,254	1,158	812	798	787

Table 2 shows these volumes as proportions of the total. It shows that although volumes have fallen, there has been an increasing proportion of violence against the person offences (with an increase from 19% to 35% between 2012 and 2022).

Table 2: Total cases proceeded against in Crown Court by offence group as a proportion of the total, 2012-2022

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
01: Violence against the person	19%	18%	19%	21%	22%	24%	28%	32%	28%	37%	35%
02: Sexual offences	8%	8%	11%	10%	11%	9%	6%	5%	5%	7%	6%
03: Robbery	34%	32%	30%	26%	24%	25%	24%	23%	23%	19%	16%
04: Theft offences	16%	15%	13%	12%	10%	10%	11%	11%	12%	9%	11%
05: Criminal damage and arson	2%	1%	2%	2%	2%	1%	1%	2%	3%	0%	2%
06: Drug offences	6%	9%	9%	10%	11%	11%	11%	10%	14%	12%	13%
07: Possession of weapons	2%	3%	3%	3%	5%	6%	6%	6%	4%	4%	5%
08: Public order offences	7%	7%	7%	7%	6%	7%	5%	6%	5%	6%	7%
09: Miscellaneous crimes against society	3%	4%	3%	4%	4%	4%	3%	2%	4%	4%	4%
10: Fraud Offences	0%	1%	0%	1%	1%	0%	0%	0%	0%	0%	0%
11: Summary non-motoring	3%	2%	2%	3%	4%	2%	2%	1%	1%	1%	1%
12: Summary motoring	1%	1%	1%	0%	0%	1%	0%	0%	0%	0%	1%

Table 3 shows that the proportion of violence against the person offences that are remanded to custody increased between 2012 and 2022 from 35% to 54%. The changes are more complicated for the next three largest offence groups. They have seen both increases and decreases proportionally over the last 10 years with robbery and drug offences with a lower proportion in 2022 than 2012, whilst theft offences were higher. This volatility may be explained by the numbers being smaller than violence against the person offences.

Table 3: Remands to custody as a proportion of offence group, selected offence groups, 2012-2022

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
01: Violence against the person	35%	41%	41%	43%	44%	43%	53%	55%	58%	58%	54%
03: Robbery	43%	39%	41%	37%	37%	43%	39%	46%	40%	45%	34%
04: Theft offences	39%	40%	37%	32%	37%	36%	38%	50%	39%	32%	51%
06: Drug offences	45%	38%	33%	31%	32%	34%	37%	39%	45%	43%	33%