

Managing children who offend





Northern Ireland Audit Office

Managing children who offend

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Northern Ireland Audit Office
6 July 2017

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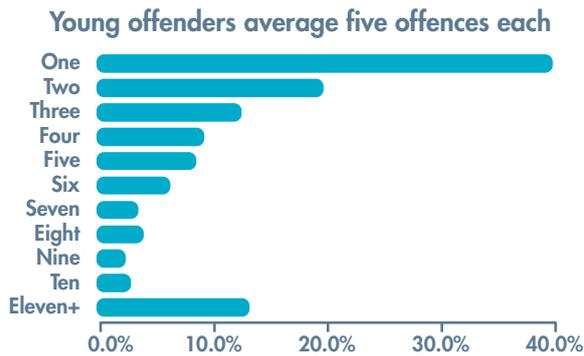
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Abbreviations

| | |
|--------------|--|
| CJINI | Criminal Justice Inspectorate for Northern Ireland |
| CYPSP | Children and Young People's Strategic Partnership |
| DOJ | Department of Justice |
| JJC | Juvenile Justice Centre |
| NI | Northern Ireland |
| NIAO | Northern Ireland Audit Office |
| NICTS | Northern Ireland Courts and Tribunals Service |
| NISRA | Northern Ireland Statistics and Research Agency |
| PACE | Police and Criminal Evidence |
| PBNI | Probation Board for Northern Ireland |
| PPS | Public Prosecution Service |
| PSNI | Police Service of Northern Ireland |
| SCH | Secure Children's Home |
| STC | Secure Training Centre |
| UK | United Kingdom |
| YDO | Youth Diversion Officers |
| YOI | Young Offender Institution |

Youth offending and reoffending



£324,000
average annual
cost of custody
for each child

£17.4M
cost of
operations in the
Youth Justice
Agency in
2015-16

72% of youth crime incidents
were committed by
repeat offenders

28% of young offenders
reoffended within
one year

79% of young offenders
were male

45% of young offenders
had committed
offences previously

89% of young offenders
(31 out of 35)
released from custody
reoffend

1% of young
offenders accounted for

13% of all incidents
of crime and disorder

930
First-time
offences by
young people in
2014-2015

Executive Summary

1. The number of first time offences committed by young people (aged between 10 and 17) has been reducing in recent years with 930 offences in 2014-15, a reduction of 23 per cent on 2013-14 (1,205 offences)¹. This represents around 0.5 per cent of our youth population. During 2013-14, 1,905 young people were given a community or diversionary disposal² or released from custody. However, more than one in four young offenders (28 per cent) will go on to reoffend within one year. Repeat offenders account for a disproportionately high percentage of all incidents, representing 72 per cent of all youth crime and disorder.
2. A small number of young people are linked to a high number of incidents of crime and disorder. Three quarters of young people who become involved with the Police Service of Northern Ireland (PSNI) are boys. The majority of young people involved, both boys and girls, are aged between 14 and 16 years of age. Most young people recorded as being involved in crime and disorder were linked to only one incident. However, a third of young people were recorded more than once, while two thirds of these repeat offenders will go on to be recorded in more than one year. The most prolific one per cent of young offenders account for around 13 per cent of all incidents³.
3. Long term analysis of reoffending has been constrained by a lack of reliable data. The Department of Justice (the Department) has collected and published reliable statistics on youth reoffending since 2014. However, the lack of reliable consistent statistical data has been a significant strategic and practical weakness.
4. The reoffending rate for Northern Ireland is lower than in England and Wales, at 28 per cent compared to 38 per cent. However, Northern Ireland has proportionately more first time entrants into the justice system.
5. Diverting young people away from criminal behaviour requires a joint and co-ordinated approach by all justice agencies. This has become increasingly important in the current environment of austerity given the need to achieve the best outcome from limited resources. A cross-departmental Strategic Framework on Reducing Offending published in May 2013 aims to provide a strategic and co-ordinated approach to reducing offending behaviour in Northern Ireland. However, it does not differentiate between approaches required for managing youth reoffending and reoffending amongst adults. There is a need for a specific strategy to guide the Executive in terms of youth justice policy and interventions and to help co-ordinate the delivery of youth justice services.
6. The Department has commenced work on a scoping study into children in, or on the fringes of, the criminal justice system. The first stage of the study concluded in March 2016, with a series of

1 First Time Entrants to the Criminal Justice System in Northern Ireland Research and Statistical Bulletin 20/2015 and 18/2016

2 The disposal of the offender is the type of sentence the offender received for their offence

3 Children and Young People's contact with police – Five-year trend analysis - PSNI Policing with the Community Branch (March 2015)

high-level proposals presented to the Assembly. Further work is required to turn the proposals into detailed recommendations for Ministerial consideration. The scoping study proposals provide a framework to underpin improved outcomes, but will require significant political and cross-department support to be successful. In practice this will require public bodies to work collaboratively and to maintain their engagement with partners in single outcome agreements. They must work effectively not only with traditional partners in the criminal justice system, but also with key departments and agencies in health, education and housing.

7. Custodial services represent the largest element of the Youth Justice Agency's (YJA) costs, £6.9 million in 2015-16, when around 160 young people were detained. Historically, young people on remand have made up the majority of the custodial population and accounted for half of all those processed through the Juvenile Justice Centre (JJC) in 2014-15. The average cost per occupant each year in the JJC is £324,000. The Department has not compared the cost of youth custody in Northern Ireland to costs in England and Wales.
8. Rates of reoffending have increased since 2010-11. The most recent statistics for 2013-14 reveal that while the overall reoffending rate is 28 per cent, the reoffending rate for those released from custody is 89 per cent (31 out of 35). Over 50 per cent of young offenders dealt with through community orders reoffended.

9. YJA's activities focus on building a relationship between the young offender and the YJA practitioner based around the assessed needs of the young person and the agreed content of youth conference plans in support of changing behaviour. However, to date, there remains a lack of clear evidence on the impact of these measures. There is no strong evidence base as to what works to reduce offending in Northern Ireland. Youth conferencing in particular may not address the needs of prolific offenders.
10. Assessing the cost effectiveness of interventions is the foundation for delivering value for money. The Department and the YJA lack the capacity to identify and apportion costs to the full range of interventions used to address offending behaviour. Consequently, they cannot adequately assess their cost-effectiveness and cannot currently demonstrate that the interventions to reduce reoffending by young people represent value for money.

Recommendations

R1: The Department should establish a specific strategy to address youth offending and reoffending to co-ordinate the delivery of youth justice services, policy and interventions.

R2: The Youth Justice Agency and other government agencies should establish a series of performance indicators to underpin the Programme for Government targets to reduce reoffending, focusing on improved outcomes

Executive Summary

R3: The Department and the Youth Justice Agency should expand cost recording and analysis across the youth justice system, to enable them to assess the cost effectiveness and the return on investment on interventions aimed at reducing youth offending.

R4: The Department and the Youth Justice Agency should examine the factors that contribute to the custody costs in Northern Ireland and benchmark costs against custodial arrangements in other UK regions. Cost of custody data should be published.

R5: Activity to reduce offending among young people should be focused towards those interventions with proven impact and supported by evidence about the cost-effectiveness of interventions.

R6: Complete records are necessary to any assessment of the effectiveness of interventions to address offending behaviour. The Youth Justice Agency should ensure that all interventions are recorded adequately and consistently to facilitate comparison of their effectiveness.

R7: The Department and the Youth Justice Agency should evaluate the effectiveness of youth conferencing in the cases of prolific offenders.

Part One: Introduction

Much is already known about the population of young offenders

- 1.1 The number of first time offences committed by young people (aged between 10 and 17) has been reducing in recent years with 930 offences in 2014-15, a reduction of 23 per cent on 2013-14 (1,205 offences)³. This represents around 0.5 per cent of our youth population. During 2013-14, 1,905 young people were given a community or diversionary disposal or released from custody. However, more than one in four young offenders (28 per cent) will go on to reoffend within one year.
- 1.2 In line with the reduction in incidents of youth crime and disorder, the majority of crime types have decreased. Young people are recorded as being involved in all types of crime and disorder, although violence against the person; theft; criminal damage; and public order offences are the most common crime types. Data collated by the Department of Justice (the Department) indicates that the rate of reoffending is generally higher for those who committed their first offence in their early teenage years. The rate of reoffending also increases through the teenage years, reaching a plateau between 17 and 19 years of age then declining consistently thereafter.

A small number of young people are linked to a high number of incidents of crime and disorder

- 1.3 The Department publishes⁴ statistics on Adult and Youth reoffending in Northern

Ireland annually. In 2010-11 there were 3,248 recorded young offenders under 17 years of age. In 2013-14 this figure had reduced to 1,905, a drop of 43 per cent. This drop may be explained, in part, by reduced numbers of young people entering the justice system with no previous offences from 1,555 in 2011-12 to 930 in 2014-15, a reduction of 40 per cent (see **Figure 1**).

The majority of young offenders are male

- 1.4 Three quarters of young people who become involved with the Police Service of Northern Ireland (PSNI) are boys. The majority of young people involved, both boys and girls, are aged between 14 and 16 years of age. PSNI statistics show that most young people recorded as being involved in crime and disorder were linked to only one incident. However, a third of young people were recorded more than once, while two thirds of these repeat offenders will go on to be recorded in more than one year.
- 1.5 Repeat offenders account for a disproportionately high percentage all incidents, representing 72 per cent of all youth crime and disorder:
- the 10 per cent most frequently recorded young people account for 44 per cent of all incidents of crime and disorder;

3 First Time Entrants to the Criminal Justice System in Northern Ireland Research and Statistical Bulletin 20/2015 and 18/2016

4 Department of Justice: R&S Bulletin 23/2016 Adult and Youth Reoffending in Northern Ireland (Cohort 2013/14)

- the five per cent most frequently recorded young people are involved in 32 per cent of all incidents; and
- the most prolific one per cent of young offenders account for around 13 per cent of all incidents⁵.

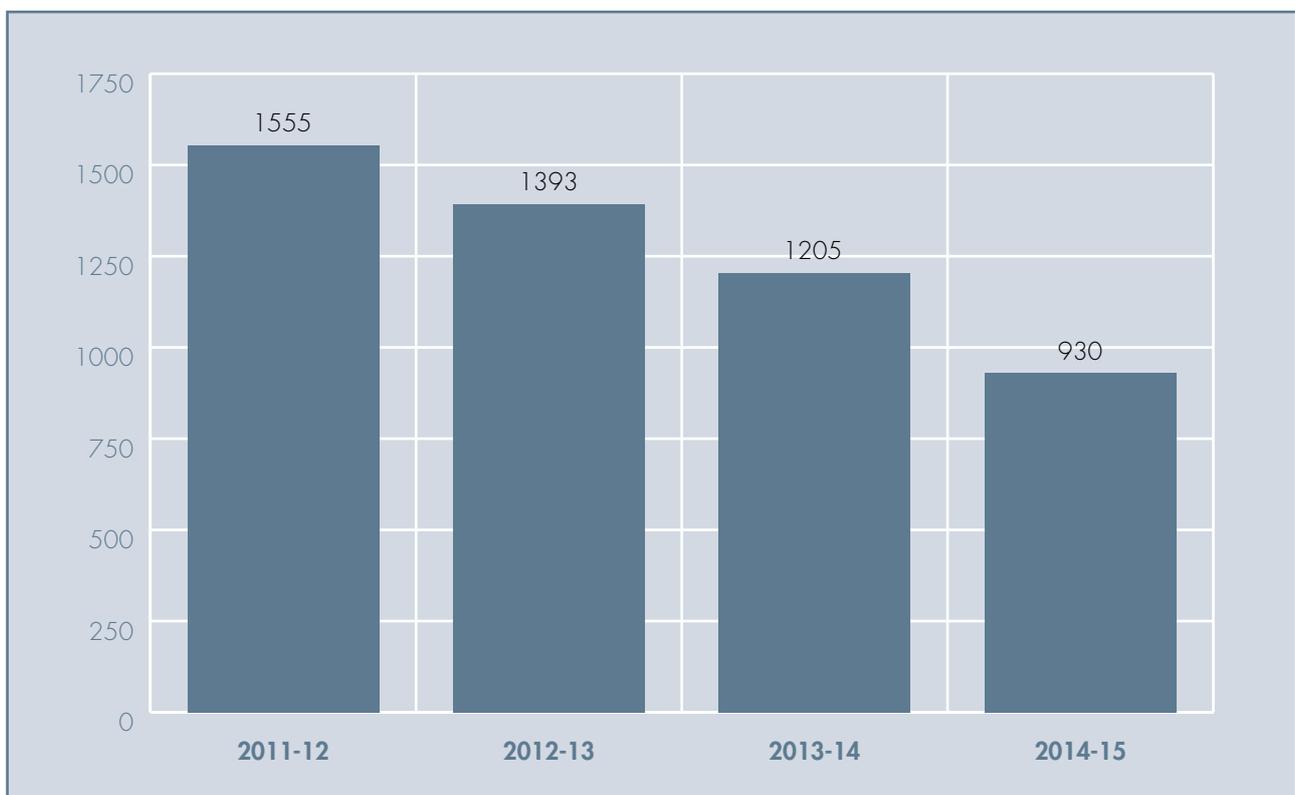
1.6 Looked after children are also disproportionately represented amongst offenders. They represent less than one per cent of the population under 18 years old, but between 2009-10 and 2013-14, they accounted for between nine and 17 per cent of referrals to Youth Diversion Officers in the PSNI. It is

estimated that looked after children are around five times more likely to become involved with the justice system than those outside the care system.⁶

The risk of reoffending increases with the number of previous offences

1.7 In terms of offending history, 45 per cent of 1,905 offenders in 2013-14 had committed previous offences, ranging from one to 78 distinct offences. The data indicates that reoffending rates increase with the number of previous offences (see **Figure 2**).

Figure 1: Young people with no previous offences entering the youth justice system since 2011-12
Numbers have declined consistently



Source: Department of Justice First Time Entrants Statistical Bulletins 2011-12 to 2014-15

5 Children and Young People’s contact with police – Five-year trend analysis - PSNI Policing with the Community Branch (March 2015)

6 In Care, Out of Trouble Impact report - January 2017 Prison Reform Trust

Part One: Introduction

Figure 2 Reoffending rates 2013-14

Rates tend to increase with the number of previous offences

| Number of Previous Offences | Number of Young Offenders | Number Reoffended | One Year Reoffending rate |
|-----------------------------|---------------------------|-------------------|---------------------------|
| None | 1049 | 146 | 14% |
| 1 | 224 | 65 | 29% |
| 2 | 120 | 29 | 24% |
| 3 | 93 | 44 | 47% |
| 4 | 76 | 34 | 45% |
| 5 | 40 | 22 | 57%* |
| 6 | 33 | 16 | |
| 7 | 35 | 25 | |
| 8 | 30 | 16 | |
| 9 | 20 | 8 | |
| 10 | 25 | 17 | 72% |
| 11 or more | 160 | 115 | |
| Total | 1905 | 537 | 28% |

*The Department does not show percentage in its bulletins where the denominator is less than 50. For illustrative purposes those in the range 5-10 previous offences have been merged to present a combined reoffending rate

Source: *Department of Justice Statistical Bulletin 2013-14*

Long term analysis has been constrained by a lack of reliable data

1.8 A review of the youth justice system undertaken by the Department in 2011⁷ found that individual agencies collected and managed data for their own purposes, but there were no common definitions or data standards. Though reoffending statistics had been produced from 2006 to 2008⁸, the review found that there was a lack of robust evidence on what did and did not work in terms of preventing offending and reoffending and virtually no systematic independent research on specific developments in youth justice.

1.9 The review regarded the lack of reliable, consistent statistical data as a significant strategic and practical weakness; it recommended that the paucity of high quality statistical data and research across and beyond the criminal justice system should be addressed as a matter of urgency. In May 2013 the NI Executive published its Strategic Framework for Reducing Offending. It included the development of a new measure of the number of people coming into contact with the justice system for the first time, addressing calls made during the consultations on both the Strategic Framework and the Youth Justice Review

⁷ Department of Justice: A Review of the Youth Justice System in Northern Ireland (September 2011)

⁸ These statistics are not comparable with more recently published data because they did not include Cautions and Informed Warnings which are high volume disposals with a generally lower rate of reoffending.

1.10 The Youth Justice Agency (YJA) is responsible for providing community and custodial services to children who offend and to those at risk of offending. It monitors and reports on a range of performance measures to the Minister and to the public. However, the Department's internal audit review of the systems supporting the YJA's performance reporting in 2016 cast doubt on the accuracy of the published information, due to the inconsistent definition of performance targets and inconsistencies in data recording. The YJA established a new set of performance indicators in 2016-17.

The young offender population is proportionately greater than that of England and Wales, but the proportion of reoffenders is lower

1.11 Comparing reoffending rates across jurisdictions can be difficult due to inherent differences, including the legal systems operating in the different

regions and other factors such as police responses, recording practices and legislation. However, while Northern Ireland reoffending statistics are not directly comparable with those of England and Wales it is useful to consider the outcomes of these different processes and systems for dealing with children who offend, that is, the numbers and rates of offending and reoffending children.

1.12 Examination of the reoffending rate percentage for 2013-14 shows that Northern Ireland is lower, at 28 per cent compared to 38 per cent in England and Wales. We also compared overall young offender numbers with England and Wales in 2013-14 per 1,000 head of the population for 10-17 years (**Figure 3**). This shows that Northern Ireland has proportionately more first time entrants into the justice system and more young people given a community or diversionary disposal or released from custody. However, the proportion of young people who reoffend is lower.

Figure 3: Young offenders in England and Wales and Northern Ireland 2013-14
Proportionately, there are more young offenders in Northern Ireland but fewer reoffend

| | 2013-14 | 2013-14 |
|---|------------------|-------------------|
| | Northern Ireland | England and Wales |
| | Rate per 1,000 | Rate per 1,000 |
| First time entrants into the justice system | 6.4 | 4.3 |
| Number of offenders | 10.2 | 8.2 |
| Numbers of diversionary disposals (Caution; informed warning; or youth conference plan) | 8.5 | 4.7 |
| The proportion of reoffenders | 2.9 | 3.1 |

Source: NIAO based on NISRA population statistics: Ministry of Justice Statistics, England and Wales

Part One: Introduction

1.13 As part of our review, we also examined the reported average number of reoffences per reoffender for around 170 upper tier local authorities¹⁰ in 2012-13 and compared it to equivalent statistics produced by the Department. This analysis (**Figure 4**) shows that the average number of reoffences for Northern Ireland (4.03) is well above the average of 2.99 for England and Wales.

The Department has not conducted any further analysis of reoffending rates

1.14 The Department has not conducted any further analysis of reoffending rates that could inform strategies for dealing with youth offending and reoffending (for example, analysis at a sub regional level). Data is available on reoffending by Court Division, but this only includes young offenders brought before the Courts and not those diverted (around

20 per cent of total cases). For 2011-12 and 2012-13 the reoffending rate was 54 per cent for the 'urban' court divisions (Belfast, Craigavon and Londonderry), compared to between 40 and 44 per cent in the other four court divisions.

1.15 The Department was unable to provide further information or explanation as to reasons for the differences in regional reoffending rates. The Department considers it uncertain what benefits would accrue, in comparison to the costs incurred, of undertaking significant further analysis of the reoffending rate.

Scope and structure of our review

1.16 This report examines the cost of youth offending; strategies in place and interventions used to deal with youth offending and reoffending. While some of the core arrangements are long established, the report will examine developments from the devolution of policing and justice in 2010.

Figure 4: Average number of reoffences per reoffender by upper tier local authority 2012-13

| Position | Upper Tier Local Authority | Number of Re-Offences |
|----------|----------------------------|-----------------------|
| Highest | Brighton and Hove | 4.47 |
| Lowest | Solihull | 1.82 |
| Average | England and Wales | 2.99 |
| | Northern Ireland | 4.03 |

Sources: Ministry of Justice: Department of Justice, Northern Ireland

¹⁰ Source: Ministry of Justice: Proven reoffending tables: April 2012 to March 2013 (January 2015). The distinction between upper and lower tier local authorities only applies to England. In those parts of England which have two tiers of local authority, the upper tier is a 'county' and the lower tier is a 'district'. In those parts which only have one tier, it is known as a 'unitary'.

- **Part 2** looks at the strategies in place in Northern Ireland for managing the risk of youth offending and reoffending.
- **Part 3** considers the costs and resourcing of managing young offenders.
- **Part 4** examines interventions used to reduce the risk of offending and reoffending.

1.17 The study used a combination of quantitative and qualitative methods for gathering evidence, including analysing published literature and data to understand the youth offending and reoffending trends and expenditure on youth justice services. We considered the content of publications with by the Chief Inspector of Criminal Justice and met with staff in the Department, Youth Justice Agency, Police Service of Northern Ireland, Public Prosecution Service, Criminal Justice Inspectorate Northern Ireland, Probation Board for Northern Ireland and Woodlands Juvenile Justice Centre. We also met with voluntary organisations providing support/activity around reducing reoffending.

Part Two:

There are established strategies for managing the risk of youth offending and reoffending

A number of agencies have significant roles

- 2.1 A number of agencies are responsible for running the criminal justice system, each with their own responsibilities and separate lines of accountability:
- **The Police Service of Northern Ireland (PSNI)** has responsibility for the prevention and detection of crime;
 - **The Public Prosecution Service (PPS)** has responsibility for prosecution decisions and the prosecution process;
 - **The Northern Ireland Courts and Tribunals Service (NICTS)** has responsibility for supporting the judiciary in their role of adjudicating on offenders, determining guilt or innocence, and passing sentence on those found guilty;
 - **The Probation Board for Northern Ireland (PBNi)** is responsible for supervising offenders in the community as well as providing pre-sentence reports to courts;
 - **The Youth Justice Agency (YJA)** has responsibility for the provision of community and custodial services to children who offend and those at risk of offending and for organising youth conferences. In doing so it runs the Woodlands Juvenile Justice Centre (WJC) in Bangor and also supervises and manages a discharges a range

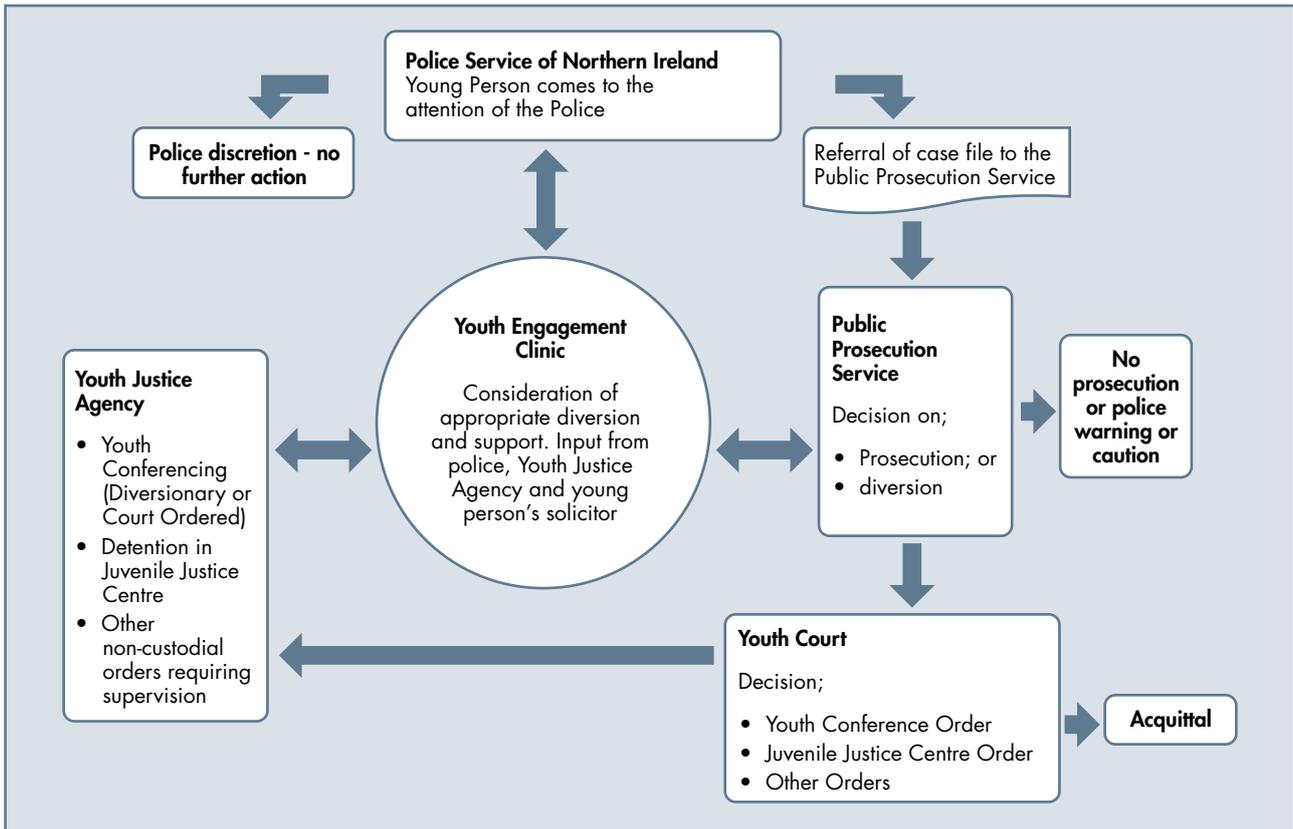
of community based services through five area offices. It also provides reports to the courts.

- 2.2 With the exception of the YJA, all these agencies are responsible for dealing with both adults and children, although they all have specific arrangements for children and young people. **Figure 5** sets out an overview of the justice system as it currently operates in Northern Ireland.

Radical improvements are considered necessary

- 2.3 The principal statutory aim of the Northern Ireland youth justice system in the Justice (Northern Ireland) Act 2002, is to protect the public by preventing offending (including reoffending) by children under the age of 18. A review of the Youth Justice System published in September 2011 made 31 recommendations aimed, amongst other things, at addressing delays within the youth justice system, police interactions with young people; the overrepresentation of looked after children within the youth justice system and proportionate sentences. The Minister of Justice announced an Implementation Plan in October 2012, setting out the recommendations which were accepted; the work undertaken to date; and the Department's plans for implementation and milestones against which to measure progress. The Department had taken the lead in ensuring implementation of the Youth

Figure 5: Overview of the Youth Justice system in Northern Ireland



Source: NIAO

Justice Review recommendations through the published Implementation Plan.

2.4 In May 2013 a cross-departmental Strategic Framework on Reducing Offending was published which focused on a safer Northern Ireland through a long term reduction in offending behaviour. This is not a delivery plan with associated targets or objectives: rather, it is a high-level and overarching conceptual framework which outlines the importance of reducing offending and identifies the sorts of areas where increased interventions may have

an impact on reducing offending or reoffending. Though its scope incorporates adults and young people, emphasis was put on working in partnership within Justice and across government to prevent individuals, particularly children and young people, becoming involved in offending behaviour and to reduce reoffending among those who do.

2.5 The strategic framework has set out the objective of “preventing people from offending in the first place and by being effective in reducing reoffending

Part Two:

There are established strategies for managing the risk of youth offending and reoffending

where they do offend". In terms of reducing reoffending, this means holding offenders to account for their actions, whilst providing the systems and support to bring them to the point where they can move on and do not reoffend in the future.

- 2.6 Diverting people away from criminal behaviour requires a joint and co-ordinated approach by all justice agencies and across government. This has become increasingly important in the current environment of austerity, given the need to achieve the best outcome from limited resources. The strategic framework aims to provide a co-ordinated approach to reducing offending behaviour in Northern Ireland. However, it does not differentiate between approaches required for managing youth reoffending and reoffending amongst adults. We consider that there is a need for a specific strategy to guide youth justice policy and interventions; and to help co-ordinate the delivery of youth justice services. The landscape in which the different agencies are operating is now very different to that faced when the current youth justice system was established decades ago. The challenges faced by young people and continued pressure on public sector budgets require a strategic review of how current arrangements are working. Specifically, there is a need to address how continuing high levels of youth reoffending can be reduced and improved outcomes demonstrated, for example, sustained involvement in education, training or employment.
- 2.7 A key part of the Strategic Framework was oversight by the Reducing Offending Programme Board, comprising senior representatives of justice bodies. The Board is also responsible for overseeing the implementation of the Justice review.
- 2.8 The Minister of Justice requested that the Chief Inspector of Criminal Justice in Northern Ireland conduct a review to assess progress against the accepted recommendations. The Chief Inspector of Criminal Justice published an initial interim report in December 2013¹¹ and a final report in 2015¹².
- 2.9 The Chief Inspector's 2015 report found a loss of momentum in implementing the recommendations of the Review Team. The Youth Justice Review Board was subsumed within the Reducing Offending Programme Board, in which the Youth Justice Review was initially a standing item on the agenda for each meeting. The main justice agencies were represented on the Board. There was also a cross-departmental representative working across the DOJ and the Department of Health, Social Services and Public Safety (DHSSPS). However, by April 2015, the Youth Justice Review was no longer a standing agenda item at Board meetings; the DOJ

Recommendation 1

The Department should establish a specific strategy to address youth offending and reoffending to co-ordinate the delivery of youth justice services, policy and interventions.

11 <http://www.cjini.org/CJINI/files/c1/c1e0f527-fef3-439d-a4aa-a6f414a7ff0d.pdf>

12 <http://www.cjini.org/CJINI/files/35/355260de-ceb0-43f8-ad83-e91fee363dd1.pdf>

Youth Justice Policy Team was no longer in existence; the role of a Criminal Justice Officer in the DHSSPS (which provided a link between the DOJ and the Office of Social Services) was ended in April 2015 when DOJ withdrew the funding for the post; and the implementation plan had not been updated since early 2014.

- 2.10 The Strategic Framework also sets out the need to embed the reduction of offending across the wider government and in particular the “Delivering Social Change framework”¹³. In July 2014, following feedback from a consultation, ministers took the decision to lay a child poverty strategy 2014-2017 separately, and to engage further with stakeholders in the development of a new strategy for children and young people under the delivering social change umbrella. The Children and Young People’s Strategy 2017-2027 was issued for consultation in December 2016¹⁴ and the Department and the YJA have been involved in its development. However, it is not yet embedded in the strategic aim of reducing youth reoffending.

Current targets in the Programme for Government focus on reducing the reoffending rate

- 2.11 The consultation for the Programme for Government includes an outcome indicator of the one year proven reoffending rate as an indicative measure of offending behaviour after someone has been through the criminal justice system. The consultation presents

this indicator as the best way to discern the effectiveness of sentencing and rehabilitation which also enables comparison of data on reoffending. The Department is considering what further measures could support monitoring, for example the rate of First Time Offenders.

- 2.12 In May 2015 the Department commenced work on a scoping study into children in, or on the fringes of, the criminal justice system, to undertake an end-to-end examination of the system from the perspective of the best interests of the child, looking at the overarching legislative, strategic and structural architecture. Ultimately, the intention was to simplify the system and develop effective, tailored interventions to improve outcomes for children and young people across the system, and the wider circle of those affected by offending behaviour including families, victims and communities. **Appendix 1** sets out the background to the study and its key strands – the repurposing of Woodlands JJC; legislative preparation; and early intervention.
- 2.13 The first stage of the study concluded in March 2016, with a series of high-level proposals presented to the Assembly. These fall within three broad categories:
- putting welfare at the heart of the system;
 - maximising community involvement and increasing exit points from the justice system; and
 - enhancing disposals available to the

¹³ This framework is chaired by the Executive Office Junior Ministers and brings together senior officials from relevant departments

¹⁴ <https://www.education-ni.gov.uk/sites/default/files/consultations/education/Children%20and%20young%20people%27s%20strategy%20%284%29.pdf>

Part Two:

There are established strategies for managing the risk of youth offending and reoffending

judiciary and reducing the use of custody to make it truly a measure of last resort.

also with key departments and agencies in health, education and housing.

Further work is required to turn the proposals into detailed recommendations for Ministerial consideration.

- 2.14 The YJA is in the process of developing targets but is waiting for the Programme for Government and resulting departmental business plans to cascade before finalising these. Current measures are numerous and describe activities and achievements which are not clearly linked to outcomes. It is important, going forward, that the YJA and other agencies focus on developing a manageable and meaningful set of key outcomes supported by robust measures of progress, rather than a compilation of functions and activities with little sense of prioritisation.
- 2.15 In developing an outcomes-based approach, it is important that all public bodies involved in improving outcomes for children and young people are clearly aligned with the Programme for Government. The scoping study proposals provide a framework to underpin improved outcomes, but will require significant political and cross-department support to be successful. In practice this will require public bodies to work collaboratively and to maintain their engagement with partners in single outcome agreements. They must work effectively not only with traditional partners in the criminal justice system, but

Recommendation 2

The Youth Justice Agency and other government agencies should establish a series of performance indicators to underpin the Programme for Government targets to reduce reoffending focusing on improved outcomes.

Part Three:

Costs and resources

The Youth Justice Agency is the main provider of youth justice services

3.1 There are a number of organisations across the justice system dealing with young people and their offending. This includes PSNI, PPS, Courts and Tribunals Service, Youth Justice Agency and the Probation Service, together with those staff within the Department itself. While the bulk of identifiable expenditure on reducing youth reoffending lies with the Youth Justice Agency (YJA), the Department was unable to provide us with details of the total costs/spend across the Department, its Agencies and associated bodies. The Department told

us that this was due to the significant number of staff working across the justice system for which youth justice may only form a part of their work, making attribution of costs difficult.

Youth Justice Agency Costs have reduced since 2010-11

3.2 During 2015-16, the YJA incurred operational costs of £17.4 million¹⁵ and employed an average of 277 staff. This represents a decrease of five per cent on 2014-15 (£18.3 million). Since 2010-11 expenditure has been steadily reducing (**Figure 6**).

Figure 6: Youth Justice Agency Expenditure (2010-11 to 2015-16)



Source: Youth Justice Agency

¹⁵ This expenditure of £17.4 million excludes a single payment of £5.9 million for transferring out of the NILGOSC Scheme to PCSPNI. This payment was made up front to ensure that the Department does not incur pension-related costs in future years.

- 3.3 The two main operational directorates accounted for 76 per cent (£13.3 million) of total costs in 2015-16. Custodial Services accounted for the largest part of this, £6.9 million (40 per cent), while Youth Justice Services accounted for some £6.4 million (36 per cent). The bulk of the remainder of costs are associated with the YJA's Corporate Services Division - £4.1 million (24 per cent)¹⁶.
- 3.4 Referrals to Youth Justice Services by courts and the Public Prosecution Service have decreased by 25 per cent over the last 5 years, indicating that fewer young people are coming into the justice system and that re-referrals have reduced. This is reflected in reductions in expenditure on Youth Justice Services from £8 million in 2010-11 to £6.3 million in 2015-16. Over the same period average staff numbers across the YJA have also reduced by seven per cent.
- 3.5 The YJA told us that it no longer retains some historic grant arrangements with the voluntary sector. In line with ongoing work to reduce expenditure, the YJA made the decision to deliver the services previously provided through these grants using its own staff. One example of this is the bail support services.

Youth Justice Agency systems do not facilitate the identification of costs associated with its separate functions and activities

- 3.6 The YJA provided us with an analysis of costs of its core business functions: Youth Justice Services; Custodial Services and Corporate Services. However, it was unable to provide an analysis identifying separately the costs of specific youth justice disposals and interventions used in working with young offenders. This is important in providing the Department and the YJA with clearer evidence about their cost-effectiveness when allocating budgets and prioritising expenditure. The YJA told us that staff time is not recorded in a manner to facilitate this level of analysis.

Recommendation 3

The Department and the Youth Justice Agency should expand cost recording and analysis across the youth justice system, to enable them to assess the cost effectiveness and the return on investment on interventions aimed at reducing youth offending.

¹⁶ The Corporate Services budget includes the budget for NILGOSC employer's pension payments (£2.8 million for 2014-15) and the overall depreciation charge for the YJA (£0.5m). For example, in 2014-15, the contribution rate for NILGOSC was increased as the scheme was then regarded as being 'closed' and an additional £0.9 million of employer's contributions were made by the YJA.

Part Three:

Costs and resources

Keeping a young person in custody is expensive

- 3.7 In 2014-15 around 200 young people were involved with the YJA's custodial services. Custody for young people in Northern Ireland is provided through the Woodlands Juvenile Justice Centre (JJC), located at Bangor. It offers a range of services to support and help prevent young people sentenced to custody from reoffending. In addition, the JJC also provides a safe environment for young people on remand and acts as a place of safety for PACE¹⁷ purposes. Since November 2012 all young people under 18 years of age sentenced to custody in Northern Ireland, or held on remand or under PACE, have been located at the JJC.
- 3.8 At £6.9 million in 2015-16, custodial services costs reflect the largest element of YJA costs. The Criminal Justice Inspectorate for Northern Ireland (CJINI) published an inspection report on its review of the JJC at Woodlands, in Bangor, in 2015¹⁸. This report examined the costs of providing custody using two main measures – cost per place and cost per occupant¹⁹.
- 3.9 **Appendix 2** provides details of cost per occupant and cost per place for the six years to 2014-15, derived from cost and activity data provided to us by the YJA²⁰. The average cost per occupant

in Northern Ireland since 2009-10 is £324,000. Whilst high, the cost has reduced by 21 per cent since 2009-10, from £358,000 to £283,000, as average occupancy levels came closer to the optimal capacity of 36 occupants in 2014-15 (**Figure 7**).

- 3.10 The Department and the YJA are undertaking a potential re-purposing of Woodlands, to ensure that it addresses the needs of the children detained there (see **Appendix 1**). The intention is for the Centre to include a secure psychiatric facility; a secure rehabilitation unit; and a secure behavioural unit. As a first step, Woodlands is included in a review of Secure Care being undertaken by the Department of Health, which is due to report by July 2017.

The Department has not compared the cost of youth custody in Northern Ireland to costs in England and Wales

- 3.11 Costs of youth custody details are not published in Northern Ireland and the YJA has not undertaken any benchmarking of its costs against other regions. **Figure 8** compares the cost per place of keeping a child in custody at the JJC, with the accommodation options for children who have offended in England and Wales. While the JJC provides most of the functions of the

17 Police and Criminal Evidence (NI) Order under which a young person may be placed into custody. It means that they have been arrested and charged but Woodlands is considered the safest place for them to stay until a court hearing can be arranged.

18 CJINI (May 2015) An Announced Inspection of Woodlands Juvenile Justice Centre.

19 The cost per place calculates the cost of providing custody on the basis of the capacity available, while the cost per occupant measures cost on the basis of usage. Both measures are also calculated on the basis of costs excluding and including associated overheads representing the share of YJA corporate/administrative costs apportioned to the JJC.

20 While the JJC at Woodlands, Bangor has a maximum capacity of 48 places (including 8 girls), it is currently staffed to accommodate 36 young offenders.

Figure 7 Average cost of child custody, 2009-10 to 2014-15
The cost of child custody in Northern Ireland has reduced



Source: NIAO based on Department of Justice data

Figure 8 Average costs of custody per place in Northern Ireland, England and Wales, 2014-15
There is a broad range of costs across different institutions



Source: Youth Justice Agency

Part Three:

Costs and resources

three types of secure facility operating in England and Wales: Young Offender Institutions (YOIs), Secure Training Centres (STCs) and Secure Children's Homes (SCHs); it is not directly comparable to all of them. In particular, the YOI facility is fundamentally different to the model for the JJC. (**Appendix 3**).

- 3.12 The average cost per place in Northern Ireland was more than three times higher than in the type of facility with the lowest cost in England and Wales: £193,000 in Northern Ireland compared to £65,000 in England and Wales. In comparison to the most expensive type of facility in England and Wales, costs in Northern Ireland were around ten per cent lower.
- 3.13 Given continued pressures on budgets, there is an on-going need to monitor costs closely. With such significant variances in the cost of youth custody it is important that the Department and the YJA benchmark costs against the custodial arrangements in England and Wales and address the factors that contribute to custody costs in Northern Ireland. Publishing cost of custody data in a format similar to YOIs in England and Wales would facilitate such comparisons.
- 3.14 Historically, young people on remand, rather than on sentence, have made up the majority of the custodial population and account for half of all those processed through the JJC. During 2015-16, the average duration in custody was 68 days for young people sentenced to custody; 22 days for those young people held on remand; and one day for those held under PACE. Using

the average cost of custody calculations (**Appendix 2**), and assuming the maximum capacity of 48 occupants, we calculate an annual cost of £2.6 million for young people on remand; £2.1 million for young people sentenced, and £120,000 for those detained under PACE. Applying the average costs using the average cost per occupant since 2009-10, the costs increase to £4.3 million for young people on remand; £3.6 million for young people sentenced, and £202,000 for those detained under PACE.

- 3.15 Looked after children are disproportionately represented in the custodial population. Around one third of all those admitted to the JJC come from care backgrounds. There is evidence that custody is not used as a last resort for young offenders. Around half of PACE admissions result in release, which may indicate over use of detention. The Criminal Justice Inspector²¹ has reported a high rate of PACE admissions from Bangor police station, suggesting that proximity is a factor in the JJC being used for this purpose; police from further afield are less likely to take children there as a place of safety. The Youth Justice Review concluded that the JJC '*needs to change from being a remand centre to being what it was meant to be – a facility for young offenders sentenced to custody.*'

Recommendation 4

The Department and the Youth Justice Agency should examine the factors that contribute to the custody costs in Northern Ireland and benchmark costs against custodial arrangements in other UK regions. Cost of custody data should be published.

Part Four:

There are a range of interventions to reduce youth reoffending

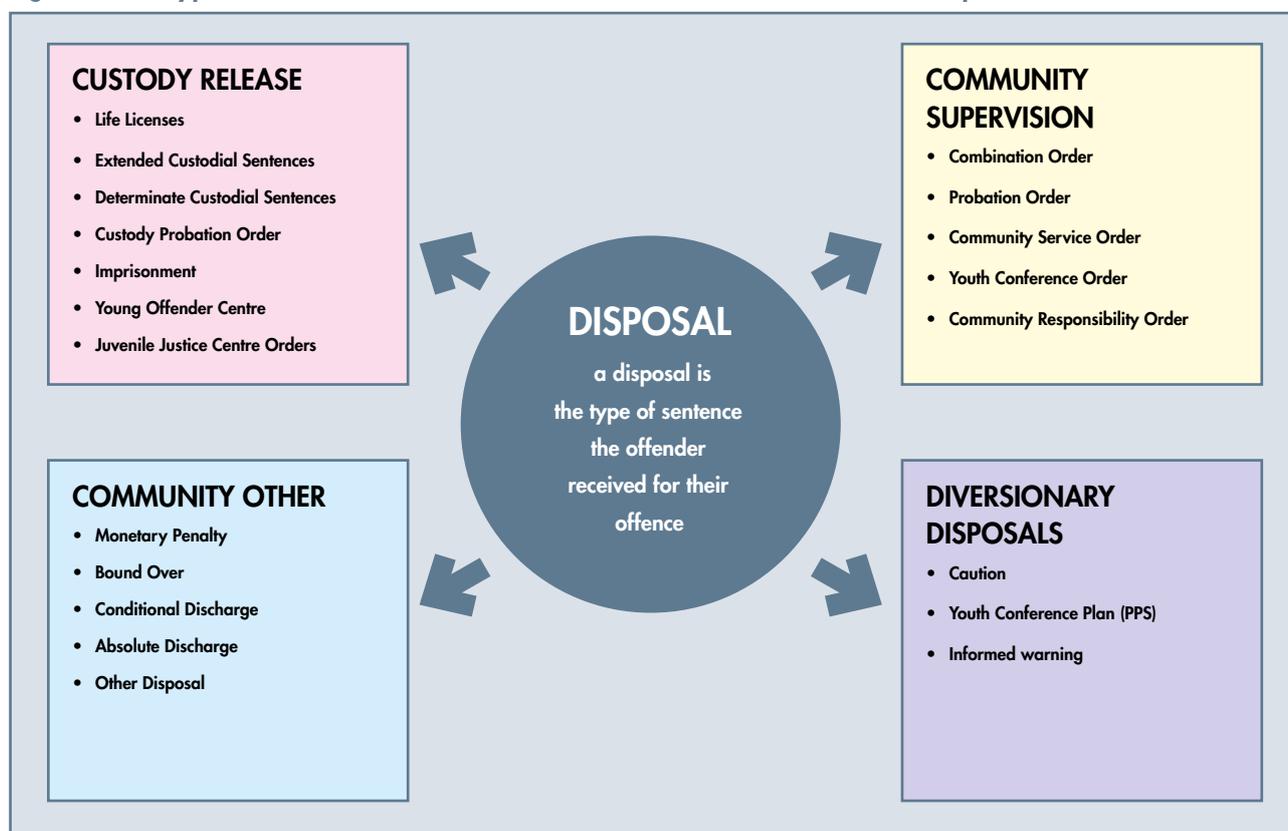
The type of sentence to deal with young offenders depends on their offending history

4.1 Since 2010-11 the level of youth reoffending has increased from 24 per cent to 28 per cent for 2013-14, peaking at 30 per cent in 2012-13. Dealing with young offenders depends on many factors including whether they are first time and/or low level offenders or more serious or repeat offenders. The type of sentence that is used to deal with an offence is termed a “disposal” and **Figure 9** sets out the main categories for disposal.

4.2 The methodology used to measure reoffending and collate statistics is similar to that used in England and Wales since 2001-02 and analyses offenders into the following categories (termed “Disposal Groups”);

- **Custody Release:** from a Juvenile Justice Centre (JJC).
- **Community Supervision:** Youth Conference Order; Probation Order; Community Responsibility Order; or Community Service Order.

Figure 9: The type of sentence that is used to deal with an offence is termed a “disposal”



Source: NIAO based on DOJ Statistical data

- **Community Other (non-supervision):** Conditional discharge; monetary penalty; suspended imprisonment; or bound over.
 - **Diversionsary Disposal:** Caution; informed warning; or youth conference plan.
- 4.3 In its reoffending statistics the Department defines an offence as a reoffence if it occurs within a one year observation period; was prosecuted by the PSNI; and has been committed within Northern Ireland. An explanatory note on the content of the offending and reoffending statistics is at **Appendix 4**.
- 4.4 The table at **Figure 10** provides a summary of the latest statistics available from 2013-14, showing an overall rate of reoffending (within a year) of 28 per cent in a total of 1,905 young offenders. A detailed analysis is provided at **Appendix 5**.
- 4.5 The average rate of reoffending across all disposal groups was 28 per cent. A total of 106 (20 per cent) of the 537 reoffenders committed another offence within the first month. By three months, 48 per cent had committed an offence.
- 4.6 Overall, 31 out of 35 (89 per cent) of young people released from custody reoffended, 68 per cent within the first three months; 90 per cent of those released who reoffended did so within the first six months. Those released from custody were also more likely to reoffend within the first month than those in other groups.
- There has been an increase in the use of methods which keep young people out of the formal justice system in recent years**
- 4.7 When young people are involved in incidents of crime and disorder, they are

Figure 10: Youth reoffending rate by disposal group 2013-14

Those released from custody are most likely to reoffend

| Disposal Group | Total | Reoffended | Reoffending Rate 2013-14 |
|------------------------|-------------|------------|--------------------------|
| Custody Release | 35 | 31 | 89% |
| Community Supervision | 317 | 180 | 57% |
| Community Other | 229 | 129 | 56% |
| Diversionsary Disposal | 1588 | 385 | 24% |
| Overall Total* | 1905 | 537 | 28% |

Source: DOJ - Adult and Youth Reoffending in Northern Ireland (2013/14 Cohort) Research and Statistical Bulletin 23/2016 August 2016

* Individual groups will not sum to the overall total as a young person may have been an offender in more than one group.

Part Four:

There are a range of interventions to reduce youth reoffending

referred to PSNI Youth Diversion Officers (YDOs), under the Youth Diversion Scheme²². YDO's, in conjunction with investigating officers, then make recommendations as to the most appropriate form of disposal.

4.8 The number of young people linked to a crime has declined in recent years, by around 30 per cent since 2009-10²³. In line with the reduction in youth crime, the number of referrals made to YDOs has decreased over recent years, with a corresponding increase in the use of alternative disposals, that is non-formal disposals such as advice, use of police discretion, letters to parents/guardians

and referral to an external agency for appropriate support. By 2014-15, these accounted for almost 40 per cent of all referrals. The remainder of referrals result in recommendations for formal disposals, whereby a case file is prepared and presented to PPS for decision.

4.9 The number of referrals/transactions has reduced to a lesser extent, by around 8 per cent. Urban areas²⁴ have experienced a smaller reduction in the rate of involvement with the YJA's Youth Justice Services than rural areas (**Figure 11**).

Figure 11: Referrals to the Youth Justice Agency
Referrals have decreased markedly since 2010-11

| District Area | Rate of involvement per 1000 Population | | | | | % change since 2010-11 |
|---------------------------------|---|---------|---------|---------|---------|------------------------|
| | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | |
| Antrim and Newtownabbey | 7.3 | 5.2 | 4.7 | 4.8 | 5.0 | -32 |
| Armagh, Banbridge and Craigavon | 6.2 | 5.2 | 4.8 | 5.0 | 3.7 | -40 |
| Belfast | 11.4 | 9.1 | 8.9 | 7.9 | 8.1 | -29 |
| Causeway Coast and Glens | 7.2 | 5.3 | 5.3 | 3.9 | 3.1 | -57 |
| Derry and Strabane | 6.3 | 6.2 | 6.6 | 6.9 | 5.5 | -13 |
| Fermanagh and Omagh | 7.2 | 6.3 | 5.3 | 6.4 | 4.4 | -39 |
| Lisburn and Castlereagh | 3.4 | 3.4 | 3.3 | 2.2 | 2.7 | -21 |
| Mid and East Antrim | 5.7 | 4.6 | 3.6 | 3.1 | 3.5 | -39 |
| Mid Ulster | 4.9 | 4.3 | 3.3 | 3.2 | 2.6 | -47 |
| Newry, Mourne and Down | 3.9 | 4.0 | 4.7 | 4.6 | 4.1 | +5 |
| Ards and North Down | 6.4 | 6.8 | 5.8 | 6.1 | 5.6 | -13 |

Source: Youth Justice Agency Analytical Services Data

22 The Youth Diversion Scheme provides a restorative framework for police to deal with children and young people under 18 years who come to their attention in relation to risk taking behaviour, involvement in offending or anti-social behaviour, or who are at risk in terms of their safety or well-being

23 Children and Young Peoples' contact with the Police – Five Year Trend Analysis March 2015 PSNI Policing with The Community Branch. Overall there has been a 31.3% reduction in the number of young people recorded on the NICHE records management system

24 Local council areas – Belfast, Derry & Strabane, North Down & Ards and Lisburn & Castlereagh

Youth conferencing has a central role in the response to youth crime

- 4.10 Conferencing has its origins in the development of restorative justice mechanisms, provided for in the Justice (Northern Ireland) Act 2002. It was introduced in 2004 and has operated across the whole of Northern Ireland since 2007. Although conferencing is a formal sanction and the actual conference itself requires the attendance of a police officer, its focus is restorative with provision for reparation, rehabilitation and the repairing of relationships.
- 4.11 Youth conferences seek to encourage young people to recognise the effects of their crime and take responsibility for their actions. They also devolve power by giving victim, offender and the community the opportunity to be actively engaged in the restorative process. A youth conference reflects the very start of a process where information is gathered and a plan is formulated, with input from the victim, in order to begin to address the issues that have led the young person to offend. Included in the intervention plan are strategies to support the young person to desist, as well as highlighting how they might make amends for the harm caused to the victim. Youth conferencing aims to balance the needs of the victim and the young offender by agreeing plans of action which satisfy the victim and create opportunities for the young person to make amends and stop committing crime.

- 4.12 There are different forms of conferences, which can be a Diversionary Youth Conference ordered by the PPS for less serious offences; or a Court Ordered Conference. Both require the full consent of the offender to participate in the conference. The resulting conference plan is agreed by the PPS or the court and when affirmed becomes a statutory order.

Although well regarded internationally, it has not been demonstrated that conferencing has reduced reoffending in Northern Ireland

- 4.13 The Youth Justice Review (see paragraph 2.3) concluded that youth conferencing had been a success and that restorative justice should be at the core of the youth justice system. It concluded that youth conferencing incorporates many of the characteristics most likely to reduce reoffending particularly where it operates on a timely basis. Previously, in 2010, the Great Britain based Independent Commission on youth crime and antisocial behaviour had studied 16 alternative criminal proceedings for responding to youth offending covering UK and international jurisdictions. It concluded that restorative youth conferencing systems, such as that adopted in Northern Ireland, provided the best approach.

Part Four:

There are a range of interventions to reduce youth reoffending

4.14 The Criminal Justice Inspectorate (CJINI) conducted reviews of youth conferencing in 2008, 2010 and 2014, with the most recent report published in March 2015. In 2008 it could not source reliable figures to show how effective conferencing was in reducing reoffending compared to the conventional justice system approach. It concluded that in principle, conferencing was a superior approach, but that the YJA would need to show that it is also serving the primary objective of the criminal justice system; that is, reducing reoffending. In its 2015 report, CJINI reported that there was still little by way of empirical evidence to support restorative conferencing as an effective mechanism for reducing reoffending.

4.15 In the absence of formal evaluation, CJINI noted other developments that sought to improve outcomes such as:

- **Recognition of the increased effectiveness of timely and proportionate interventions in challenging young people's offending behaviour.** This included increasing the proportion of diversionary conference plans undertaken in less than six months from 47 per cent in 2010-11 to 90 per cent in 2013-14; and halving the elapsed time in ratifying diversionary conference plans from 68 working days in 2010-11 to 34 in 2012-13;
- **Having the same staff member to work with a young person throughout the processes of a**

conference, right through to conclusion. Young people and parents or guardians advised CJINI inspectors 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;

- **Introducing the Intensive Supervision and Support Programme.** This programme is applied to the young people formally assessed as the highest risk²⁵, who enter into a much more intensive supervision regime designed to prevent them from reoffending.

4.16 YJA's activities focus on building a relationship between the young offender and the YJA practitioner based around the assessed needs of the young person and the agreed content of youth conference plans in support of changing behaviour. However, to date, there remains a lack of clear evidence on the impact of these measures

Earlier assertions that youth conferencing has been a success are not necessarily supported by subsequent evidence

4.17 The Youth Justice Review concluded that youth conferencing provided the best approach and that restorative justice should be at the core of the youth justice system. That conclusion was based

25 The YJA 2014-15 Annual Report notes that ISSP was applied to 78 young people

on the Review's own observations and views of others consulted as part of the review process. The conclusion was also based on improvements in reoffending outcomes between 2007 and 2008 which were described as looking encouraging, particularly for diversionary youth conferences where the rates of reoffending had been 22 per cent and 20 per cent respectively. In contrast between 2007 and 2008 the community based disposals (such as probation orders or attendance centre orders) reoffending rates increased from 44 to 50 per cent and court ordered youth conferences increased from 38 to 42 per cent.

- 4.18 More recent figures show that rates of reoffending in all of the categories for non-custodial disposals have increased since 2010-11 (**Figure 12**). This includes the rates of reoffending for diversionary and court ordered youth conferences.

There is no strong evidence base as to what works to reduce youth offending locally

- 4.19 The YJA does not operate a programme based model of intervention, rather its activities focus on building a relationship between the young offender, based around the assessed needs of the young person and (where applicable) the agreed content of youth conference plans, in support of changing behaviour. Within the custodial setting, interventions include education and training. However, opportunities to address behaviour through other interventions can be limited where, due to the lack of admission of guilt, activity to address offending behaviour would be inappropriate. This is particularly the case for those held on remand which is traditionally the largest element of the custodial population.

Figure 12: Reoffending rates for youth conferencing and other non-custodial disposals by year
1 in 2 young offenders disposed through Youth Conferencing Orders reoffend

| Disposal | 2010-11 | 2011-12 | 2012-13 | 2013-14 |
|--|-----------|-----------|-----------|-----------|
| | % | % | % | % |
| Youth Conference Order | 54 | 58 | 56 | 56 |
| Community Supervision | 54 | 56 | 56 | 57 |
| Community Other | 43 | 48 | 51 | 56 |
| PPS Ordered Youth Conference Plan | 31 | 36 | 35 | 32 |
| Diversions Disposals | 19 | 26 | 27 | 24 |
| All Disposals | 24 | 29 | 30 | 28 |

Source: Department of Justice

Note: While PPS ordered Youth Conference Plans are part of diversionary disposals, in the hierarchy of diversionary disposals, they are a more serious sanction based on the length of time the offence remains on a person's record and the formality of the process around the disposal itself.

Part Four:

There are a range of interventions to reduce youth reoffending

4.20 Much of the practice in the YJA is driven by theory and research. Its approach means that interventions are not assessed in terms of the effectiveness of particular programmes of interventions on re-offending. There is no strong evidence supporting what works in terms of activities/interventions applied to reduce youth offending.

4.21 Some interventions are mandatory, but many are discretionary and therefore require the Department, its agencies and other public bodies to make informed decisions about how best to spend money. Identification of the costs of the various interventions is the cornerstone of this process and assessing the cost effectiveness and return on investment on interventions aimed at reducing young offending is the foundation for delivering value for money. Currently, the Department and the YJA lack the capacity to identify and apportion costs against separate functions and activities. Consequently, they cannot assess the cost-effectiveness of interventions and their value for money.

Recommendation 5

Activity to reduce offending among young people should be focused towards those interventions with proven impact and supported by evidence about the cost-effectiveness of interventions.

There are indications of what interventions work elsewhere

4.22 Research in England and Wales²⁶ provides some evidence of what types of interventions work to reduce offending, highlighting two broad findings:

- young people who had more frequent face to face contacts with their youth justice practitioner were less likely to reoffend; and
- contacts relating to '*cognitive and lifestyle*' issues produce a reduction in reoffending (regardless of whether the young person had an assessed risk in these particular areas).

4.23 Contacts relating to '*cognitive and lifestyle*' issues are those addressing issues/assessed risk associated with lifestyle; perception of self and others; thinking and behaviour; attitudes to offending; and motivation to change. It can include meetings and activities covering life skills, mentoring, anger management, victim awareness, cognitive/behaviour skills, offending behaviour, constructive pursuits and reparation.

4.24 Since 2015, the YJA has been operating a similar model to this where the Youth Justice Services practitioner works on a one-to-one basis with the young person, not only in the community but also

throughout any detention period. Youth Justice Services staff now fulfil the role of supervising officer for young people released on license in the community instead of the Probation Board for Northern Ireland. The YJA told us that this has improved working relationships, reduced the number of professionals involved and removed the potential for confusion for young people as to who is working with them.

YJA records on interventions are incomplete

4.25 In the absence of direct evaluation evidence identifying the effectiveness of the particular activities/interventions applied by the YJA in reducing offending, we sought data for the interventions applied by the YJA in 2013-14. Interventions used for dealing with children in custody and those in the community will be different and this is reflected in the way the YJA record intervention data. Community interventions are recorded on the basis of completed conference plan elements, while Custodial Services Division records on the basis of individual sessions/meetings undertaken. While each service has its own information requirements, we found that the YJA's database records were incomplete.

4.26 Interventions data provided by the YJA identifies over 1,200 completed, ratified conference plans during 2013-14. On average, each plan was made up of between two or three separate elements – in total over 3,400 component

parts. In line with available options (as identified in law), these included payment/compensation, supervision, reparation, restrictions on the individual, and community service. While activity detail on conference plans was recorded in the YJA database, it was not held in a format that facilitated summary or analysis. The YJA retained detail in relation to programmes undertaken by young offenders as part of their youth conference plans. However, this was incomplete with only half of programme details available. The bulk of programme interventions are provided internally by YJA staff, although, again, provider data was incomplete.

4.27 The Department told us that the YJA has addressed many of these issues by introducing a "one child, one file" system in 2014-15, but there are limitations inherent in the dated database system. Given that information held on programmes undertaken by young offenders as part of their youth conference plans is incomplete, it is difficult to draw conclusions on the nature of the interventions applied by the YJA. The data available highlights a particular prevalence of drug and alcohol issues among those coming into contact with Youth Justice Services, issues that need to be addressed before any other behavioural type issues. The recorded programme detail suggests that both community based interventions and those applied in custody appear to reflect the beneficial 'cognitive and lifestyle' interventions identified in Ministry of Justice research (see paragraph 4.22).

Part Four:

There are a range of interventions to reduce youth reoffending

Recommendation 6

Complete records are necessary to any assessment of the effectiveness of interventions to address offending behaviour. The Youth Justice Agency should ensure that all interventions are recorded adequately and consistently to facilitate comparison of their effectiveness.

Conferencing may not address the needs of prolific offenders

4.28 We undertook a review of a small number of case files. The sample was not intended to be representative of the wider population of young people involved with Youth Justice Services, approximately 1,000 cases in a year. Indeed, the seven examples identified by the YJA, were selected to illustrate its more complex cases. All cases were active in the 2015-16 year. The individuals involved ranged in age from 14 to 17, with the majority 17 years of age. These cases showed a history of offending, with multiple referrals and involvement with Youth Justice Services over periods of time ranging from 11 months to more than 3 and a half years. While the particular referrals related to diversionary and court ordered youth conferences, the young people involved had experienced the full range of disposals – discretionary, diversionary and court ordered (including custodial sentences). In most cases, the young person was recorded as having spent time on remand.

4.29 While it was difficult to identify the full nature of the contacts and interventions

applied from the information provided, files did record participation in mentoring; drug and alcohol support; family therapy; mental health services; car crime; and anger management programmes. These interventions were designed to address the particular issues identified in the risk assessments undertaken by Youth Justice Service's staff.

4.30 The main YJA assessment, which is undertaken usually in all cases, broadly attempts to identify the issues which result in the individual's offending behaviour. On the basis of an overall risk score, assessments indicate the level of intervention required and, in this regard, support the development of conference plans. Assessments are regularly updated throughout the period the young person is involved with Youth Justice Services. Our review identified only one case where the risk of reoffending decreased over time. In all other cases, the risk of reoffending showed an increase over time or remained broadly unchanged. In our view, this suggests that the interventions applied were ineffective in addressing the underlying causes of offending behaviour. Given the multiple conferences undertaken in these cases, this calls into question the effectiveness of conferencing in complex cases involving prolific young offenders.

4.31 As discussed in paragraph 4.11, the youth conference is an opportunity for the young person and the victim to meet, where information is gathered and a plan is formulated, with input from the victim, in order to begin to address the

issues that have led the young person to offend. Less than 50 per cent of victims actually attend youth conferences²⁷. However, this level of direct victim engagement is significantly higher than restorative justice interventions in other jurisdictions.

Recommendation 7

The Department and the Youth Justice Agency should evaluate the effectiveness of youth conferencing in the cases of prolific offenders.

²⁷ The YJA has a target that youth conferences include a direct victim, or an individual representing the victim where a victim has been clearly identified, in attendance in 45 per cent of cases. It reported 47 per cent achieved in 2015-16.

Appendix 1:

Background to the Scoping Study (Provided by Department of Justice)

The Scoping Study into children in the justice system produced a series of proposals which were summarised during an Oral Statement in the Assembly by the Justice Minister in March 2016. This announcement included the establishment of an implementation group comprising senior officials from all relevant organisations and Departments, tasked with developing detailed recommendations for consideration by the Executive and wider public consultation in the next mandate.

Following the May 2016 Election and the appointment a new Justice Minister, the originally envisaged Implementation Group was replaced by a plan to take forward actions on a bilateral basis with each organisation or Department involved, preceded by a series of Ministerial meetings. These meetings were underway when the Assembly suspended. At officials' level, work has, however, been progressing throughout this process on three strands: repurposing of Woodlands; legislative preparation; and early intervention.

Repurposing of Woodlands

One of the proposals in the Scoping Study concerns the need to repurpose Woodlands into a multi-use facility which encompasses a secure psychiatric unit, a secure rehabilitation unit and a behavioural unit. It is also the proposal which has the most implications for the other proposals in the Study. So, for example, the issues identified in terms of the use of PACE, bail and remand, the need for Social Services to assist when a child is at a police station, and the artificial barrier between Health and Criminal Justice when it comes to who is responsible for addressing the welfare needs of a child involved in the justice system, can all be resolved through addressing the locus of Woodlands and the purpose it serves.

As a result, the repurposing of Woodlands is the priority area for taking forward the proposals in the Scoping Study. Following discussions with senior Department of Health and Department of Justice officials in late 2016, the Department of Health agreed to include Woodlands in the scope of the independent Review of Secure Facilities. This Review has since commenced and is due to report before July 2017.

Legislative Preparation

Several of the proposals within the Scoping Study require legislation to be put in place. A 'Children's Bill' has been put onto the Departmental Legislative Programme with a view to introduction in 2020. The intention is to use this Bill to consolidate all legislation pertaining to children in justice into one place. The Bill would also repeal all orders relating to community and custodial disposals for under-18s and create one new community order and one / two custodial orders. It may also include provisions relating to the use of remand and of bail, including the possible introduction of a 'real prospects' test and the potential removal of the Juvenile Justice Centre as a Place of Safety.

Options are also being explored around the introduction of a presumption against arrest for under-18s, the introduction of voluntary compliance with a judge-ordered plan and new diversionary police and

PPS cautions which would not attract a criminal record, some, or all, of which may require legislation. Until a decision is made on the repurposing of Woodlands, however, it is not possible to provide more than a broad outline of what the Bill may cover, as this will have an impact on most of the areas to be covered. By way of example, the custodial order would look entirely different if its purpose was to send a child to a multi-purpose centre operated by Health than it would if it was a traditional justice disposal. Preparation for the Bill is well underway, and a consultation paper is currently being prepared.

Early Intervention

There is general acceptance and support for the concept of early intervention across government departments, statutory organisations, and the voluntary and community sectors in Northern Ireland. It is widely accepted that the primary prevention of offending is best located outside the justice system; delivered through good quality universal services, augmented by targeted additional support for individuals and groups with the greatest level of need.

The Scoping Study has provided an opportunity for justice organisations to reconsider how they, in partnership with others from the statutory, voluntary and community sectors, can help to reduce the number of first time entrants into the formal youth justice system, and divert as many young people as possible from it at the earliest possible stage.

The YJA has received funding from the Early Intervention Transformation Programme to help it refocus some of its resources towards earlier stage intervention. It hopes that learning from this pilot will help inform strategy and future practice. The Children Young People and Offending Regional Subgroup of the Children and Young People's Strategic Partnership (CYPSP) acts as a strategic reference group to the YJA Early Intervention Transformation Programme.

In addition to the above CYPSP regional subgroup, a short-life criminal justice sector working group has been established to help justice organisations to develop a consistent view about their role in early intervention. It is envisaged that this group will reach a shared position on the role of the justice sector in early intervention, and that this can help provide a basis for discussion with other departments.

Appendix 2: Cost of Custody Calculations

Northern Ireland

Cost of Custody

| Year | Cost Excluding Overheads £ | Cost Including Overheads £ | Education/ Medical Costs £ | Cost Excluding Overheads and Education/ Medical Costs £ | Cost Including Overheads and Education/ Medical Costs £ |
|---------|-------------------------------|-------------------------------|----------------------------------|---|---|
| 2009-10 | 7,599,189 | 10,722,430 | 1,048,507 | 6,550,682 | 9,673,923 |
| 2010-11 | 7,283,815 | 9,598,519 | 984,359 | 6,299,456 | 8,614,160 |
| 2011-12 | 7,460,565 | 9,858,906 | 1,023,264 | 6,437,301 | 8,835,642 |
| 2012-13 | 7,750,118 | 10,541,556 | 1,022,946 | 6,727,172 | 9,518,610 |
| 2013-14 | 7,835,966 | 10,227,544 | 1,027,417 | 6,808,549 | 9,200,127 |
| 2014-15 | 7,703,580 | 10,625,114 | 986,487 | 6,717,093 | 9,638,627 |

Source: Youth Justice Agency

Cost of youth custody: Northern Ireland vs England and Wales (2009-10 to 2014-15)

Northern Ireland

| Year | Capacity | Average Occupancy | Cost per Place | | Cost per Occupant | |
|----------------|----------|-------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | | | Excluding Overheads £ | Including Overheads £ | Excluding Overheads £ | Including Overheads £ |
| 2009-10 | 48 | 27 | 136,473 | 201,540 | 242,618 | 358,293 |
| 2010-11 | 48 | 27 | 131,239 | 179,462 | 233,313 | 319,043 |
| 2011-12 | 48 | 28 | 134,110 | 184,076 | 229,904 | 315,559 |
| 2012-13 | 48 | 29 | 140,149 | 198,304 | 231,971 | 328,228 |
| 2013-14 | 48 | 27 | 141,845 | 191,669 | 252,168 | 340,745 |
| 2014-15 | 48 | 34 | 139,939 | 200,805 | 197,562 | 283,489 |
| Average | | | 137,293 | 192,643 | 231,256 | 324,226 |

Source: Youth Justice Agency

Note: For the purpose of comparison, we have excluded education and medical costs, which are funded differently in England and Wales

England and Wales (Young Offender Institutions)

| Year | Cost per Place | | Cost per Occupant | |
|----------------|---------------------|---------------------|---------------------|---------------------|
| | Excluding Overheads | Including Overheads | Excluding Overheads | Including Overheads |
| | £ | £ | £ | £ |
| 2009-10 | 45,705 | 58,456 | 62,199 | 79,551 |
| 2010-11 | 45,501 | 56,106 | 63,420 | 78,202 |
| 2011-12 | 47,858 | 57,494 | 63,723 | 76,553 |
| 2012-13 | 48,143 | 57,428 | 84,158 | 100,388 |
| 2013-14 | 37,939 | 49,354 | 72,858 | 94,780 |
| 2014-15 | 38,138 | 51,479 | 64,660 | 87,280 |
| Average | 43,881 | 55,053 | 68,503 | 86,126 |

Source: Ministry of Justice Information Release: Costs per place and costs per prisoner, National Offender Management Service Annual Report and Accounts, Management Information Addendum for the years 2009-10 to 2014-15, Male YOI (15-17)

The average cost of youth custody in Northern Ireland is three to four times higher than YOIs in England and Wales

| | Average Cost per place | | Average Cost per occupant | |
|-----------------------|------------------------|---------------------|---------------------------|---------------------|
| | Excluding Overheads | Including Overheads | Excluding Overheads | Including Overheads |
| | £ | £ | £ | £ |
| Northern Ireland | 137,293 | 192,643 | 231,256 | 324,226 |
| England & Wales | 43,881 | 55,053 | 68,503 | 86,126 |
| Difference (%) | 313% | 350% | 338% | 376% |

Source: Youth Justice Agency for NI data and Ministry of Justice for England and Wales

Note: the majority of young offenders in custody in England and Wales are held in YOIs. Some, however, are held in Secure Training Centres and Secure Children's Homes. Latest published data (for 2012-13, contained in the Ministry of Justice consultation 'Transforming Youth Justice', indicates that average cost per place at these other establishments was £178,000 and £212,000 respectively.

Appendix 3: Secure Estates in England, Wales and Northern Ireland

| England and Wales | Northern Ireland |
|---|---|
| <p>Young Offender Institutions (YOIs):</p> <ul style="list-style-type: none"> • 40-440 beds in size, usually divided into smaller units of 30-60 beds • Accommodate 15-17 year old boys and some 17 year old girls • Currently 11 in England and Wales, eight male and three small female units. Nine are run by HM Prison Service and two by private contractors. • YOIs provide 15 hours education per week (plus 10 hours purposeful activity) • Average cost per place per annum is £65,000 | <p>Juvenile Justice Centre (JJC) at Woodlands, Bangor</p> <ul style="list-style-type: none"> • Small, purpose-built custodial facilities for 10-17 year olds • Maximum occupancy of 48, divided into 6 houses, sub-divided into 4 bed stand-alone units • The majority of young people are aged 15-17, although young, vulnerable children can also be placed here • Accommodates males and females, with females in a separate house • 23+ hours of education and activity per young person per week • Average cost per place per annum: £193,000 |
| <p>Secure Training Centres (STCs)</p> <ul style="list-style-type: none"> • Purpose-built custodial facilities for 12-17 year-olds • 58-87 beds divided into small blocks holding 5-8 young people • Currently four STCs, all run by private contractors • STCs provide 25 hours education per week • Average cost per place per annum is £178,000 | |
| <p>Secure Children's Homes (SCHs)</p> <ul style="list-style-type: none"> • Smaller facilities run by local authorities with between 8-40 beds • Provide for 10-17 year olds, including some of the youngest and most vulnerable. • Also accommodate children looked after by local authorities where courts have authorised that they may be detained for welfare reasons. • Provide 30 hours education per week • Average cost per place per annum is £212,000 | |

Source: Youth Justice Agency and Transforming Youth Custody, a consultation paper published by Ministry of Justice in February 2013.

Appendix 4: Statistics on Youth Reoffending in Northern Ireland

Disposal Group and Tables Published

Offenders are analysed by individual sanctions or disposal and grouped into four categories of disposal which reflect different degrees of sanction/supervision within the criminal justice system;

- **Custody Release** (from JJC);
- **Community Supervision** – eg; Youth Conference Order, Probation Order, Community Responsibility Order, Community Service Order
- **Community Other [non-supervision]**– eg; Conditional Discharge, Monetary Penalty, Suspended Imprisonment, Bound Over;
- **Diversionsary Disposal** – eg; Caution, Informed Warning, Youth Conference Plan.

The total number of offenders and reoffenders in each annual cohort is less than the sum of the four disposal groups, as individual offenders may be counted in two or more disposal groups. Likewise the totals in each disposal group are almost invariably less than the totals of the individual disposals. For example in 2012-13, the total number of offenders were 2,298, but the sum of the disposal groups was 2,587.

There are seven tables in all three publications;

- Reoffending Rate by Age and Gender [including the overall rate];
- Reoffending Rate by Disposal Group;
- Reoffending Rate by Baseline Offence Category;
- Reoffending Interval by Disposal Group (ie the length of time between the original offence or a release from custody and the [first] act of reoffending);
- Number of Proven Reoffences (those who committed 11 or more are aggregated);
- Reoffending Rate by Number of Previous Offences (those who committed 7 or more are aggregated); and
- Reoffending Rate by Specified and Serious Offences.

There are additional tables in the statistics including a reoffending rate by age at first recorded offence, in which youth offending and adult offending are analysed in the same publication.

Source: DOJ - Adult and Youth Reoffending in Northern Ireland (2013/14 Cohort) Research and Statistical Bulletin 23/2016 August 2016

Appendix 5: Statistics on Adult and Youth Reoffending in Northern Ireland 2013-14

Reoffending rate by Disposal

| Disposal Group | Disposal* | Number of Young Offenders | Reoffended | One year Proven Reoffending Rate** |
|-------------------------------|---------------------------------|---------------------------|------------|------------------------------------|
| Custody Release | Life Licenses | 0 | 0 | - |
| | Extended Custodial Sentences | 0 | 0 | - |
| | Determinate Custodial Sentences | 3 | 2 | - |
| | Custody Probation Order | 0 | 0 | - |
| | Imprisonment | 0 | 0 | - |
| | Young Offender Centre | 9 | 7 | - |
| | Juvenile Justice Centre Orders | 24 | 23 | - |
| Total | | 35 | 31 | - |
| Community Supervision | Attendance Centre | 0 | 0 | - |
| | Combination Order | 12 | 8 | - |
| | Probation Order | 38 | 28 | - |
| | Community Service Order | 18 | 9 | - |
| | Youth Conference Order | 257 | 143 | 55.6% |
| | Community Responsibility Order | 35 | 24 | - |
| Total | | 317 | 180 | 56.8% |
| Community Other | Suspended Imprisonment | 31 | 18 | - |
| | Monetary Penalty | 77 | 33 | 42.9% |
| | Bound Over | 1 | 0 | - |
| | Conditional Discharge | 96 | 65 | 67.7% |
| | Absolute Discharge | 5 | 4 | - |
| | Other Disposal | 44 | 28 | - |
| Total | | 229 | 129 | 56.3% |
| Diversionsary Disposal | Cautions | 687 | 181 | 26.3% |
| | Youth Conference Plan (PPS) | 457 | 145 | 31.7% |
| | Informed Warning | 572 | 113 | 19.8% |
| | Total | 1,588 | 385 | 24.2% |
| Overall Total | | 1,905 | 537 | 28.2% |

*Individual disposals will not sum to disposal groups or overall total. For each of these groupings only, the first instance a person is included in this category is counted.

**Percentage cannot be shown as denominator is less than 50.

Source: DOJ - Adult and Youth Reoffending in Northern Ireland (2013/14 Cohort) Research and Statistical Bulletin 23/2016 August 2016

NIAO Reports 2016 and 2017

| Title | Date Published |
|---|-------------------|
| 2016 | |
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| Continuous Improvement Arrangements in Policing | 08 March 2016 |
| Local Government Code of Audit Practice | 31 March 2016 |
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| Renewable Heat Incentive Scheme | 05 July 2016 |
| The National Fraud Initiative: Northern Ireland | 07 July 2016 |
| The Rivers Agency: Flood Prevention and Management | 13 September 2016 |
| Local Government Auditor's Report 2016 | 20 September 2016 |
| Northern Ireland Public Sector Voluntary Exit Schemes | 11 October 2016 |
| Managing Emergency Hospital Admissions | 08 November 2016 |
| Financial Auditing and Reporting: General Report by the Comptroller and Auditor General for Northern Ireland – 2016 | 06 December 2016 |
| 2017 | |
| Continuous Improvement Arrangements in Policing | 04 April 2017 |
| Management of the Transforming Your Care Reform Programme | 11 April 2017 |
| Special Educational Needs | 27 June 2017 |



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