

# Evaluation Observation unit Teylingereind

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## SUMMARY



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# Summary

## Introduction

Over the past two decades, focus on forensic diagnostics among young people has increased. On the one hand, there is an increase in attention for behavioural disorders among and treatment options for juvenile delinquents, while on the other the judiciary powers have an increasing need for advice about young people with serious behavioural problems. The latter development has been continued with the introduction of the adolescent criminal code.

If psychopathology is suspected in a juvenile suspect, the delegated judge or public prosecutor may order a forensic diagnostic examination. Annually, about 1,400 of these examinations are carried out. The Child Care and Protection Board provides advice concerning minors within the framework of juvenile criminal law, and the probation and after-care service (3RO) within the framework of adult criminal law. In addition, a pro Justitia report can be drawn up under the auspices of the Netherlands Institute of Forensic Psychiatry and Psychology (NIFP). The advice should contain recommendations in relation to the type of sanction and, in the case of a suspended sentence, the contents of the supervision and the guidance with regard to the compliance with the conditions also.

The most thorough and, for juvenile persons, far-reaching type of pro Justitia investigation is a clinical observation, during which the juvenile person stays in an observation unit where he or she is observed by various disciplines. The employees are trained in carrying out observations. Since 2009, this second type of pro Justitia investigation has taken place in the observation unit of the Teylingereind youth detention centre in Sassenheim.

The observation unit is also used for another purpose. One of the sanctions in juvenile criminal law, in particular for juvenile persons with a deficient or morbid disorder who have committed a violent or sex offence, is the imposing of an 'institutional placement order' (*PIJ-maatregel*). If the treatment within the framework of the PIJ-maatregel stagnates, or if a prolongation of the PIJ-maatregel is required to be issued and the treatment has resulted in insufficient progress so far, an independent clinical observation can be carried out in the Teylingereind observation unit. The clinical observation will result in advice concerning the possible substantiation of the treatment and/or supervision, the substantiation of the social rehabilitation within the framework of the schooling and training programme (STP), or the conditional termination.

By order of the Wetenschappelijk Onderzoeks- en DocumentatieCentrum (Dutch Scientific Research and Documentation Centre; WODC), between October 2013 and July 2014 the DSP group carried out a process evaluation into the Teylingereind observation unit. This evaluation was a follow-up of an earlier process evaluation from 2010 and is related to the functioning of the observation unit during the period between 2011 up to and including the spring of 2014.

## Research questions and research approach

Two research questions were central to the research:

- 1 How is the forensic observation unit currently functioning, taking into account the results of the 2010 process evaluation?
- 2 What is the added value of the forensic observation unit within the sector of the juvenile forensic diagnostics?

The DSP group applied various research methods to answer the research questions. Using desk research, the formal working process has been described, the theoretical substantiation of the (working method) of the observation unit has been studied and improvements as a result of the former process evaluation have been mapped. A file examination was carried out, interviews took place and registration data were analysed in order to gain insight into the working practices. A file examination into 25 digital files of juvenile persons who were observed in the observation unit in 2013 for a pro Justitia investigation was executed for the same goal. The working method applied in these files was examined using a scoring scheme. In addition, the quality of the pro Justitia reports in these files has been assessed using the STER-J, a screening instrument developed by NIFP. 39 stakeholders in the evaluation were questioned using semi-structured (group) interviews. In addition to the Teylingereind employees, respondents included representatives of the public prosecutors, youth detention centres and the NIFP, judges and Bar members. Fifteen Teylingereind employees completed a concise questionnaire. Finally, FRIS registration data concerning the pro Justitia investigations in 2011 and 2013 and additional internal registration data of Teylingereind of 2012 and 2013 were analysed.

## Goals of the observation unit

Based on the improvement plans and interviews, the goals of the observation unit could be formulated as follows:

- To improve diagnostics in matters of juvenile persons with complex issues in which, based on ambulatory investigations, no clarity can be provided about the relationship between the offence and the underlying complex issues of juvenile persons.
- Improvement of advice in issues in which, based on ambulatory investigations, insufficient clarity can be provided concerning the most desirable completion.
- The increase of chances of social rehabilitation of the juvenile individuals by providing advice in which the demand for care of the juvenile individuals can be related better to the completion, as a result of which recidivism can be prevented.
- Combining knowledge and experience to one single location in order to be able to make a more efficient and improved diagnosis and give advice.

## Formal working process

The formal working process of the observation unit is described in a handbook. The observation period is seven weeks and is executed by a multidisciplinary team. The following effective elements for the unit are described: working according to a multidisciplinary method, hypothesis-testing observation, group observation, working systematically, behavioural expertise, feedback of results and findings and scientific research.

## The findings

A set of criteria was applied in order to assess the Teylingereind practice of implementation. These criteria were used to determine the extent to which the implementation practice was consistent with the formal working agreements and the initial goals of the unit. The diagram below summarises the results of the assessment of the Teylingereind practice of implementation using the criteria.

Clarification is provided in the next section.

Production and timeliness	Criterion	Extent to which the criteria are met
Production	<ul style="list-style-type: none"> <li>The capacity is optimally utilised.</li> </ul>	●●●●○
Lead time	<ul style="list-style-type: none"> <li>The prescribed seven-week observation period is employed</li> </ul>	●●●●●
	<ul style="list-style-type: none"> <li>The prescribed period of ten weeks is employed for the investigation process.</li> </ul>	●●●○○
Timeliness	<ul style="list-style-type: none"> <li>The reports are supplied in good time to the public prosecutors, judges and practitioners in the case of a current PIJ-maatregel</li> </ul>	●●●○○
<b>0(active) characteristics of the observation unit</b>		
Working according to a multidisciplinary method	<ul style="list-style-type: none"> <li>As standard, a multidisciplinary team is used which consists of a research leader, psychologist, psychiatrist, social milieu investigator, test assistant, practicing therapist, teacher, pedagogical staff member and a lawyer.</li> </ul>	●●●●●
	<ul style="list-style-type: none"> <li>The findings of the various disciplines are set down/reported in a report.</li> </ul>	●●●●●
	<ul style="list-style-type: none"> <li>An exchange takes place of the findings by the various disciplines.</li> </ul>	●●●●○
	<ul style="list-style-type: none"> <li>Based on the findings of the disciplines, a multidisciplinary-borne diagnosis and/or advice is given.</li> </ul>	●●●●○
Hypothesis-testing observation	<ul style="list-style-type: none"> <li>Hypotheses are formulated that are translated into an observation plan containing observation points for the various disciplines.</li> </ul>	●●●○○
	<ul style="list-style-type: none"> <li>The observations are executed in conformity with the plan.</li> </ul>	●●○○○
	<ul style="list-style-type: none"> <li>The observation points are reported in a neutral manner.</li> </ul>	●●●●○
	<ul style="list-style-type: none"> <li>A distinction is made between structured, semi-structured and unstructured observations and participating observation, semi-participating observation, non-participating</li> </ul>	●○○○○

	<ul style="list-style-type: none"> <li>observation and active intervening observation.</li> <li>The interpretation of the observations takes place in the multidisciplinary team.</li> <li>Hypotheses are adjusted or confirmed based on the observation points.</li> </ul>	<p>●●●●●</p> <p>●●●○○</p>
Group observation	<ul style="list-style-type: none"> <li>Observations take place of the juvenile persons in the group in the interaction with other juvenile individuals.</li> <li>Observations take place of the juvenile persons in the classroom (interaction with other juvenile individuals).</li> </ul>	<p>●●●●●</p> <p>●●●●○</p>
Systematic	<ul style="list-style-type: none"> <li>The various disciplines work according to the working method described in the handbook.</li> </ul>	●●●●○
Behavioural expertise	<ul style="list-style-type: none"> <li>Employees comply with the requirements as set by their discipline.</li> <li>Employees are experienced in the execution of diagnostics and observation concerning the target group.</li> <li>Employees or the observation unit have had specific training relating to the observation of the specific target group.</li> </ul>	<p>●●●●○</p> <p>●●●●○</p> <p>●●●○○</p>
Feedback of results and findings	<ul style="list-style-type: none"> <li>As standard, feedback is exchanged between the court districts and the observation unit.</li> </ul>	●●○○○
Scientific research	<ul style="list-style-type: none"> <li>As standard, information about the juvenile individuals concerned are recorded and kept up-to-date.</li> <li>Scientific research is executed/set up.</li> </ul>	<p>●○○○○</p> <p>●○○○○</p>
<b>Targets</b>		
Target group	<ul style="list-style-type: none"> <li>The target group investigated in the observations unit complies with the criteria of the intended target group.</li> </ul>	●●●●●
Quality assurance	<ul style="list-style-type: none"> <li>The reports are of a high quality (according to the criteria of the NIFP).</li> <li>The reports are tested by the Teylingereind lawyer.</li> <li>The reports are tested by the NIFP as an independent institution.</li> <li>For advice on a current PIJ-maatregel: independent advice is provided.</li> </ul>	<p>●●●●○</p> <p>●●●●●</p> <p>●●●●●</p> <p>●●●●●</p>
Usefulness of the reports	<ul style="list-style-type: none"> <li>The users (public prosecutors, judges, practitioners) of the reports are satisfied with the reports and consider the reports to be useable for the demand, the</li> </ul>	●●●●○

	judgement or the treatment/PIJ prolongation advice.	
Collaboration with chain partners	• Relevant chain partners are consulted and/or are present at the EBO.	●●●○○
Disseminate knowledge	• An exchange of knowledge takes place among the ForCa member organisations.	●●●○○
	• Transferable descriptions of the various observation methods are made.	●●●●○

In summary, we establish that the observation unit is assessed as good in 17 of the 31 assessment criteria and as average in eight criteria; six criteria are assessed as insufficient. Based on these assessments, we make conclusions in the sections below.

### Productivity and timeliness

Over the past year, the capacity of the observation unit was not fully used: the influx varied and showed increases and decreases. For an optimum use of capacity and the working method, one juvenile individual is taken in and one flows out every week. This was not realised in 2013; the unit was even closed for a short period until sufficient admissions were realised in order to provide a proper substantiation for the working method. During peak periods, on the other hand, there was a (limited) waiting list.

In 2013, the influx declined further, which is probably related to the general decline in pro Justitia investigations. The percentage of clinical observations in the overall pro Justitia investigations has constantly been 4% since 2011. Teylingereind itself cannot control the influx. Based on advice from a procedure consultation or an ambulatory investigation, the public prosecutor/delegated judge determines whether a clinical observation is required.

We conclude that the observation unit complies with the prescribed period of seven weeks of observation; however, delivering the definitive report within three weeks after transfer succeeds only to a limited extent. The timely delivery of the report to the NIFP is an important point of concern.

Despite the fact that the standard times as set for the delivery of the reports are not realised in the majority of the cases, the judges and public prosecutors indicate that they receive most reports in good time before the court session. This seems a contradiction but is not necessarily the case because the terms of the pre-trial detention determine the schedules of the court session. The court will in case of a clinical observation often opt not to have any intrinsic treatment of the case during a first session, but instead to stay the proceedings until the next session. When scheduling this next session, plenty of time is set to ensure the report will be available in good time for the session.

### (Active) elements of the observation unit

The implementation practice of the observation unit is mainly according to the working method described in the handbook. The observations are carried out by a multidisciplinary team and the psychologists and psychiatrists in the team comply with the demands prescribed. Group observations take place in the community as well as in school. The various disciplines work

according to the prescribed procedures, provided the juvenile individual (and his/her system) agrees to collaborate.

The most important reason for deviating from the formal working process is usually beyond Teylingereind's direct control and concerns the attitude of the juvenile and/or his/her social system. The juvenile person and the social system may chose not to corporate in some or all of the observation activities. This means that not for every juvenile person the system is involved in the research; the prescribed test material is taken; a school observation is carried out or practicing therapy is applied and discussions are held with the psychologist and psychiatrist.

If juvenile persons refuse to collaborate in certain components, it is intensively attempted to encourage the juvenile person to collaborate. Teylingereind employees and the chain partners (public prosecutors, judges and NIFP) establish whether the observation should be continued if juvenile persons are still refusing to collaborate after four weeks. This applies in particular to the juvenile persons for whom it has proven impossible to provide advice based on the clinical observation.

In addition, we conclude that few co-suspect observations are carried out because, in the case of group offences, co-suspects are not indicated for a clinical observation as standard. Finally, the report has relatively little explicit attention for cultural observation.

An improvement in the working method is possible in relation to three characteristics. The hypothesis-testing working is theoretically substantiated but visible in a limited extent in the implementation practice. Hypotheses are not formulated according to SMART, nor translated into concrete observation points. These aspects have been designated as core elements in the theoretical substantiation of hypothesis-testing work. It is unclear in reports that research has been executed based on hypotheses. The answering of specific observation points as a result of hypotheses is not clearly represented in the report by all disciplines. As indicated above, improvement is possible relating to the standard feedback and scientific research.

#### **The extent to which goals are realised**

The observation unit observes juvenile individuals who comply with the commitment criteria: juveniles who have committed serious offences (violent offences in particular) and where complex issues are concerned. A large group has refused to collaborate in ambulatory research. Using the clinical observation, advice can be provided about the sanction and possible treatment or supervision in the case of three-quarters of the juveniles observed. The observation unit also provides advice for the larger part of the juvenile persons who do not (fully) collaborate with the components of the clinical observation.

On average, the quality of the reports is 'good' and the respondents of the chain partners have noticed an improvement over recent years. The reports for collaborating juvenile persons are of a higher quality, as compared to those of the juvenile persons who collaborate in a limited extent in the observations. We have also noticed increased variety in the quality of the reports of the juvenile persons who collaborate to a limited extent. There is much attention for encouraging juvenile

persons to collaborate. The manner in which this is reflected in reports and how this is incorporated in the considerations and conclusions of the report are, however, subject to improvement.

We also conclude that some improvement is possible with regard to the quality of the reports. The findings of the various disciplines could be better integrated into the diagnostic considerations, the forensic consideration and the conclusions, ensuring that the added value of the multidisciplinary observation is justified. The reports could be made more compact without any repetition and with a clear overview of the components in which the juvenile persons collaborated.

With regard to the usability of the reports, both the legal feasibility and the feasibility and workability of a proposed treatment are points of special interest. It is indeed impossible for Teylingereind to be informed of all regional interventions and supervision options, but they can have the feasibility and workability tested to a greater extent than is currently the case at the (juvenile) rehabilitation and/or by the practitioners in the youth detention centre to which the juvenile person is sent. This is of particular importance within the framework of a suspended sanction.

Finally, the observation unit has the objective of disseminating knowledge about the working method and the diagnostics and providing advice to this target group. So far, the dissemination of knowledge is particularly focused internally and to the chain partners involved in connection with ForCa. We conclude that the goal has not been entirely complied with.

#### **Added value of the observation unit**

The research shows that the observation unit for specific target groups has a clear added value in relation to ambulatory types of pro Justitia investigations. Firstly, this involves juvenile persons with complex issues who have committed serious offences and for whom no proper advice can be provided based on ambulatory pro Justitia investigations. In these cases, the intensity and duration of the investigation and the various research settings that are created in the observation period provide the opportunity to properly research the mental faculties of the individual concerned and provide in-depth advice. Secondly, the observation unit has a direct added value for juvenile persons who had thus far refused to collaborate in a personality research in an ambulatory setting. These juvenile persons also suffer from complex issues. Ultimately, based on the clinical observation, advice can be provided for the majority of these juvenile persons. Finally, the observation unit has added value for juvenile persons with a current PIJ-maatregel that is stagnating. Based on the independent research by Teylingereind, advice can be obtained concerning the options in the treatment. For the last two target groups (refusers and juvenile persons who have come to a standstill in their PIJ treatment), there are no alternatives other than Teylingereind. The bottlenecks established do not affect the added value of the unit.



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We ondersteunen onze opdrachtgevers bij complexe vraagstukken. We kunnen onderzoek doen, een registratiesysteem of monitor ontwikkelen, een advies uitbrengen, een beleidsvisie voorbereiden, een plan toetsen of tijdelijk het management voeren. DSP-groep geeft ook trainingen, workshops en lezingen.

#### **Meer weten?**

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