

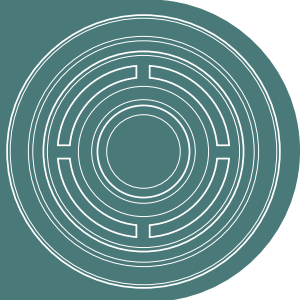


THE EFFECTIVENESS OF YOUTH CONFERENCING

March 2015

Criminal Justice Inspection
Northern Ireland
a better justice system for all





THE EFFECTIVENESS OF YOUTH CONFERENCING

Laid before the Northern Ireland Assembly under Section 49(2) of the Justice (Northern Ireland) Act 2002 (as amended by paragraph 7(2) of Schedule 13 to The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010) by the Department of Justice.

March 2015





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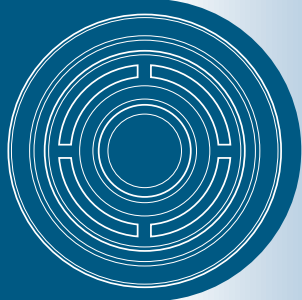
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List of Abbreviations

AD(s)	Assistant Director(s) (in the Youth Justice Agency)
CJI	Criminal Justice Inspection Northern Ireland
ISSP	Intensive Supervision and Support Programme
PBNI	Probation Board for Northern Ireland
PPS	Public Prosecution Service for Northern Ireland
ROU(s)	Reducing Offending Unit(s)
YCC (s)	Youth Conference Co-ordinator(s)
YJA	Youth Justice Agency
YJS	Youth Justice Services Directorate (part of the YJA)



Chief Inspector's Foreword

Dealing proportionately with children who break the law, and supporting them to accept responsibility for their behaviour and the impact on their victims, are key objectives for our criminal justice system. It is important that children, their parents or guardians, victims and the courts have confidence that the process of restorative conferencing works in the best interests of the child and wider society.

This report assesses the effectiveness of youth conferencing which is operated by the Youth Justice Agency, and builds on previous work undertaken by Inspectors in this area in both 2008 and 2010.

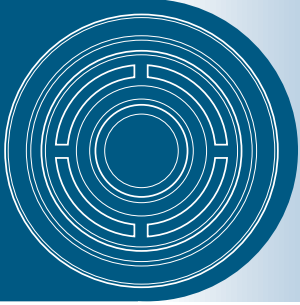
In this report, we conclude that the process is working effectively and in a more efficient and timely manner than we had experienced in the past. While there is a wealth of research supporting the principle of diversion for children who offend, there is still little by way of empirical evidence to support restorative conferencing as an effective mechanism for reducing reoffending.

We make one strategic recommendation to integrate restorative practices within all care homes, and three operational recommendations to improve the effectiveness of the service.

This inspection was carried out by Bill Priestley and David MacAnulty. I wish to offer my sincere thanks to all those who contributed to this work.

Brendan McGuigan
Chief Inspector of Criminal Justice
in Northern Ireland

March 2015



Executive Summary

Youth conferencing in its present format has delivered positive outcomes for the clear majority of young people who had been through this method of disposal. The reorganisation of Youth Justice Services (YJS) and the introduction of the Intensive Supervision and Support Programme (ISSP) has provided a more robust method of ensuring young persons' needs are met in a way that help prevent reoffending. Together with other developments in youth justice, including Youth Engagement Clinics, this provides a more holistic and integrated approach to youth offending.

Until recently the lack of accurate, up-to-date recidivism figures has meant that alternative measures, such as victim satisfaction and feedback from young people involved in the conferences were critical to understanding the services delivered by the Youth Justice Agency (YJA), including youth conferences. Inspectors based their assessment of how effective youth conferences have been from first-hand experiences of people who had recently been through the system, supplemented by the empirical evidence offered by the 2010 recidivism figures.¹

Governance of third party suppliers of programmes included in conference plans had been delivered by occasional oversight afforded by Co-ordinators and Assistant Directors (ADs). Although these contracts had now ended, in the event of reinstatement a more formal supplier-contractor relationship between the YJS and third sector organisations, focused on performance and outcomes, would ensure better consistency of opportunities for all the young people attending similar programmes across Northern Ireland.

¹ More recent reoffending figures were published on 19 December 2014 following the drafting of this report, in the Department of Justice Research and Statistics Bulletins: 19/2014 'Youth Reoffending In Northern Ireland (2011-12 Cohort)'.

The ISSP had channelled only those young people considered to be the highest risk, following assessment, into a much more intrusive supervision regime designed to prevent the young person from reoffending.

In most YJS team areas there were good working relationships with the Public Prosecution Service for Northern Ireland (PPS). This could be strengthened further to ensure that in complex cases as much consistency in decision making as possible is achieved, within the constraints of dealing with each case on its individual merits.

The average ratification time for diversionary conferences had dropped from 54 to 34 working days, and although there was a sharp increase in 2010-11 when the number of conferences reached a peak (see Figure 1); over the last five-year period this represents a decrease of 37%.

Around 40% of referrals involved young people who were looked after in the care home system. Many of the offences for which these young people were referred are directly linked to the care home environment involving damage or assaults on staff. There were inconsistencies between Health Trust areas as to how young people are dealt with when they commit offences in care homes. It is unfair for young people in care home settings to be subject to a different threshold regarding their behaviour

at 'home' as compared to other young people living with parents or guardians. Inspectors recommended that the YJA, at a strategic level, should lead the development of a joint strategy with the Health Trusts aimed at integrating restorative practices within all care homes in support of youth conferencing.



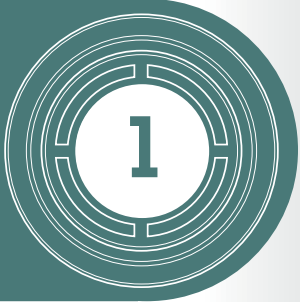
Strategic Recommendation



Inspectors recommend that the YJA, at a strategic level, should lead the development of a joint strategy with the Health Trusts aimed at integrating restorative practices within all care homes in support of youth conferencing (*paragraph 3.12*).



Inspection Report



Introduction and Context

- 1.0 Criminal Justice Inspection Northern Ireland (CJI) has previously undertaken inspections of the youth conference service as a semi-autonomous arm of the YJA. A full inspection report was published in February 2008 and a follow-up review was completed in April 2010.² Whilst this current inspection draws on some of the work previously completed by CJI, the structure of the YJA has changed, and youth conferencing is now integrated within the work of the wider organisation. This inspection will focus on how effective the youth conferencing process is in terms of delivering positive outcomes to all stakeholders.
- 1.1 A youth conference is designed to give young offenders the opportunity to understand and make amends to their victims for the consequences of their offending, and to take steps to stop future crime. It involves victims, the young person's family, the police, the community, and supporters³ to reach an agreed decision on what can be achieved to make amends for the harm done and to prevent future reoffending.
- 1.2 In some cases the young person's attendance at the conference itself may be considered sufficient to address the offending behaviour and to prevent future reoffending. However, in the majority of cases a conference plan is designed in which the young person agrees to participate. Conference plans may include tasks for the young person to complete, a programme to undertake and other actions such as payment of restitution and an apology to the victim. Plans are ratified either by the courts, in the case of a court ordered conference, or by the PPS, when the conference is a diversionary one.
- 1.3 Conferencing is rooted in restorative practice, which in recent years has become embedded in the wider work of the YJA and in voluntary and community groups in Northern Ireland. Structural changes in the YJA integrated the approaches to dealing with young people who commit offences and come to the notice of the criminal justice system. However, the YJA is not the sole organisation dealing with children who commit offences. The Probation Board for Northern Ireland (PBNI) continues to deal with people under the age of 18 who are subject to a probation order.

2 Youth conference service - an inspection of the Youth conference service in Northern Ireland, CJI, February 2008; Youth conference service - a follow-up review of inspection recommendations, CJI, April 2010.

3 Of both victim and offender.

1.4 The broad aims of this report are to inspect:

- the effectiveness of youth conferencing as measured by outcomes for young people subject to the conferencing process;
- the outcomes for direct victims of crime perpetrated by young people; and
- recidivism amongst young people who have been through the conferencing process.

The inspection assesses the effectiveness of processes in place for administering PPS diversionary and court ordered conferences, and in a broader context, the effectiveness of youth conferencing within the totality of the juvenile justice system in Northern Ireland. The full Terms of Reference are set out in Appendix 1.

- 1.5 Measuring effectiveness had been especially challenging in the absence of recently published recidivism figures. The last set of figures available at the time of report drafting referred to 2010 (published in June 2014), and whilst work had been done within the YJA to find other meaningful measures of effectiveness, the lack of recidivism statistics had potentially affected the continuous development of processes aimed at delivering the most effective youth conferences across the entire range of young offenders. Without up-to-date recidivism figures an accurate assessment of the effectiveness of the various YJA approaches, including youth conferences, has been made more difficult. More recent figures incorporating the 2011-12 cohort⁴ had been published following drafting of this report and if this rate of publication is sustained, it should provide better trend data which the YJA can incorporate into the further development of its approaches.
- 1.6 However the lack of accurate, up-to-date recidivism figures meant that alternative measures, such as victim satisfaction and feedback from the young people involved in the conferences were critical to understanding the services delivered by the YJA, including youth conferences. Inspectors, in the absence of recent statistical evidence, interviewed a range of young people who had experienced conferencing, parents and/or guardians of the young people, direct victims of crime perpetrated by young people, community workers who had experience of working with those subject to conference plans, and YJA service deliverers. This approach yielded first-hand experiences of people who had recently been through the system and it is upon the evidence thus derived that Inspectors base their assessment of how effective youth conferences have been, supplemented by the empirical evidence offered by the 2010 recidivism figures.

⁴ More recent reoffending figures were published on 19 December 2014 following drafting of this report in the Department of Justice Research and Statistics Bulletins: 19/2014 'Youth Reoffending in Northern Ireland (2011-12 Cohort)'.



Strategy and Governance

- 2.0 The delivery of youth conferences contributes to the strategic intent of the YJA to *'make communities safer by helping children to stop offending'*⁵. Since restructuring of the Agency, youth conferences have been integrated into the work of the YJS Directorate. This Directorate is responsible for delivering youth conferences; supervising young people who are subject to a range of court orders; and delivering programmes and interventions with young people and their parents/carers to prevent reoffending.
- 2.1 The revised structures have more closely aligned the working practices of the YJA to deliver its strategic objective. Youth conferences are seen as an integral part of the work of the YJS Directorate in diverting young people from offending and preventing reoffending, utilising a range of interventions and activities. The more integrated approach had facilitated the delivery of youth conferences and attendant initiatives such as the ISSP. Integration with the work of the Juvenile Justice Centre was being further developed by a working group aimed at improving access for conferencing services.

Operational Recommendation 1

Inspectors recommend that efforts to increase the level of youth conferencing work within the Juvenile Justice Centre should continue.

- 2.2 Integration is carried across into YJA performance targets and development objectives. The four priority areas are:
- making communities safer;
 - faster, fairer justice;
 - delivering effective youth justice; and
 - managing resources.

They contain a total of 23 performance targets and 16 development objectives with clear, direct links to the YJA strategic objective. Whilst many of the targets are indirectly linked to how effective youth conferences are, there are seven targets that specifically refer to them. The review of performance, 2013-14, extracted from the YJA Annual Report is reproduced in Appendix 2 and commented upon in Chapter 3.

⁵ YJA Annual Report and Accounts 2013-14.

- 2.3 Seven locally-based YJS teams operate across Northern Ireland to deliver the range of responsibilities allocated to them, including youth conferences. These mixed skills teams deliver the range of activities associated with youth conferences, including the implementation of any conference plan. Youth Conference Co-ordinators (YCC) continue to be in overall charge of administering conferences. However, unlike past arrangements, other YJA staff may now be heavily involved in delivery of the conference process. The efficacy of this is commented on in Chapter 3.
- 2.4 Each of the seven areas is overseen by an AD who is responsible for the delivery of all services, including youth conferences. The seven ADs report to the Director of YJS. Conference Co-ordinators and other Youth Service staff are co-located, and this enabled better communication and wider appreciation within the YJA of youth conferences' contribution to changing young people's behaviour.
- 2.5 The strategic intent of the YJA is to make communities safer by helping children stop offending. With regard to the youth conference services, the governance arrangements are aimed at delivering services in the best interests of the children, victims and wider society. The present structures enable better cross-departmental working and more effective interaction with the police through meetings with the Reducing Offending Units (ROUs). For example, involvement with the Catch and Control Strategy through ROUs meetings enabled better and earlier engagement with the children who offend more prolifically, and who are at greater risk of reoffending. In turn this enabled interventions which had better success in changing offending behaviour and dealing with welfare needs as part of the overall strategy to reduce reoffending. Internally, the involvement of a wider range of YJA staff with youth conferencing processes had provided a less compartmentalised approach to dealing with young people.
- 2.6 The seven YJS teams are monitored with regard to delivery of targets and objectives which have direct relevance to the strategic YJA targets. For example, a target of 90% completion of community-based conference plans had been set and exceeded in the year to 2014 (93% plans completed). This had been achieved through regular monitoring of the work of YCCs and Youth Service teams by the local ADs. Performance assessments were focused on achievement of targets which provided a direct link to the strategic objectives of the YJA. Areas were required to report performance to ADs and in turn the ADs were required to provide assessments of performance at senior management team level to the Director of YJS. Performance assessment was used to improve delivery of services in line with targets and objectives.
- 2.7 A strategy to reduce the number of conference plans lasting more than six months had been introduced based on feedback from young people, stakeholders and YJS staff. There had also been more emphasis placed on developing conference plans which were proportionate to the individuals and their needs and offending behaviour.
- 2.8 Whilst the completion rates of conference plans was high at over 90%, there were some inconsistencies in the delivery of plans across different Youth Service areas. Much of this was due to operating in different contexts, such as the prevalence or otherwise of care homes, and differences in services provided by third sector organisations. Many of these services were appropriate and proportionate, but they tended to operate in the short term, offering

interventions that may not be available in the longer term. This posed difficulties for YCCs in providing consistency of interventions.

- 2.9 Formulaic interventions do not enable flexibility to tailor conference programmes to the needs of individual young persons. However, consistency in the level of intervention to suit particular behaviours would ensure that young people across different areas would have the same level of opportunity to enable them to move away from offending behaviour. Governance of third party suppliers with regard to the provision of programmes included in conference plans, was restricted to occasional oversight afforded by YCCs and ADs. A more formal supplier-contractor relationship between the YJS and third sector organisations, focused on performance and outcomes, would ensure better consistency of opportunities for all the young people attending similar programmes across Northern Ireland. However, during the inspection process the YJA terminated contracts with third party suppliers due to financial constraints. Whilst the reinstatement of these contracts was not envisaged in the current financial climate:

Operational Recommendation 2

Inspectors recommend that any future third party contracts should be deployed with a more formal regime of performance and outcome monitoring and evaluation of third party contractors involved in delivering services to young people completing conference plans.

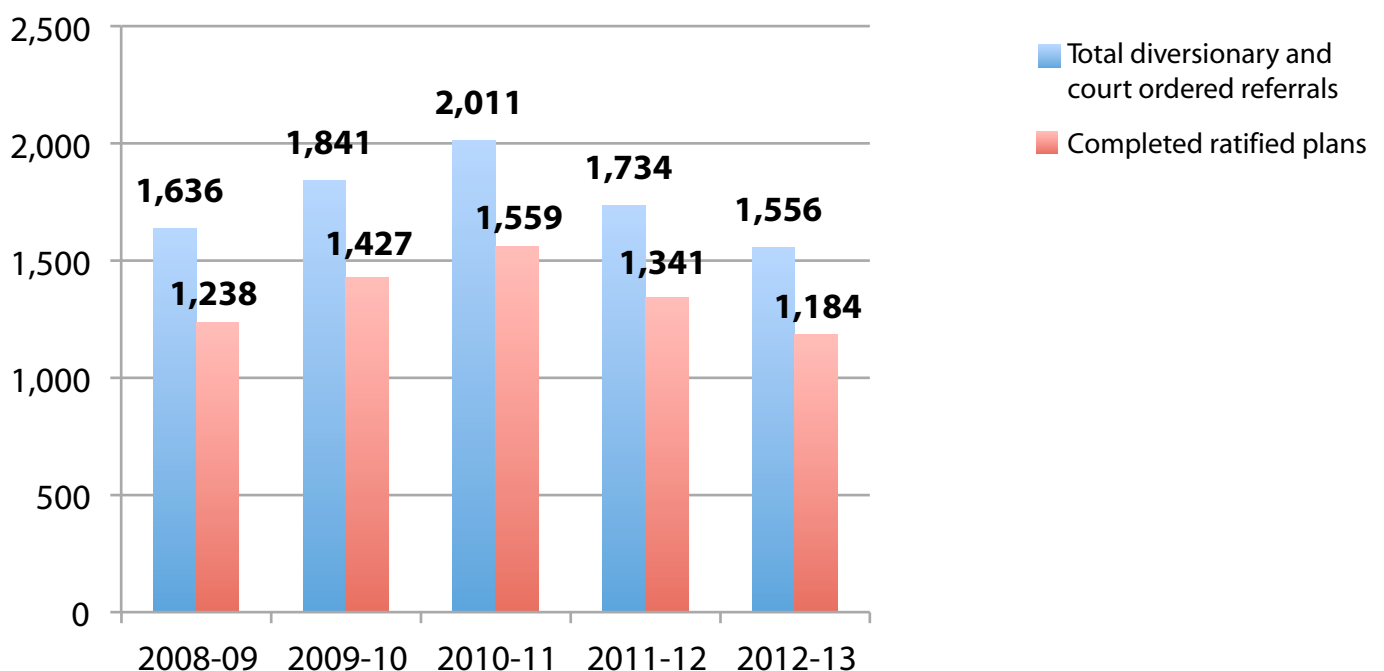
- 2.10 Extensive practice guidance had been provided to YJS staff. Training on such guidance was given, for example, regarding supervision of youth conference orders or plans where the offence involved any sexually harmful behaviour. Guidance and training were viewed positively by staff especially with regard to risk assessment which was commented upon as being much improved.
- 2.11 An ISSP had been developed and introduced formally in June 2014, although an informal programme had been running in some areas for some years prior to this. This channelled only those young people considered the highest risk, following assessment, into a much more intrusive supervision regime designed to prevent the young person from reoffending. Inspectors spoke with YJS staff and stakeholders about the operation of this programme. All were aware of the danger of widening the scope of the programme to include young people of lower risk. However, none indicated that the threshold for entry onto the programme had been lowered. With specific regard to youth conferencing, compared with the 1,556 referrals received in 2012-13, only between 50 and 60 at any one time were under the ISSP.



Delivery

3.0 The numbers of youth conferences had been falling since their height in 2010-11. Figure 1 illustrates the total diversionary and court ordered conferences over a five-year period against the number of completed ratified plans. Whilst there had been structural changes to the governance of youth conferences, the proportion of completed ratified plans had been relatively stable over the period, varying between 76% and 78% of the total referrals received.

Figure 1: Conferences and completed ratified plans



- 3.1 Figure 2 illustrates the number of referrals by type. Diversionary and court ordered conferences make up the clear majority of referrals to the YJA in every year. Diversionary conferences average around 51% of all referrals over the period. Court ordered conferences average around 44%, whilst community orders make up only around 4.5%. Other referrals, which on average make up less than one percent of the total, include Juvenile Justice Centre orders, when YJS staff supervise the community element.

Figure 2: Referrals to YJA by type

Year	Total referrals	Type of referral							
		Diversionary		Court ordered		Community orders		Other	
		Number	%	Number	%	Number	%	Number	%
2008-09	1,636	844	52	792	48	0	0
2009-10	1,927	949	49	892	46	86	4	0	0
2010-11	2,111	1,051	50	960	45	100	5	0	0
2011-12	1,843	1,006	55	728	40	106	6	3	0
2012-13	1,675	862	51	694	41	64	4	55	3
2013-14	1,846	867	47	817	44	69	4	93	5

- 3.2 In the same period, males consistently made up more than 80% of the total number of referrals. The majority of young people referred each year were between the ages of 17 and 18, this age group averaging around 36% of all referrals. Monitoring the numbers of referrals by religion indicates that the percentage of Catholics referred compared to Protestants during the five-year period averages around six percent higher. Figure 3 illustrates the five-year trend by religious group. The referrals for both main religious groups are falling in line with the overall downward trend, with the most recent figures indicating that referrals of Catholics are 7% higher than Protestants. These figures rely on accurate self-reporting by the young people referred.

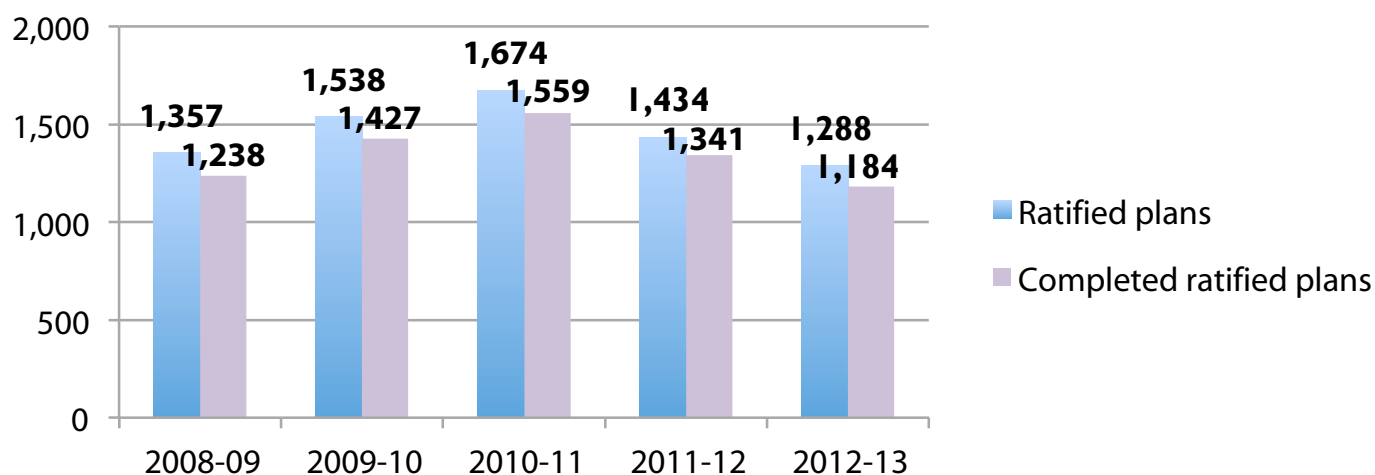
Figure 3: Five-year trend in referrals by religious group

Year	Total young people	Religion*									
		Catholic		Protestant		Other		No religious belief		Unknown	
		Number	%	Number	%	Number	%	Number	%	Number	%
2008-09	1,143	263	23	232	20	637	56	5	0	6	1
2009-10	1,229	409	33	384	31	389	32	9	1	38	3
2010-11	1,332	603	45	503	38	163	12	18	1	45	3
2011-12	1,120	497	44	384	34	188	17	14	1	37	3
2012-13	1,039	382	37	312	30	263	25	11	1	71	7
2013-14	977	319	33	258	26	301	31	14	1	85	9

* Unlike other demographic information this is self-reported by the young person and can therefore not be validated.

- 3.3 Inspectors interviewed a wide range of young people, parents or guardians, and stakeholders. A common theme in these discussions was that YJS staff were knowledgeable about the young people, their circumstances and their needs. Staff themselves were unanimous that under the current structures, they were better placed to gather all the relevant information about a young person who had been referred to them. Communication within and between areas was considered by a clear majority of staff to be much improved. In the event of YCCs needing additional support when dealing with more challenging cases, this had been easier to find under the integrated arrangements operating at the time of inspection fieldwork.
- 3.4 Young people and their parents or guardians were consistent in telling Inspectors that dealing with the same YJS staff member throughout all the processes of a conference, right through to conclusion, was important. They said that this consistency had resulted in the young people remaining committed to any conference plan and feeling that in the event of any difficulties, their particular circumstances would be well understood.
- 3.5 The high numbers of ratified conference plans that had been completed, (see Figure 4), appears to bear out the success of consistency in oversight of the conference process. However, there had been occasions when young people and their parents or guardians had not experienced this consistency, which in their view had affected their commitment to conference plans. YJS staff and managers should continue to strive to provide the best experience for young people by keeping the number of hand-overs to other staff to a minimum.

Figure 4: Completed ratified conference plans



- 3.6 The approach of YJS staff was consistent with regard to reporting breaches of conference plans. Staff and young people confirmed that the approach was to work alongside young people, the service providers, parents and other stakeholders to prevent breaches happening, rather than to wait for a breach and report it. In the event of a breach occurring, the YJS staff worked closely with PPS directing officers to fully inform their decision making. The same approach was apparent with regard to breaches of court ordered conferences. Communication with courts was described as good with regard to providing relevant information on breaches. In most areas YJS staff had good working relationships with the PPS. However, this could be strengthened in some areas to ensure that in complex cases, where a young person was subject to several plans at the same time, as much consistency in decision making as possible is achieved, within the constraints of dealing with each case on its individual merits. YJS staff had attended PPS workshops in some areas but this had often been driven by individuals rather than as a result of an agreed organisational approach.

Operational Recommendation 3

Inspectors recommend that the YJS Directorate continues to work to ensure that, in all cases, the PPS is provided with comprehensive information upon which to make prosecution decisions.

- 3.7 Delay, especially in dealing with young people, is recognised as a disabling factor impacting on any approach designed to challenge offending behaviour. Inspectors found that YJS staff were focused on reducing delay. Their performance on delivering timely conferences was monitored through the appraisal system and this had been linked to a YJS target to reduce the number of conference plans that were longer than six months. Figure 5 illustrates the number of working days between a referral being received and a conference plan being ratified, either by the court or by the PPS. The average ratification time for court ordered conferences was relatively static over the period at around 32.4 working days. The average ratification time for diversionary conferences had dropped from 54 to 34 working days, although there was a sharp increase in 2010-11 when the number of conferences reached a peak, over the five-year period this represents a decrease of 37%.

Figure 5: Average ratification time

Year	Total diversionary and court ordered referrals	Average working days from referral to ratification		
		Combined	Court ordered	Diversionary
2008-09	1,636	45	33	54
2009-10	1,841	46	33	57
2010-11	2,011	53	34	68
2011-12	1,734	39	30	46
2012-13	1,556	33	32	34

- 3.8 The target to reduce the number of diversionary conference plans lasting more than six months was set partly in recognition of the increased effectiveness of timely and proportionate interventions in challenging young people's offending behaviour. In 2013-14 90% of diversionary conferences were less than six months long. This compares very favourably with previous years illustrated in Figure 6 when the percentage of diversionary conferences lasting less than six months peaked in the year 2012-13 at 61%.

Figure 6: Timelines of diversionary conferences

Year	All plan lengths	Plan length			
		Less than six months		Six months or more	
		Number	%	Number	%
2008-09	690	326	47	364	53
2009-10	803	403	50	400	50
2010-11	867	411	47	456	53
2011-12	813	414	51	399	49
2012-13	676	413	61	263	39

- 3.9 Figure 7 illustrates the progress made in reducing the time taken to deliver outcomes for young people who embark on conference plans by measuring the time between their ratification and completion. The average time taken to complete court ordered conferences had fallen from 187 to 148 days from 2008-09 to 2012-13. This represents a reduction of almost 21% over the period. Over the same period the average time to complete diversionary conferences had fallen by just over 20%. These are positive results in aiming to deliver conference plans which more effectively challenge young people to change their offending behaviour.

Figure 7: Average working days from ratification to completion

Year	Ratified plans	Average working days from ratification to actual end date		
		Combined	Court ordered	Diversionary
2008-09	1,357	160	187	139
2009-10	1,538	156	176	141
2010-11	1,674	165	185	149
2011-12	1,434	142	161	130
2012-13	1,288	127	148	111

- 3.10 Around 40% of referrals involved young people who are looked after in the care home system. YJS staff reported that these interventions were often intense and require frequent risk assessments. Many of the offences for which these young people were referred are directly linked to the care home environment, involving damage or assaults on care home staff. Inspectors found that there had been some instances of training for care home staff on restorative practices and on the aims of youth conferences. However, this training was not provided for all care home staff. Residential social workers told Inspectors that maintaining relationships with young people was difficult, particularly following an assault by them. The policy was to return young people to the care home but staff were often unhappy with this. Care home staff had experienced flippant attitudes from young people concerning the conference process but were unsure whether this was bravado or genuine. Some of the residential social workers said that they would rather the young offenders did not have any input into the system at all. However, this was not the consensus amongst care home workers spoken to by Inspectors. Most recognised the aims of youth conferencing and acknowledged the differences in approaches across Health Trust areas, but questioned the success of conferencing for looked after children in care homes.
- 3.11 Some YJS areas had a high number of care homes which had resulted in problems arising from the lack of a consistent approach between different homes. The approach had also varied across the different Health Trusts, with some emphasising restorative practices whilst others had not. The lack of a consistent approach across care homes and Trust areas meant that young people had been referred for very minor offences in some care home settings, but not in others. It was also reported that some young people from care homes were not allowed to return there due to offending. However, these situations were not being presented in courts together with supporting evidence, for example from social workers or care home staff, because the official approach remained that such young people would always be accepted back into the care home.
- 3.12 It is unfair for young people in care home settings to be subject to a different threshold regarding their behaviour at 'home' as compared to other young people living with parents or guardians. In England and Wales the Justice Committee's Seventh Report of Session 2012-13 identified similar issues and stated that:

'Looked after children have not benefitted from the shift towards a more informal approach to minor offending to the same extent as other children.'

The Justice Committee went on to recommend that strategies should be in place to reduce criminalisation of looked after children and that the Director of Public Prosecutions should revisit the legal guidance in relation to the prosecution of youths to reduce the risk of discrimination against looked after children. Responding⁶ to the recommendation, the Government set out a range of measures to address these issues including a programme led by the Department for Education to reform care in children's homes. Inspectors have no remit to make recommendations outside the justice sector. However, the solution to the issues encountered by YJS staff and other stakeholders regarding looked after children requires a cross-departmental approach.

6 Government response to the Justice Committee's Seventh Report of Session 2012-13: Youth Justice, Ministry of Justice; May 2013.

Strategic Recommendation

Inspectors recommend that the YJA, at a strategic level, should lead the development of a joint strategy with the Health Trusts aimed at integrating restorative practices within all care homes in support of youth conferencing.

3.13 Delivery of conference plans had often been in the hands of third party suppliers. Although this arrangement has now ceased, in the event of it being reinstated, it would require a more formal contractor-supplier relationship based upon performance assessment and outcomes. YJS staff had often directly supervised elements of conference plans, especially when the capacity to deliver the plan through a local contractor did not exist. This capacity had varied between areas. Smaller towns and rural areas often did not provide opportunities for young people to address offending behaviour by engaging in restorative practices.



Outcomes

- 4.0 The Youth Reoffending Northern Ireland (2010-11 cohort) report⁷ indicates that the rate for reoffending following a youth conference order is 54%. That rate compares with 63% for people receiving a probation or supervision order.⁸ The published rate for those people receiving a diversionary disposal is on average 19%. On the face of it the reoffending rate for court ordered youth conferences appears high when compared with the rate estimated in the past, which was between 35% and 40%. However, comparing across years is difficult when figures cannot be adjusted for methodological differences. The equivalent reoffending figures for the full cohort (adults and youths combined) over the same period were found to have decreased when adjustments were made to take into account methodological differences. It had not been possible to make the same adjustments for youths alone, therefore comparisons across the years should be treated with caution.⁹ Rates for those youths who had been released following a period of detention were not published, but out of the 32 released in 2012-13, 25 had reoffended within the year.
- 4.1 Inspectors interviewed a range of young people who had offended and had been through the conferencing process. In addition, interviews were conducted with direct victims of youth offending, parents and guardians of offenders, stakeholders and community workers who had experience of working with people subject to conference plans, as well as YJA service deliverers. This provided a wide base on which to assess the effectiveness of youth conferencing beyond that apparent within the reoffending figures.
- 4.2 A series of anonymised case studies taken from each of the YJS areas visited by Inspectors encompassed information provided on a particular case by the young persons, parents and/or guardians, youth workers, community workers, stakeholders and YCCs. Two of these studies are outlined below.
- 4.3 **Case study 1**

Background: The young person ('YP1') was a 17 year old male from a single parent family, who had been through two court ordered conferences for separate offences of criminal damage and burglary. YP1 stated that the offences had been carried out whilst drunk and that the purpose of the burglary was to obtain goods or money with which to buy drink, legal highs or drugs. The

7 Youth Reoffending in Northern Ireland (2010-11 Cohort) Research and Statistical Bulletin 6/2014 June 2014.

8 Equivalent figures for the 2011-12 cohort are: Youth conference order – 57.9%: Probation order 61%.

9 Northern Ireland Reoffending Methodology: Methodology and Glossary Part 2 Research and Statistical Bulletin 17/2014.

further offence of criminal damage was also carried out whilst drunk. YP1's parent stated that drinking had been a problem since the age of 13 and that money from household cash had, in the past, been taken by YP1 to buy alcohol.

Processes: At the time of the second offence a conference plan had not yet been set in place for the first burglary offence. YP1 stated that following the court decisions there was immediate contact with a member of YJS. Appointments had been made and the conferences arranged to suit all people attending. YP1 stated that it was difficult to face the victims of each crime during the conferences even though they had been prepared by the YYC. YP1's parent felt the process was very worthwhile even though it was uncomfortable to be present during the conferences and witness YP1's discomfort at facing the victims. YP1's parent felt supported and prepared for the conference.

Outcomes: Plans aimed at addressing YP1's offending behaviour and alcohol abuse were put in place together with apologies to the victims. YP1's parent said that there had been no reoffending since the second conference plan was almost completed. YP1 said that it had been difficult to attend all the programme elements, and the programme was challenging. He also stated that YJS staff had helped keep him motivated to attend the programme and to complete the plan by being as flexible as possible with dates and times of attendance. However, without the interventions, YP1 said that it was likely that he would still be offending. YP1 had not offended for a period of 10 months at the time of the inspection fieldwork. In the words of YP1:

"I feel as if I have turned a corner and I am more in control now. If it wasn't for the staff here [YJS] I would still be getting into serious trouble."

Conclusion: Outcomes at least in the short term had been positive for the young person and his parent. A clear run of several months where no further offending behaviour had occurred is a positive outcome for potential victims.

4.4 Case study 2

Background: The young person ('YP2') was an 18 year old male living independently with a long history of violent offending. On two previous occasions he was placed in the Juvenile Justice Centre and had been through the conference process four times for offences of assault, drunkenness and disorderly behaviour. YP2 said that on almost every occasion he had offended, alcohol had been a factor in his behaviour.

Processes: The fourth conference was the first one where a direct victim had attended. YP2 stated that he was nervous at the prospect of facing the victim even though YJS staff had prepared him for this. He said that he felt he wanted to apologise to the victim but was unsure how to go about doing this. The YCC had helped him to frame his apology to the victim which was made directly during the conference. YP2 was aware that he had been closely supervised throughout the plan following the fourth conference. He was placed on the ISSP which had supported his completion of the conference plan.

Outcomes: YP2 was glad that he had been given the opportunity to attend a conference with a direct victim. He said that he now realises how difficult it must have been for the victim to come face-to-face with his attacker. YP2 said that he felt this was a turning point for him in his behaviour. The conference plan recognised YP2's alcohol problems, but also recognised his interests in personal fitness and sport. YP2 attended what he described as a challenging programme which helped him to address his alcohol problems and tendency to use violence. Having been through similar plans previously some of the programme was repetition. However, he stated that without the face-to-face interaction with the victim the programme may not have helped him to change his behaviour. At the time of the inspection fieldwork YP2 had not offended for six months.

Conclusion: Outcomes for YP2 had been more positive following the fourth conference. However, this was the first one attended by a direct victim. YP2 attributed the six month period of non-offending to the effects of this particular conference.

- 4.5 Stakeholders and victims were spoken to in each of the areas visited by Inspectors. Most comments about the outcomes arising from conferences were positive. An important factor in stakeholders and victims' clear support for conferencing was the fact that young persons undertaking this method of disposal have the opportunity of avoiding a criminal record, something which impacts on a young persons' chances of securing employment in later life. Several victims described the conference processes as empowering from their perspective. They described the running of the conferences and preparations for them as supportive and professional, and the communication with the YJS staff ahead of a conference taking place as excellent.
- 4.6 Third party providers spoken to by Inspectors were also positive about the conferencing processes and the outcomes they delivered for young people and victims. One issue raised by many third party providers was the length of time it took from offences being committed to conferences being completed. The figures illustrated in Chapter 3 indicate that those elements which are the responsibility of the YJA are taking less time. Delay and its impacts on young people along with the positive effects of Youth Engagement Clinics are discussed in CJI's report on the monitoring of the Youth Justice Review recommendations.¹⁰
- 4.7 On the basis of several other interviews with young people, stakeholders, victims and YJS staff, Inspectors formed the view that youth conferencing, in its present format, had delivered positive outcomes for the clear majority of young people who had been through this method of disposal. The integration of YJS and the introduction of the ISSP, supported by partners and other stakeholders had provided a more robust method of ensuring young persons' needs were met in a way that served to help prevent reoffending. Together with other developments in youth justice, including Youth Engagement Clinics, this provided a more holistic and integrated approach to youth offending.

¹⁰ Progress of Youth Justice Review recommendations – CJI December 2013.



Appendices



Appendix 1: Terms of Reference

An inspection of the effectiveness of youth conferencing

Introduction

Criminal Justice Inspection Northern Ireland (CJI) proposes to undertake an inspection of the effectiveness of youth conferencing as administered by the Youth Justice Agency of Northern Ireland (YJA).

CJI had previously inspected the youth conference service as a semi-autonomous arm of the YJA. A full inspection report was published in February 2008 and a follow-up review was completed in April 2010.

Whilst the current inspection will draw on some of the work previously completed, the structure of the YJA has changed and youth conferencing is now integrated within the work of the wider organisation. This inspection will focus on how effective the conferencing process is in terms of delivering positive outcomes to all stakeholders.

Context

A youth conference is designed to give young offenders the opportunity to understand and make amends to their victims for the consequences of their offending and to take steps to stop future crime. It involves victims, the young person's family, the police, the community, and supporters to reach an agreed decision on what can be done to put right the harm. The young person's attendance at the conference itself may be sufficient to address the offending behaviour. However, in the majority of cases a conference plan is designed in which the young person agrees to participate.

Conferencing is rooted in restorative practice which in recent years has become embedded in the wider work of the YJA and in broader society in Northern Ireland. Structural changes in the YJA have integrated the approaches to dealing with young people who commit offences and come to the notice of the criminal justice system. However, the YJA is not the sole organisation dealing with children who commit offences. The Probation Board continues to deal with children who are subject to a probation order.

Aims of the inspection

The broad aims of the inspection are to:

- inspect the effectiveness of youth conferencing as measured by:
 - outcomes for young people subject to the conferencing process;
 - outcomes for direct victims of crime perpetrated by young people;
 - recidivism amongst young people who have been through the conferencing process;
- assess the effectiveness of processes in place for administering PPS diversionary and court ordered conferences; and
- assess the effectiveness of youth conferencing within the totality of the juvenile justice system in Northern Ireland.

Methodology

The inspection will be based upon the CJI framework which examines:

- the strategy and governance in place with regard to all elements of youth conferencing;
- all aspects of the delivery mechanisms in respect of youth conferencing; and
- outcomes of youth conferencing for all relevant stakeholders.

Equality and fairness will form an important element of this inspection especially with regard to outcomes of youth conferencing. Fieldwork will therefore consist of examination and comparison of the operation of youth conferencing across Northern Ireland.

As with all CJI inspections this report will be based on the principles outlined in the Government's Policy on Inspection of Public Services. The principles of inspection are set out more fully on the CJI website at: <http://www.cjini.org/TheInspections/Our-Approach/The-Inspection-Process.aspx>.

The following methodology within a three-stage framework is proposed.

Design and planning

Consultation has already taken place with non-Governmental organisations and with the YJA to help develop the Terms of Reference document.

Following agreement of these Terms of Reference the YJA will be asked to make available all relevant documents that describe the arrangements for governing, managing and administering youth conferencing, as well as relevant statistics covering the last three full years of data capture.

Delivery

Fieldwork will take place during February and March 2014 and will consist of a series of face-to-face, semi-structured interviews with senior and other staff identified as being able to provide evidence to fulfill the aims of the inspection. Inspectors will also consult with relevant stakeholders including justice organisations, non-Governmental organisations, victims and young people subject to the conferencing process. It is anticipated that the fieldwork will take a maximum of 15 days. Upon completion of the fieldwork, Inspectors will analyse findings and relevant data to produce a draft report. Following CJI's internal quality assurance process this report will be shared with the relevant organisations for factual accuracy checking.

Publication and closure

The final draft report will be forwarded to the Minister of Justice for permission to publish. A date of publication will be agreed between CJI, the Department of Justice, and the YJA. CJI will prepare a press release which will be shared with the department and with the YJA.

Schedule

The bulk of the inspection work will take place between January and May 2014.



Appendix 2: Youth Justice Agency review of performance

Review of Performance 2013-2014

Performance Summary

The Agency's Business Plan for 2013–2014 set out a challenging programme of 23 performance targets and 16 development objectives. Performance can be summarized under the four priority areas as follows:-

Performance Targets

		Fully Met	Partially Met	Not Met	Target Removed	Total
PA 1	Making Communities Safer	5	1	1	0	7
PA 2	Faster Fairer Justice	8	0	2	0	10
PA 3	Delivering Effective Youth Justice	1	0	0	1	2
PA 4	Managing Resources	3	0	1	0	4
Total		17	1	4	1	23

Development Objectives

		Fully Met	Not met	Total
PA 1	Making Communities Safer	7	1	8
PA 2	Faster Fairer Justice	2	0	2
PA 3	Delivering Effective Youth Justice	4	0	4
PA 4	Managing Resources	2	0	2
Total		15	1	16

2013-2014 Performance Review

Priority Area 1: Making Communities Safer

Strategic Aim: To reduce offending by young people and build community confidence in the services we deliver.

Performance Targets

PT 1: No escapes from within the Juvenile Justice Centre	Target Met No escapes
PT 2: All young people sentenced to custody will have a risk assessment completed within 24 hours	Target Met All risk assessments completed within 24 hours
PT 3: 95% of young people remanded or committed will receive a mental health assessment within 24 hours	Target Partially Met A planned full audit of healthcare files did not take place but sampling indicates that target has been met
PT 4: Maintain a rate of restraints lower on average than similar sized secure centres in England & Wales	Target Met Woodlands had an overall RPI* figure of 0.08 for the January to December 2013 period which was lower than comparable centres in England & Wales <ul style="list-style-type: none">• Secure Children's Homes ranged from 0.16 to 0.81• Secure Training Centres ranged from 0.12 to 0.91
PT 5: 95% of all young people committed to have a reintegration plan in place for statutory supervision upon their release	Target Met 97.6% achieved (41 out of 42)

* RPI (Restrictive Physical Intervention) per child is obtained by dividing the number of restraints by the number of children resident on the first of each month plus the number of new additions.



PT 6: 90% of all young people to have an appropriate assessment completed pre-recommendation back to the Public Prosecution Service or Court (as appropriate)

Target Not Met

87% of young people (730 out of 841) had appropriate assessments completed at year end.

PT 7: Achieve a stakeholder confidence level of at least 70% in the work of the Agency

Target Met

Annual Stakeholder Survey produced stakeholder confidence level of 72%.

Development Objectives

DO 1: Work with the Department of Education, Department for Employment & Learning and the Department of Justice on the shape and future delivery of education in Woodlands Juvenile Justice Centre

Objective Met

Multi-agency meetings to explore options have taken place and workshops held. Discussions will continue into the 2014-15 business year.

DO 2: Work with the Health & Social Care Board, the South Eastern Health & Social Care Trust, DHSS&PS and the Department of Justice to develop a forensic mental health service and an in-reach CAMHS service for children in custody

Objective Met

Specification for a Forensic Service and CAMHS in-reach has been devised and agreement in principle given by the Justice and Health Ministers. Recruitment for key posts has commenced with appointments likely in July 2014.

DO 3: Work with the Health & Social Care Board, the South Eastern Health & Social Care Trust, DHSS&PS and the Department of Justice to transfer responsibility for delivering healthcare within Woodlands to the South Eastern Health & Social Care Trust

Objective Met

Agreement in principle has been reached with the Justice and Health Ministers. Discussions have commenced regarding the possibility of a joint GP contract. Further multi-agency discussions are ongoing.

DO 4: Implement our intensive support and supervision programme

Objective Met

A position/guidance paper on the Intensive Support and Supervision Programme (ISSP) has been finalized and circulated. An Assistant Director has been tasked with overseeing this initiative.

DO 5: Develop joint working/delivery of interventions and community based programmes between Youth Justice Services and Juvenile Justice Centre staff

Objective Met

A scoping exercise to assess existing programmes across the directorates has been completed and a working group has now been established.

DO 6: Implement restorative practices for young people in custody

Objective Not Met

Project delayed due to the need to second a key member of staff to operational duties. A Restorative Practices paper was endorsed by the Management Board and will be taken forward in the new business year.

DO 7: Deliver a programme of local community-based events in support of the Agency's Community Engagement Strategy (within each area office)

Objective Met

All areas host local community based events on an ongoing basis. Six monthly activity reports are provided to the Agency's Management Board.

DO 8: Develop and maintain a pool of volunteers from the local community to help deliver interventions to young people (with each area office)

Objective Met

Volunteers have been / are being recruited across all seven area offices and training is being provided. An Assistant Director has been identified to oversee volunteer development.



Priority Area 2: Faster, Fairer Justice

Strategic Aim: To promote a faster, fairer system of youth justice by delivering our statutory responsibilities within agreed timescales and by meeting the needs of young people, families and victims.

Performance Targets

PT 8: 95% compliance with agreed time frame in returning youth conference reports to the Public Prosecution Service and to Court	Target Met 96% compliance within agreed timeframe.
PT 9: 100% of young people remanded to the Juvenile Justice Centre to have a bail assessment commenced within 2 working days and completed within 5 working days	Target Met 100% compliance. 277 bail assessments / re-assessments were required during 2013-14. All were commenced and outcomes achieved within the specified target timeframes.
PT 10: 90% of young people and 90% of parents/carers completing their period of involvement with the Agency to be satisfied with the service they have received	Target Met 96% of the 135 young people who responded to our survey were satisfied. 98% of the 124 parents/carers who responded to our survey were satisfied.
PT 11: 50% of youth conferences to have a direct victim, or an individual representing the victim, in attendance where a victim has clearly been identified	Target Not Met 46% direct victim attendance at year end. This is a considerable achievement in comparison with other jurisdictions.
PT 12: 95% of all youth conferences to have victim engagement where a direct victim has been identified	Target Not Met 91% victim engagement achieved. Out of 1,162 conferences with a potential direct victim, 538 attended and a further 515 had other forms of victim engagement.

PT 13: 80% of direct victims who attend a youth conference to be satisfied with the process	Target Met 99% of direct victims (235 out of 238) surveyed expressed satisfaction with the process.
PT 14: 80% of direct victims to be satisfied with their experience of the Agency's Youth Justice Services	Target Met 89% of direct victims (40 out of 45) surveyed expressed satisfaction.
PT 15: 10% of diversionary youth conferences to result in a youth conference only (ie, no youth conference plan)	Target Met A 'conference only' recommendation was made to the Public Prosecution Service in over 10% of diversionary youth conferences.
PT 16: 80% of diversionary youth conferences to result in a youth conference plan of 6 months or less	Target Met 90% of diversionary youth conference plans (545 out of 603) were of less than 6 months.
PT 17: 50% of all proposed diversionary youth conference plans to be monitored to ensure proportionality	Target Met 75% achieved.

Development Objectives

DO 9: Implement our bail information and support scheme	Objective Met Bail Information has been rolled out across all area teams. A review of this initiative is currently being undertaken.
DO 10: Further develop our network of parent/carer support groups in accordance with best practice	Objective Met Parent/carer support groups are running in each area.



Priority Area 3: Delivering Effective Youth Justice

Strategic Aim: To develop, deliver and continuously evaluate our services to support the delivery of youth justice within communities and custody

Performance Targets

PT 18: 90% of community based plans/orders to be completed by young people	Target Met 93% completed (1,326 out of 1,431).
PT 19: Produce a report on the re-offending rates for young people by March 2014	Target Removed The Department of Justice formally took responsibility for production of justice wide re-offending rates and therefore the Youth Justice Agency is no longer required to produce Agency specific rates.

Development Objectives

DO 11: Review and develop revised Child Protection procedures	Objective Met Review of the policy has been completed. Policy and guidance to be issued to staff.
DO 12: Implement the Royal College of Speech & Language Therapist's e-learning tool Agency wide	Objective Met The e-learning training commenced in November. By year-end 81% of staff required to undertake the training had done so.
DO 13: Review and develop anti-sectarianism interventions	Objective Met The review has been completed, information analysed and interventions have been developed.
DO 14: Establish full use of Section 75 information to inform best practice and equity monitoring	Objective Met Internal review of Section 75 data collection processes and usage has been completed and a report will be presented to the April Management Board.

Priority Area 4: Managing Resources

Strategic Aim: To develop a multi-skilled workforce which is flexible and capable of delivering a high quality service; and to use resources effectively, deliver best value and operate best practice in corporate governance.

Performance Targets

PT 20: 90% of complaints received by the Agency to be resolved at stages 1 or 2 of our complaints procedures	Target Met 100% achieved. Of the sixteen complaints received during 2013-14, three were resolved at Step 1, ten at Step 2 and the remaining three were ongoing at year-end.
PT 21: Meet the Department of Justice sick absence target of 9.7 days per member of staff	Target Not Met The year end sick absence level is 12.8 days per member of staff. This is a significant improvement on last year's figure of 18.6 days per member of staff.
PT 22: Maintain expenditure within approved budgetary limits	Target Met The Agency has maintained its expenditure within the approved budgetary limits for the 2013-14 financial year.
PT 23: Publish and lay the Agency's 2012-2013 Annual Report & Accounts with the Northern Ireland Assembly before the summer recess	Target Met Annual Reports and Accounts published and laid with the Northern Ireland Assembly on 4 July 2013.



Development Objectives

DO 15: Complete a review of the workload in Youth Justice Services and assess resource requirements

Objective Met

The review has been completed and staff were in place by 1 February 2014.

DO 16: Test three areas contained within the business continuity plan

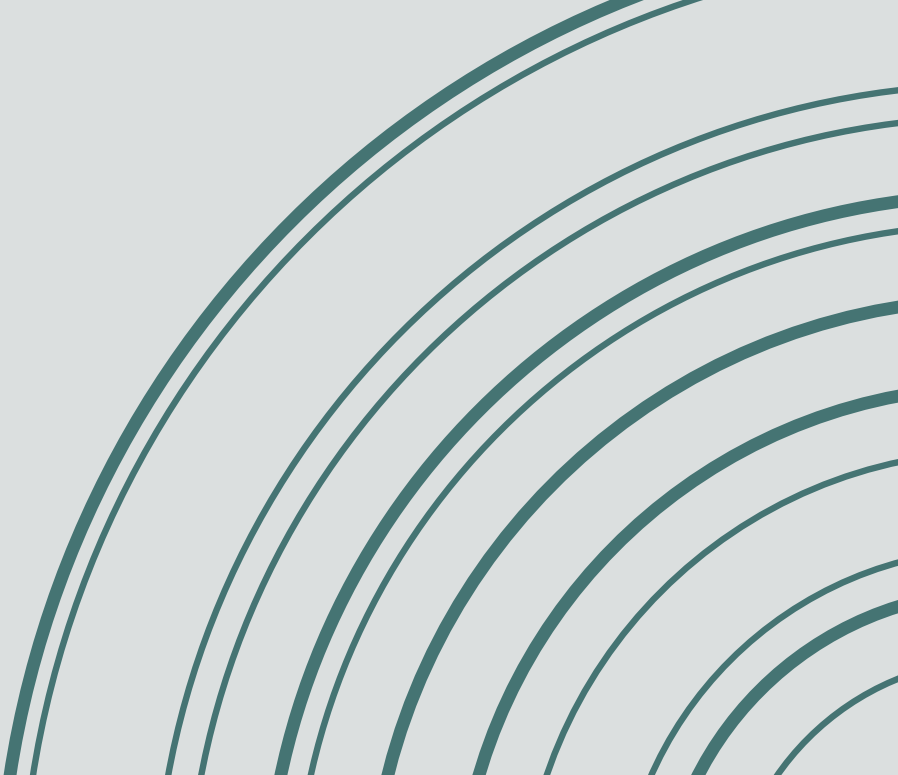
Objective Met

All tests completed.

The 'loss of JJC' bench test was successfully completed in June 2013.

The desk exercise to test the loss of Waring Street was successfully completed in September 2013.

The test of facility to access Simply Personnel and Payroll from the fallback site (Woodlands JJC) was completed in October 2013.



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CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND
Block 1, Knockview Buildings
Belfast BT4 3SJ
www.cjini.org

