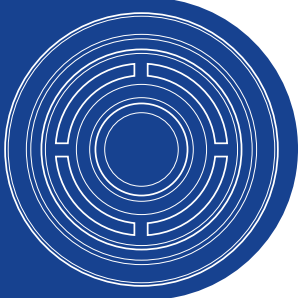




THE EFFECTIVENESS OF YOUTH CONFERENCING A FOLLOW-UP REVIEW

April 2019





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List of abbreviations

ACE	Active Community Engagement
CJI	Criminal Justice Inspection Northern Ireland
DoH	Department of Health
DoJ	Department of Justice
HSC Trust	Health and Social Care Trust
JJC	Woodlands Juvenile Justice Centre
LAC	Looked After Children
PPS	Public Prosecution Service for Northern Ireland
PSNI	Police Service of Northern Ireland
YDO	Youth Diversion Officer
YE	Youth Engagement
YEC	Youth Engagement Clinic
YJA	Youth Justice Agency
YJS	Youth Justice Services



Chief Inspector's Foreword

This short review assesses how the Youth Justice Agency (YJA) has progressed the recommendations for improvement since CJI's inspection of Youth Conferencing was published in 2015.

I acknowledge that the context within which youth conferencing is delivered has changed since the 2015 inspection. Youth Engagement Clinics are now fully operational across Northern Ireland and represent a new forum in which information about diversionary disposals including conferences is exchanged. More recently, the review of regional specialist facilities for children and young people commissioned by the Department of Health (DoH) set out recommendations to improve service provision across these facilities and within residential care. This provides an opportunity to enhance outcomes for children who are coming into contact with the criminal justice system. For the YJA it represents a new framework for it to work with the DoH in developing its services, including restorative practices, for children in care homes.

We are reducing the number of children who need to become involved with the criminal justice system and diverting with support, those whose behaviour has become unacceptable and youth conferencing as it is currently delivered, is playing its part. This approach augurs well for the future and will help break the once almost inevitable progression from youth custody into young offenders and adult prison.

I am pleased with the response of the YJA to the recommendations in the 2015 inspection report and believe the current approach to supporting the Health Trusts to integrate restorative practice within care homes and the Woodlands Juvenile Justice Centre, is in my view, best practice.

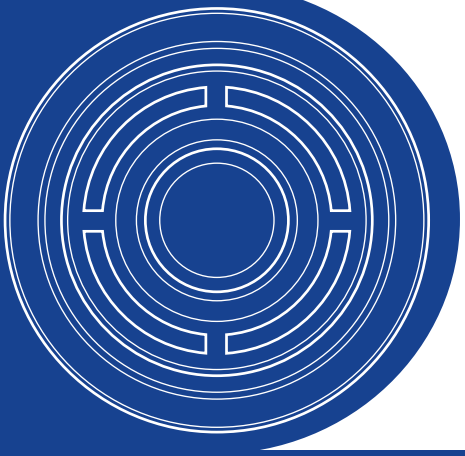
This review was conducted by Dr Roisin Devlin, my sincere thanks to all who supported this work.

Brendan McGuigan CBE
Chief Inspector of Criminal Justice
in Northern Ireland

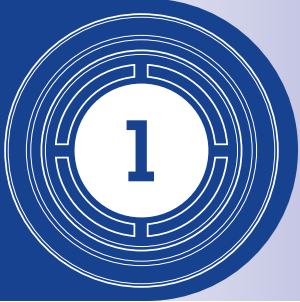
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Follow-Up Review



Introduction

Background to the follow-up review

In March 2015 Criminal Justice Inspection Northern Ireland (CJI) published a report on an inspection of the Effectiveness of Youth Conferencing.¹ The inspection assessed the conference process within the wider work of the Youth Justice Agency (YJA). The integration of conferencing within the YJA's Youth Justice Services (YJS) Directorate and, where relevant, in the work of the Woodlands Juvenile Justice Centre (JJC) was considered. Inspectors also examined the timeliness and completion of ratified conference plans, and outcomes as measured by the feedback of those who had experienced the conference process.

Changes since the 2015 inspection

In December 2018, a report of the review of regional specialist facilities for children and young people was published by the Department of Health (DoH).² In addition to the repurposing of four regional facilities for children, it recommended actions to develop a single therapeutic model within all children's homes. A programme team led jointly by the DoH and the Department of Justice (DoJ) was established to progress its recommendations. This represented a new strategic framework for the YJA to work with the DoH in developing service provision for children in care.

Operational changes in respect of conferencing had also occurred. This included the YJA having ceased its use of third party suppliers for reparative programmes. Since April 2015 practice staff internal to the YJS Directorate had sourced and managed local community based placements for reparation agreed as part of a conference plan. The YJA had also developed a volunteer strategy and recruited volunteers whose work included assisting with the delivery of reparative activity.

In April 2015 Youth Engagement Clinics (YECs) became fully operational across the whole of Northern Ireland. The Clinic process was not functioning fully when CJI completed its 2015 Youth Conferencing inspection. It was a new forum that involved information about diversionary disposals including Diversionary Youth Conferences where applicable being provided to children and their parents or carers on attending.

1 *An Inspection of the Effectiveness of Youth Conferencing*, CJI, March 2015, available at <http://www.cjini.org/TheInspections/Inspection-Reports/2015/January---March/The-effectiveness-of-youth-conferencing>

2 *Review of Regional Facilities for Children and Young People: Review Report*, DoH, March 2018 available at: <https://www.health-ni.gov.uk/sites/default/files/publications/health/review-of-regional-facilities-for-children-young-people.pdf>

The follow-up review

In undertaking this follow-up review CJI Inspectors requested a progress report against the 2015 inspection recommendations from the YJA. This was provided to CJI in August 2018. Inspectors then met with a range of practice staff and senior management within the YJA to determine progress. The Public Prosecution Service for Northern Ireland (PPS) Prosecutors were consulted by Inspectors to assess the YJA's progress on operational recommendation 3, which related to information provided by it to the PPS. Supporting documentation was also reviewed.



Progress against recommendations

Strategic recommendation 1

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.

Status: Achieved.

Agency response

The YJA is aware of the Department of Health's Review of Regional Facilities for Children and Young People, having had senior representation on the Project Board of Review. The Review provides a comprehensive examination of the provision and services available for children in secure facilities in Northern Ireland. The Health Review draft recommendations chime with the proposals made in the YJA Scoping Study into Children in the Justice Sector – one of which points towards the need to repurpose Woodlands JJC into a facility which provides specialist secure support and the need for step-up step-down arrangements.

The Review also calls for a single therapeutic model across all children's residential homes. The Report has not yet been published;³ however the outcome from this recommendation and others is expected to create a new strategy to improve outcomes for children in secure and residential centres.

The Agency will work closely with the Department of Health in the development of their future strategy, to develop closer working arrangements in line with the spirit of this CJI recommendation.

Notwithstanding, across area teams a range of local arrangements have already been put in place to facilitate effective communication at operational and strategic levels. Examples of these include individual staff attendance at Looked After Children (LAC) reviews, core group and planning meetings some led by children's services, as well as others prompted by the YJA. In all instances YJA staff link with residential staff and keyworkers to share information and promote consistency of messages.

³ The Review was published on 13 December 2018, which was after the YJA's progress report to CJI. See *Review of Regional Facilities for Children and Young People: Review Report*, DoH, March 2018 available at: <https://www.health-ni.gov.uk/sites/default/files/publications/health/review-of-regional-facilities-for-children-young-people.pdf>

In many instances and where appropriate residential staff will support young people to complete reparation hours within the unit and often staff will carry out joint work with the keyworker and the young person.

Strategic developments include a range of initiatives involving the YJA, the PSNI [Police Service of Northern Ireland] and residential unit leads across [Health and Social Care] Trust Areas. Typically these meetings are chaired by the Trusts and address thematic interface issues across organisations, with a focus on problem solving, information sharing and collaborative working.

Some initiatives that have developed as a consequence of these or similar meetings include:

- *YJA presentation of staff in residential units to share information re: developments and disposals in Youth Justice, to support staff understanding of Bail, YEC, Diversionary and Court ordered disposals;*
- *YJA staff developing a pilot re: delivering a restorative intervention within the unit, with a commitment to respond within a 24-hour window from the time of the incident;*
- *YJA staff attending the final ½ hour of a residential unit meeting to assist with problem solving and information sharing re: emerging practice and placement issues of concern; and*
- *YJA identifying link workers to act as liaison with residential unit managers and YJA staff.*

Further actions: Following publication of the Review of Secure Care facilities, the Agency will engage with the Department for Health to determine the role for YJS service provision to children in secure care and in community residential centres.

Inspectors' assessment

Due to the review of regional facilities for children commissioned by the DoH (the Review), the YJA had not led on the development of a joint strategy with the Health and Social Care (HSC) Trusts aimed at integrating restorative practices in all care homes. The reasoning was that the Review called for a therapeutic model to be extended across residential care homes. This identified a need for measures to assist care home staff in working with challenging behaviour and the introduction of enhanced restorative approaches. Inspectors agreed that this represented the existing strategic framework for the YJA to work with the DoH in developing restorative interventions in care homes.

The YJA indicated that it had maintained links with the DoH in the ongoing implementation of the Review's recommendations. However, realisation of these recommendations was dependent on a range of future work and full implementation had been set for around mid-2021.⁴ The YJA therefore outlined a range of activity it had been undertaking in the meantime to build on its work with care homes.

⁴ A time-frame of around three and a half years from December 2018 has been set for full implementation of the report's recommendations (See DoJ and DoH *Review of Regional Facilities for Children & Young People: Information Note*, December 2018).

This included a Link Worker appointed within each YJA area to liaise with residential care home staff and managers. Inspectors met with YJS practice staff involved in this work. They described regular liaison with the various care homes in their respective areas as well as work with particular children. This was said to have been working well. However, much could depend on the dynamics within a particular residential unit, which was influenced by a number of factors including the level of staffing changes. Overall, improved working relationships between YJS Practitioners and residential care home staff and greater understanding of each other's roles including the role of conferencing work was reported.

Inspectors reviewed documentation for a pilot project which provided earlier intervention in a care home within the Southern HSC Trust Area. The YJS staff member involved in the pilot's delivery also met with Inspectors. The pilot was intended to provide children with support and early intervention without coming to the attention, or further attention, of the criminal justice system. It was at an early stage of development with discussion about measurement of outcomes still ongoing. However, it represented a further example of how the YJA was developing its work with care homes.

Inspectors acknowledge the significant change required to implement the proposals outlined in the DoH commissioned review. In a recent joint inspection of Woodlands JJC it was recommended that the YJA and DoJ collaborate with other government departments and agencies to implement it.⁵ At the time of this follow-up, while its outworking had still to be realised, it was the broader context for integrating restorative practices in all residential care homes. Agreement by the DoH and DoJ to jointly progress its recommendations and the inclusion of the YJA in the dedicated programme team evidenced a strategic commitment to develop restorative practices in this setting. The YJA's continued focus on its YJS staff liaising with residential care homes, the 'restorative intervention' pilot project, and the work undertaken by Practitioners to maintain regular links had given effect to the spirit of the inspection recommendation.

Given the changes that had taken place since the initial inspection and the work outlined in the agency's response, Inspectors assess this recommendation as achieved.

5 *An Announced Inspection of Woodlands Juvenile Justice Centre*, CJI, RQIA and ETI, June 2018, see strategic recommendation 1. Available at <http://www.cjini.org/getattachment/8b8f0c67-71c3-414d-b3f8-8aa9787d4efd/report.aspx>

Operational recommendation 1

Efforts to increase the level of youth conferencing work within the Juvenile Justice Centre should continue.

Status: Achieved.

Agency response

There has been a 28% increase in the level of youth conferencing work within the JJC. YJS facilitated 64 Youth Conferences (involving 18 children) in the JJC between 1 April 2017 and 31 March 2018. During the period 1 April 2014 to 31 March 2015 there were 50 Youth Conferences involving 26 young people.

YJS has also appointed a senior member of staff (Assistant Director) as a liaison point with JJC senior management (Assistant Director). Since July 2016 there have been regular meetings between senior staff in the two Directorates. This allows for information sharing about practice and early stage problem-solving.

Consequently, for young people in Woodlands, having the opportunity to participate in a timely conference and plan has resulted in avoiding delay and availing of services in Woodlands. This has enhanced their experience of the conferencing process.

Furthermore, there are a number of cross-directorate working groups including Child Sexual Exploitation, Domestic Abuse and Emotional and Mental Health in which staff from Youth Justice Services and Custodial Services participate in order to continually improve and integrate policy, practice and standards across the Agency.

As a result of this communication between staff at all levels is much improved. All YJS practice staff have completed an induction to the JJC and now have access to the Houses – view from Youth Justice Practitioner, “having unescorted access to the units now with our own fob etc. has made a great difference for the better”.

At a more strategic level the Assistant Director from YJS has attended and contributed to senior management meetings in the JJC and vice versa.

YJS has arranged and accompanied local District Judge Conner to a visit in the JJC.

There has been shared learning/practice between the two Directorates. YJS commissioned a local theatre company, Spanner in the Works to perform a number of plays in the community. On each occasion (three in total) the plays were performed in the JJC.

Further actions: In line with the 2018-19 YJS Business Plan, Protocol/Good Practice Guidelines are being drawn up.

A full review of the case management system within Woodlands is taking place in consultation with YJS staff.

Inspectors' assessment

The evidence provided by the YJA showed an increase in the number of conferences in 2017-18 when there was 14 more conferences than in 2014-15, although the number of children participating was less (18 compared to 26). It is important to acknowledge that the number of conferences taking place within the JJC was largely outside the YJA's influence because a child's participation in a conference was ultimately a decision for the PPS (in the case of diversionary conferences) or the Court (for court-ordered conferences).

Where a conference was set to occur in the Centre, improved information sharing between it and the YJS practice staff, as well as their unescorted access, had enabled conferences to take place in a timely manner. This had also facilitated conferencing work to take place in the Centre including preparation for conference meetings and, where feasible, youth conference plan activity. If it had not been practicable for a child in the JJC to continue activity on a youth conference plan, the YJA had been able to request suspension of the plan for the period they were accommodated there.

Efforts to ensure that work between the JJC and the YJS continued was evidenced by an Information Sharing Protocol, which had been agreed in September 2018. It was developed to ensure that communication and good practice was *'as seamless as possible between the Youth Justice Services and Woodlands Juvenile Justice Centre'*. This was intended to facilitate communication with practice staff from an early stage of admission to the JJC, including in cases where the child was not known to the YJS. Although not specific to conferences, this Protocol was anticipated to support the level of youth conferencing work in the JJC.

Inspectors assess this recommendation as achieved.

Operational recommendation 2

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.

Status: No longer applicable.

Agency response

In light of budgetary cuts, the Agency took the decision to 'self-deliver' services and therefore moved away from awarding contracts to third parties.

As a result all practice staff now have performance based targets in their forward job plans to source and manage local community based provision. This is for individual placements at no additional cost to the Agency.

Regional offices now have a nominated Active Community Engagement (ACE) link worker to oversee community engagement and advise locally and regionally of potential provision.

The Agency has also invested considerable resources in developing and implementing a volunteer strategy. Each regional office has a cohort of trained volunteers who assist with reparation, mentoring, bail support and diversionary activities. Some of these activities were previously delivered via third party contracts.

As a direct result of the decision to internalise these services the YJA/YJS now operates more effectively within a local community context and is better equipped to respond to emerging need. Additionally, this change in strategy has helped YJS to streamline services to meet the bespoke needs of individuals and communities.

Further actions: To revise the existing feedback mechanism in order to monitor outcomes from reparation providers.

Revised feedback system to commence September 2018.

Inspectors' assessment

Inspectors assessed this recommendation as no longer applicable because since April 2015 the YJA ceased contracting third parties to deliver reparation work related to youth conferencing. A budget breakdown was provided, which showed zero spend on this area of work. Inspectors met with a range of practice staff who had subsequently been involved in the delivery of this work and in the management of volunteer staff.

Their roles included securing and maintaining placements for children. Learning and information sharing was facilitated through an ACE Forum meeting which staff attended to share practice relating to reparation providers and placements. Performance Development Plans included goal setting in relation to this aspect of their work.

Positive aspects of this change was that staff and managers described closer working knowledge of the reparation providers and progress of children's placements. There had been improved information flow and oversight of placements as a result of staff managing this area of work directly. A central record of placements including completion by the child was maintained by an appointed YJS 'Reparation Champion.' 'Reparative Activity Service in the Community Placement Policy and Guidance' provided direction and sample documentation for YJA Staff managing placements.

Maintaining links with providers within communities where there had been low rates of children referred or where YJA offices had closed presented a challenge. However, the YJA 'nominated charity scheme' and the development of its Volunteer Strategy helped offset this to an extent. Volunteers' work had included mentoring support for children and supervising reparation placements where supervision was required.

Monitoring of placements was dependent on feedback from providers, children, families and carers, and victims. Examples of practice were included within the YJA Newsletter and had also been presented for the YJA annual volunteer awards. Volunteer case studies had also been developed and copies provided to Inspectors. Outcomes focused on completion rates. Inspectors were informed that an improved feedback system was being developed. This was not yet available but was required to enhance knowledge about performance and outcome monitoring in relation to this area of work.

Given that third party contracts had ceased this recommendation is assessed as no longer applicable. However, Inspectors were impressed with the work outlined by practice staff and consider this a potential area for focus in any future inspection related to conferencing.

Operational recommendation 3

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.

Status: Achieved.

Agency response

YJS has continued to maintain and develop local working relationships with the PPS in each of our five community-based teams.

There is regular (direct) contact between PPS staff and YJA staff in court. This allows for information sharing about specific cases and early stage problem-solving. Since 2015, Youth Engagement (YE) has become embedded across Northern Ireland. YE aims to speed up justice and to ensure those children and their parents/carers are able to make more informed decisions about the diversionary disposals which they are offered.

Within YE there is a regionally agreed process whereby PSNI and YJA staff, following discussion with children and their parents/carers in a YE clinic, can approach the PPS to give further information which might allow them to reconsider their decision. The PPS is also represented on the Youth Engagement Steering Group.

At strategic level, the PPS sit on the Children, Young People and Offending Regional Subgroup of the Children and Young Peoples Strategic Partnership, which is chaired by the Chief Executive Officer of YJA. The focus of this regional interagency group is to help organisations to work better together to ensure the best possible outcome for children.

YJA has introduced a new Youth Conference Court Report format which encourages the inclusion of more background information and more in-depth analysis.

Further actions: YJA will review the new Youth Conference Court Report format by the end of October 2018, and will consider which aspects of it might be incorporated into the Youth Conference PPS Report format, especially for more complex diversionary cases. Any changes to the format of the Youth Conference PPS Report will be implemented by the end of March 2019.

Inspectors' assessment

Inspectors met with a range of YJS staff and with PPS Prosecutors responsible for decision making in cases relating to children. There was an overall consensus that information provided by the YJS to the PPS had improved since 2015, continuing a general trend in enhanced communication between the two agencies since the introduction of conferencing.

Youth Engagement Clinics had become fully operational across the whole of Northern Ireland and this was a significant change since the publication of the full inspection report. The Clinics provided an opportunity for improved communication between the YJS practice staff and Prosecutors, albeit in most instances initial communication with the PPS often came from the PSNI Youth Diversion Officer (YDO). In one example, the PPS had been able to reconsider its prosecution decision following information gathered by the YJS practitioner at a Youth Engagement Clinic. A new provision within Youth Engagement Guidance had enabled this to occur. It permitted the YDO to contact the PPS for reconsideration of a decision and was highlighted to Inspectors as a welcome amendment.⁶

In cases where the child had completed a prior conference or was engaged in a current youth conference plan, information from the YJS about the child's progress was important for the PPS in determining its prosecution decision. The YJA statistics provided to Inspectors showed that the proportion of children involved in repeat diversionary conferences was low overall. In 2017-18, one fifth of children participated in two or more. A total of 15 children, which was less than 3% overall attended four or more diversionary conferences (see Table 1).

Table 1: Number of Diversionary Conferences per Child

Number of diversionary conferences per Child	Year		
	2015-16	2016-17	2017-18
1	457	459	440
2	76	84	75
3	22	24	22
4	8	11	9
5	2	1	2
6	1	0	2
7	0	0	1
8	1	1	1
Total Young People	567	580	552

⁶ *Youth Engagement: Process and Guidance for those responsible for its management and delivery*, updated July 2017, published by the PSNI, the PPS and the YJA at para. 3.18 'Should there be any consideration of variance to PPS decision, YDO, after consultation with YCC, will, contact the PPS to reconsider outcome.'

The 2015 full inspection highlighted the importance of information flow from the YJA to help inform prosecution decisions particularly when more than one plan was in place at the same time. Management information was provided by the YJA for a three year period from 1 April 2015 (see Table 2). Although not fully validated statistics these provided an indication of the occurrence of multiple plans.

Table 2: Number of children with more than one Diversionary/Court-Ordered plan at the same time between 1 April 2015 and 31 March 2018

Max number of Plans at any time (between 1 April 2015 and 31 March 2018)	Number of Children		
	Diversionary and/or Court- Ordered	Diversionary	Court-Ordered
2	143	34	98
3	57	3	48
4	16	0	12
5 or more	9	0	7

* Multiple referrals can be dealt with within one conference plan.

* Diversionary cases are Diversionary and YE Diversionary.

* Court-Ordered Cases are Court-Ordered, Attendance Centre Order, Community Responsibility Order and Reparation Orders.

* This analysis is for cases where the referral date was between 1 April 2015 and 31 March 2018.

* Please note the summation of 'Diversionary' and 'Court-Ordered' will not equal 'Diversionary and/or Court-Ordered'.

* Please note this data has not been fully validated by the statistics team and is therefore management information and is subject to minor revision.

Decision-making in cases involving prior or multiple plans tended to be more complex than when the option of a diversionary conference was being examined for the first time. Inspectors heard examples of complex cases where communication between the YJA and the PPS was considered very comprehensive. This had facilitated the PPS to exercise flexibility in relation to the timing of a conference or the period in which the child could complete a plan. Examples were also provided of the PPS and the YJA liaising to assess if multiple offences could be included within the same plan.

Case example

The PPS received a file containing a number of offences for a child who had not offended in a significant period of time. Due to the previous convictions the Prosecutor prosecuted at court but liaised with the YJA to gather information about the child's previous engagement and assess if a plan could be completed on diversion. The Prosecutor kept the file open but was able to commence the diversionary process with regular and up to date information on the child's progress from the YJA.

Good communication between the YJS and the PPS was also particularly important in cases where conference plan activity had not progressed as agreed and in instances of non-compliance. It was noted, however, that non-compliance was rare and both the YJS and the PPS described having been able to liaise and exercise flexibility to ensure this was a last resort. Table 3 shows figures provided by the YJA where it returned 12 cases to the PPS for non-compliance in 2015-16, and 17 in each of 2016-17 and 2017-18.

Table 3: Number of Diversionary Conferences with non-compliance returned to PPS

Year	Number of non-compliance returned to the PPS
2015-16	12
2016-17	17
2017-18	17

Although there was no formal written mechanism for the YJS to communicate with the PPS to inform a prosecution decision, it was felt this type of contact via telephone or in person at court or through pre-arranged meetings had been working well. The PPS noted that conference reports received by it from the YJS on completion of diversionary plans were comprehensive and provided useful information in the event of a future case. The YJA indicated that its 'court report' had been revised and that similar consideration would be given to altering the report provided to the PPS. There was not consensus about whether this would benefit from similar revision and Inspectors heard this matter was being kept under review.

Inspectors assess this recommendation as achieved.



Conclusion


The strategic and operational landscape in which youth conferencing was taking place had changed since the full inspection in 2015. Recommendations within the DoH commissioned review of regional facilities for children provided a new opportunity for the DoH and DoJ to lead jointly on its vision to improve the experiences and outcomes for children in care.

The promotion of a single therapeutic model across all care homes and the enhanced restorative approach envisioned meant this was the appropriate strategic framework for the YJA to help integrate restorative practices in residential care. Although full implementation was a longer term goal, the YJS practice staff had been progressing their everyday work with care homes, and reported improved openness and learning between care home staff and the YJA as a result.

Conferencing work in the JJC and information flow from the YJS to the PPS to assist with prosecutorial decisions had each improved, which was a positive outcome for this review.

The context of youth conference delivery differed somewhat from early 2015 in that YJS practice staff had been managing reparative placements in the community. Closer working knowledge of reparative activity and placement providers was reported by YJS staff. Volunteers were considered crucial in the development of this journey. Inspectors considered this an important development in how the YJS operated and an area for further examination in any future full inspection of conferencing.

Of the four recommendations in this report, three were assessed as achieved. One was assessed to be no longer applicable as the operational mechanism to which it related had ceased.



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