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GLASGOW YOUTH COURT

Young Person's Report

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What is this report about?

The Glasgow Youth Court was set up in June 2021 within Glasgow Sheriff Court, for most people attending court who are aged 16 to 24-years-old. The Youth Court was the idea of the Sheriff Principal (the head Sheriff in Glasgow) and Glasgow social work. The thinking was that young people are still maturing so they might need to be treated a bit differently to adults. They might need help to understand what happens at court, and they might find it harder to stick to the order that the court gives them.

The Sheriff Principal and Glasgow Social Work agreed to try out a new court that was just for young people to see if that made any difference. They asked researchers at the Children and Young People's Centre for Justice (CYCJ) to study the youth court to find out what people who worked in the court or who attended the court thought about it and what it had been like for them.

The results of that study are shared in this summary report, aimed at young people. There is a longer report if you are interested in reading more about what CYCJ found. It's available at:

<https://www.cycj.org.uk/resource/glasgow-youth-court-full-report/>



What is the Glasgow Youth Court?

Once a young person has pled guilty or has been found guilty by the Sheriff, the Sheriff will ask social workers to meet with the young person to write a report. This report should include what help the young person needs, what things the young person is interested in, and if the social worker thinks the young person will try hard on their order and follow the rules.

The Sheriff makes the final decision and has lots of different options and sentences they can use, but at the youth court the most common decision is a Structured Deferred Sentence (SDS). An SDS requires the young person to meet with the social workers at the Sheriff Court regularly (often every week) but they also get help and support. For example they might get help with applying for jobs, or learning new skills, or support for their drinking or drug use.



When a young person is on an SDS the Sheriff will ask them to come back to court regularly so they can review how they are getting on. At these reviews the Sheriff will often ask the young person how they think things are going. This is a bit different to the adult court where adults do not often have the chance to talk to the Sheriff.

An SDS is not a sentence. In an SDS the sentence is delayed or 'deferred'. At the end of the SDS the Sheriff has lots of different sentences that they can use. If the young person does well on the SDS the Sheriff is likely to admonish them, which means that is the end of the matter. If the young person does well but the original offence was very serious, the young person may still get a sentence but the Sheriff may choose to make this shorter or less strict. If the young person does not stick to the rules of the SDS they may get another sentence, like a community payback order or prison.

Who can go to the Glasgow Youth Court?

- The young person must live within Glasgow or South Lanarkshire.
- The young person must be aged under 25 on the day they plead or are found guilty.
- Young people can be referred for offences that are 'summary cases'. Summary cases are those offences where the case is dealt with by a Sheriff only. Solemn cases are usually more serious and are heard by a jury. These types of cases will rarely be sent to the Youth Court.

What did the research involve?

Researchers from the Children and Young People's Centre for Justice:


- Went along to the Youth Court on lots of different occasions, to see what it looked like and how it all worked.
- Spoke with 14 young people who had been to the Glasgow Youth Court
- Spoke with social workers, Sheriffs and other people who worked in the youth court
- Looked at lots of documents and data about the Youth Court such as how many young people went and how many young people successfully completed their SDS



What did the research find out?

Young people often didn't know what to expect

- Sometimes the young person's lawyer or their social worker told them what the Youth Court would be like. This was helpful, but was not always the right sort of information the young person needed.
- Many other young people did not know what to expect when they went to the court. This could make them feel worried or nervous. Some young people thought that not knowing what to do would make them look bad in front of the Sheriff.
- Each Sheriff did things a little bit differently and social workers thought that this sometimes made it difficult to explain to young people what would happen at court.



"the very first time I ever went in for my case, I never got explained how my courtroom demeanour should be, I never got explained how I should talk, how I should walk."

"...see, cause I've got anxiety, when I'm like standing up in front of people, I didn't know how many people were gonna be in the room or anything, so didn't have a clue what was going to happen."

The way the courtroom was set up affected young people's experiences of court

- The young person was sitting or standing in the dock in many of the cases that the researchers looked at. To the researchers this looked like the young person did not get much support while in the courtroom. Often everyone was busy looking at or talking to the Sheriff. For some young people being in the dock was a bit scary, and in the dock it could be difficult to hear what people were saying.
- Sometimes the Sheriff would ask the young person to sit at the table in the middle of the court with the lawyer, social worker and prosecutor. Some young people liked this, and social workers thought it made it easier to support the young person and to explain what was happening. Sheriffs thought they should stay sitting up on the bench, so they could see everything that was going on in the court.
- The Youth Court moved to a different room towards the end of the research. This room was smaller and most people thought it was a bit better. Some young people felt that the Youth Court was still the same as an adult court, but others felt that it was a bit more relaxed and informal.

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“when you go in, they have you sitting at the table, see where the lawyers and that sit. Rather than in the wee kinda box thing, they had us sitting next to the PF and lawyers and that, I think it's a lot more laid back than normal court, it's been a lot better for me, I had a good experience...”

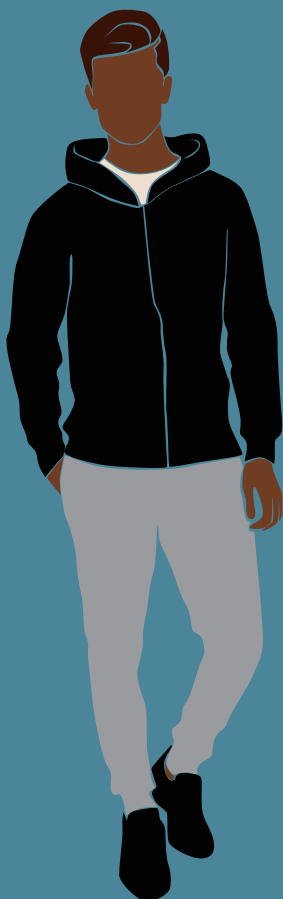
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“I was at the dock bit, but aye, it was scary, I didn't like it.”



➤ Some young people felt that they did not get enough privacy in court as at times there were lots of other people sitting in the public gallery inside the courtroom. This was usually the lawyers for the next young people to be called, the court police officer, the families of other young people who were about to appear at court, other social workers and also sometimes the researchers. But young people said they did not like their personal experiences being shared in front of people they did not know.

➤ Social workers thought that having other people in the courtroom could make young people feel even more anxious.



"random people sitting in the mad wee bit as well. I think it was like people coming in for another court case. I would just rather if it was just like us in the court and not random people just watching."

➤ Sometimes the Sheriffs wore a wig and gown, sometimes they took their wigs off. Young people were not bothered by what Sheriffs were wearing, but social workers thought that if Sheriffs chose to all wear the same type of outfit they could explain to young people what it would be like.



There was more chance to talk in the youth court

- In the youth court, the Sheriff almost always took some time to talk to the young person directly. Sometimes this was to ask them what they thought was or was not working well. Sometime it was to chat about what had been going on in their lives, such as a new baby or a new job. The researchers noticed that sometimes the Sheriffs used humour and there was friendly laughing in court, which seemed to relax the young people.

But the way people spoke in court could be confusing

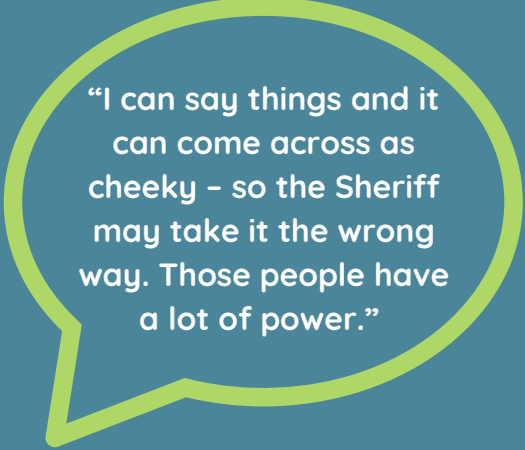
- Some young people thought that they mostly understood what people were saying in the courtroom. Other young people felt that it could be quite confusing.
- The researchers thought that the Sheriffs usually used easier to understand words when talking to the young person.
- The researchers also noticed that there was a lot of talk between the Sheriff, lawyers clerks and fiscals that was about the young person, and that often used confusing or legal words.
- Sometimes the clerk at the end spoke at a very fast pace using legal words that were harder for the young person to understand.

“...sometimes some of the words they have to use, because of court room demeanour, it makes it quite hard to follow.



Young people did not always feel able to take part

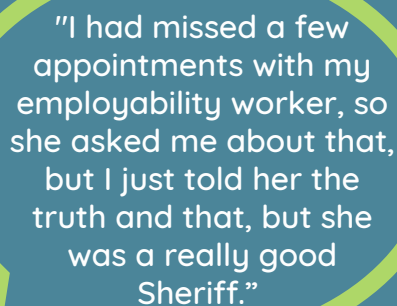
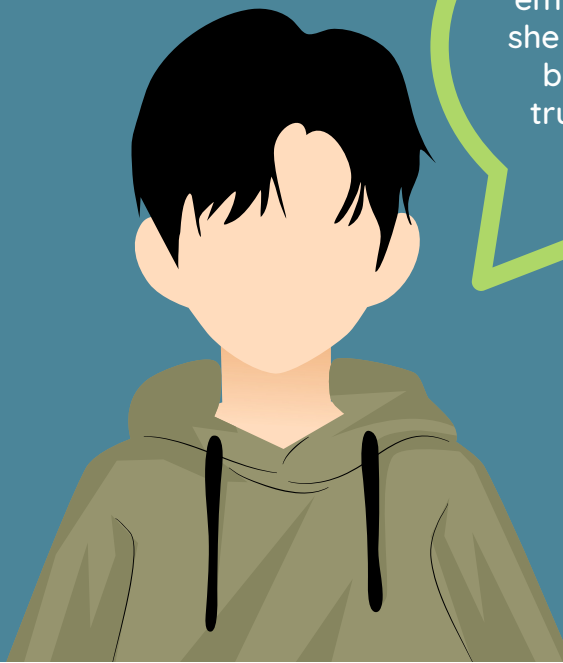
- Some young people liked having the chance to talk in court, and thought that there should always be the chance to do this. But some young people did not always feel able to have their say.
- Often the lawyer spoke for them, sometimes because the young person asked them to, but at other times because the lawyer decided to do this. Some young people were nervous they would say the wrong thing or say it in the wrong way.



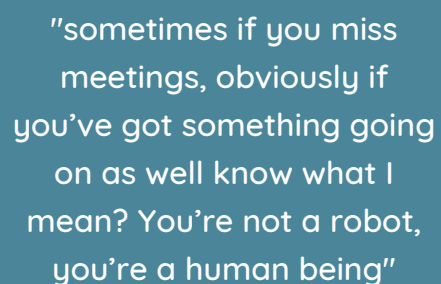
"I can say things and it can come across as cheeky - so the Sheriff may take it the wrong way. Those people have a lot of power."

There were second chances at the youth court

- At times the Sheriff needed to be firm with the young people, for example if they had missed some appointments. The researchers and some young people thought that the Sheriff was patient and fair, even when they did this. The researchers and Sheriffs both thought that in the youth court there were lots more second chances given than might happen in an adult court. Some young people agreed and others felt differently.




"I had missed a few appointments with my employability worker, so she asked me about that, but I just told her the truth and that, but she was a really good Sheriff."



"sometimes if you miss meetings, obviously if you've got something going on as well know what I mean? You're not a robot, you're a human being"

The youth court can help young people change things

- While it could be hard work going to appointments every week, many young people found the support offered to them helpful. Some young people got help to feel more confident, or to learn new skills.




"I guess this is actually helpful and the social work meetings and that, and obviously it does help us out, it's not such a bad thing."



- A couple of young people thought that it had taken too long for their case to be heard in court, and that it was not fair that they had to attend lots of appointments when their offences had happened years ago and they had changed since then. Sheriffs and social workers felt that the COVID-19 pandemic had made court delays worse for young people.

- About two-thirds of young people finishing their SDS were admonished by the Sheriff. This meant that they did not get another sentence at the end. Getting the help they needed and avoiding a more serious sentence meant that most young people felt positive about their future at the end of their time at youth court.



"I am changed, and I mean it! It really only had a positive impact on me. I do not regret the experience, because I would have been there with my issues still, but it helped me"

