

# PRT OUT OF TROUBLE PROGRAMME

## TRAINING OF DEFENCE SOLICITORS: ANALYSIS OF FOLLOW UP SURVEY

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## 1 TRAINING OF DEFENCE SOLICITORS

### 1.1 The course

The course for defence barristers ran 10 times between March and September 2010. We carried out the follow up survey in March 2011, at least six months from the date participants attended the course.

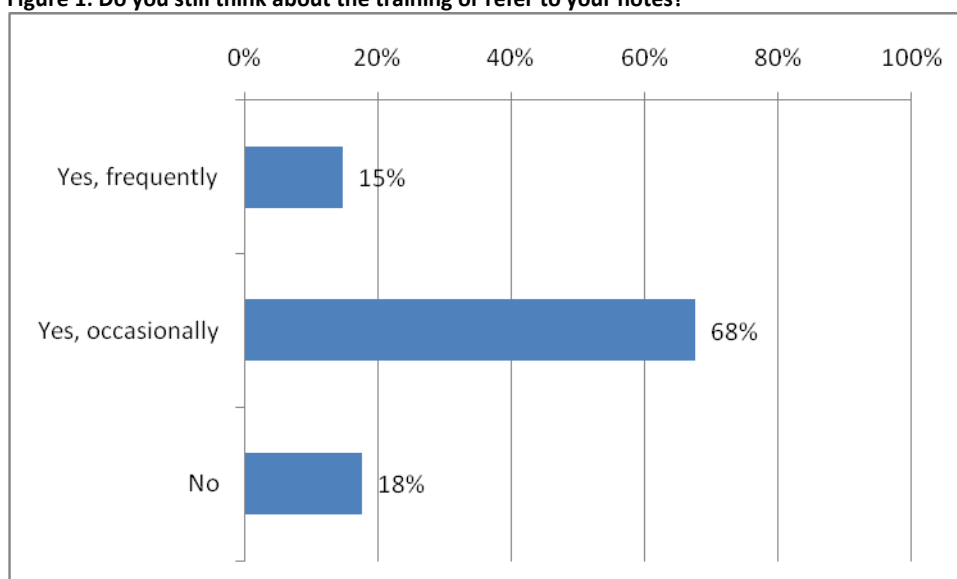
City	Date	Attendees
London	26 <sup>th</sup> March	40
Ipswich	7 <sup>th</sup> May	27
Nottingham	14 <sup>th</sup> May	24
Birmingham	21 <sup>st</sup> May	25
Liverpool	17 <sup>th</sup> June	22
Manchester	18 <sup>th</sup> June	37
Newcastle	8 <sup>th</sup> July	31
Leeds	9 <sup>th</sup> July	29
London	15 <sup>th</sup> July	41
Bristol	2 <sup>nd</sup> September	35
Cardiff	3 <sup>rd</sup> September	32
		343

We received 34 responses to the follow up survey, which is relatively low, but usual for a follow up survey, especially when the respondent group are busy professionals.

### 1.2 Use

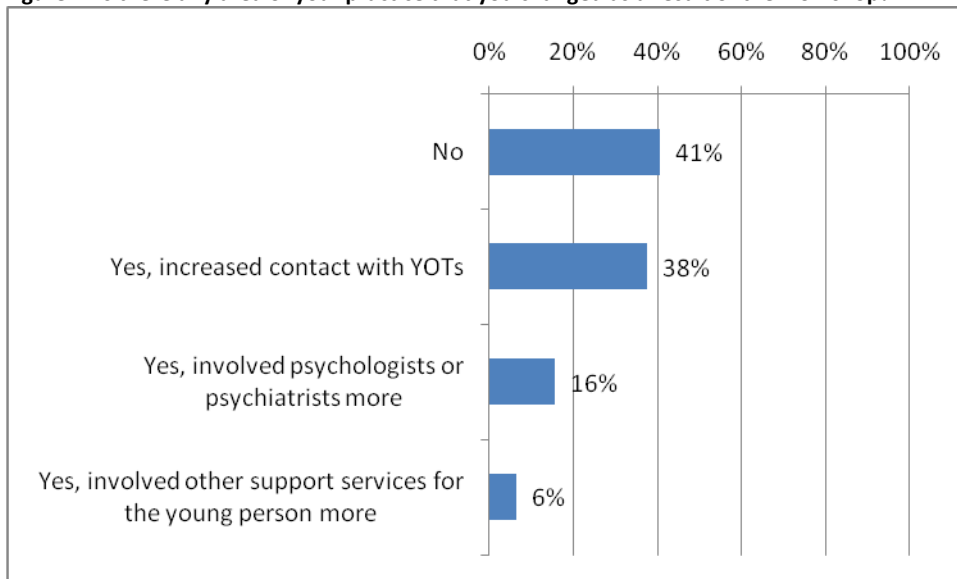
82% of respondents said they still think about the training or refer to their notes, most occasionally.

Figure 1: Do you still think about the training or refer to your notes?



59% of respondents said they have changed their practice as a result of attending the workshop. The most common change is to increase contact with YOTs.

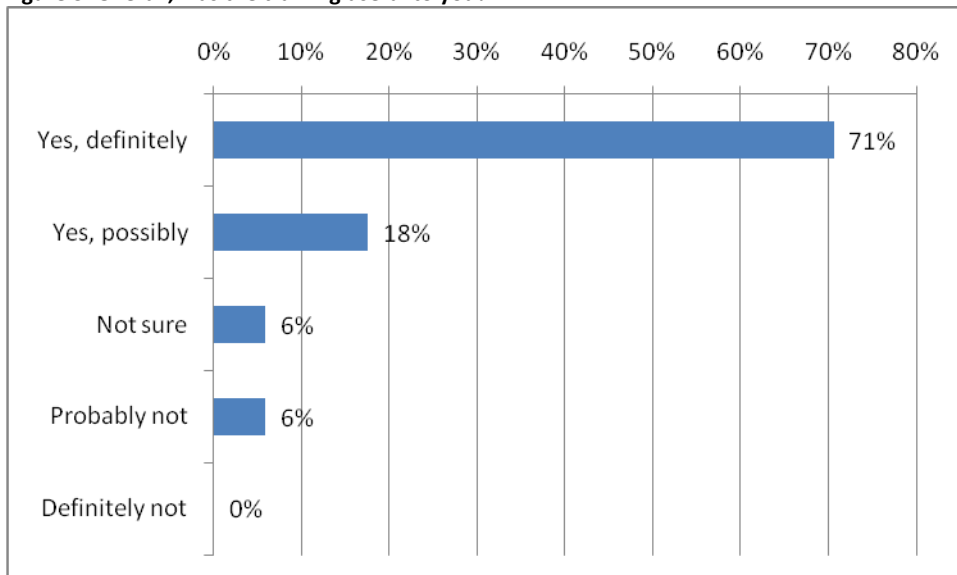
**Figure 2: Is there any area of your practice that you changed as a result of the workshop?**



89% of respondents said the training was useful to them.

“The training was very insightful and informative with regards to the client's perspective. I personally feel that the solicitors fail to provide the human understanding and treat the clients more like files rather than the youths they are. The training opened my eyes and gave me a better way to deal with my clients.”

**Figure 3: Overall, was the training useful to you?**



Respondent were asked how could the training have been more useful and gave these suggestions (each mentioned by one person, there was no pattern):

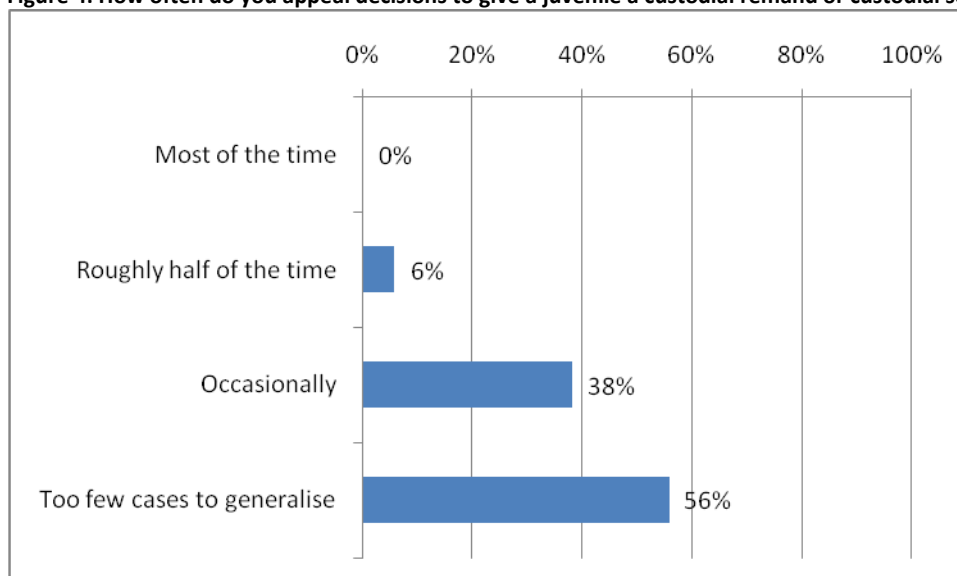
- More YOT personnel attending to contribute to increased understanding and positive partnership working.

- Less focussed on London cases. Other regions work differently because of a different type and volume of work.
- Less youth interaction.
- More digestible size documents for ease of reference.
- Less patronising tone.
- Shorter sessions focusing on a specific topic to assist concentration.
- More worked examples to help for memory retention

### 1.3 Appeals

Respondents generally do not appeal decisions to give a juvenile remand or a custodial sentence. Respondents explained that they would not contest the decision where they felt it was clearly justified and correct in law and the young person does not want to appeal.

**Figure 4: How often do you appeal decisions to give a juvenile a custodial remand or custodial sentence?**



### 1.4 Barriers

Respondents were asked what they thought were the main barriers to reducing the number of juveniles sentenced and/or remanded to custody. Answers fell into these themes:

- **View of young people.** “Demonisation of young people.”
- **Age.** “I believe that once the youth near the age of 17 the bench is more for a custodial sentence as theoretically they can justify their decision.”
- **The background of the young person.** “The problems are societal and rooted in poverty.”
- **The attitude of the young person.** “Very often they have alienated all of the outside agencies and been given countless chances before YOT support a remand.”
- **Availability of alternatives.** “In respect of remands the most important barrier would be to ensure that the Local Authority could assist to a far greater extent in terms of provision of

accommodation.” “Availability of other options which will convince Magistrates that the right balance is achieved between punishment and rehabilitation.”

- **Knowledge of the lawyers.** “Ignorance on the part of their lawyers must be a factor.”
- **Approach of the lawyers.** “The entrenched view of legal advisors who, despite knowing that law/procedure has changed, insist on working to their own set of rules/standards.”
- **Understanding of the individual.** “Awareness of their issues and difficulties resulting in the commission of offences so they do NOT become another statistic. Justice appears to be statistically driven on many occasions.”
- **Suitable community sentences.** “YOT sentences are not appealing to most young offenders with the result that many “go through the motions”. If community sentencing is to work it must be engaging to as many as possible so that the message gets home.”
- **Views of magistrates.** “The views of Magistrates of “typical” offenders in terms of their race / background. Just because a youth does not have family support does not mean he / she is not entitled to bail.”
- **Suspended sentences.** “Inability of courts to impose suspended sentences for youths.”
- **Reluctant to adjourn.** “The insistence upon courts to make progress and their unwillingness because of “guidance/directives from above” to avoid adjournments. The juveniles often seen are at court without any previous representation or advice and it is difficult to engage and also to obtain adjournments to obtain more information. Clearly if reports are required youth offending will get this but adjourning sometimes without any plea being advanced can be beneficial and informative occasionally resulting in a reappraisal by the Crown of the charge or any charge.”

## 1.5 Work with young people

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We asked respondents what percentage of their work is with young people. The percentage varies from 5% to 100% with an average of 27%.

## 1.6 Conclusion

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The survey shows that defence solicitors found the training useful and many have changed their practice as a result, particularly liaising with YOTs more. Defence solicitors also gave their views on the barriers to reducing custody or remand for young people, which suggests potential levers for PRT’s campaign.