

Middlesex University Research Repository

An open access repository of

Middlesex University research

<http://eprints.mdx.ac.uk>

Ward, Jennifer ORCID: <https://orcid.org/0000-0002-3018-2859> and Warkel, Kathryn (2015) Northampton Youth Offending Service review panel evaluation. Project Report. Middlesex University, London. . [Monograph]

Published version (with publisher's formatting)

This version is available at: <https://eprints.mdx.ac.uk/17381/>

Copyright:

Middlesex University Research Repository makes the University's research available electronically.

Copyright and moral rights to this work are retained by the author and/or other copyright owners unless otherwise stated. The work is supplied on the understanding that any use for commercial gain is strictly forbidden. A copy may be downloaded for personal, non-commercial, research or study without prior permission and without charge.

Works, including theses and research projects, may not be reproduced in any format or medium, or extensive quotations taken from them, or their content changed in any way, without first obtaining permission in writing from the copyright holder(s). They may not be sold or exploited commercially in any format or medium without the prior written permission of the copyright holder(s).

Full bibliographic details must be given when referring to, or quoting from full items including the author's name, the title of the work, publication details where relevant (place, publisher, date), pagination, and for theses or dissertations the awarding institution, the degree type awarded, and the date of the award.

If you believe that any material held in the repository infringes copyright law, please contact the Repository Team at Middlesex University via the following email address:

eprints@mdx.ac.uk

The item will be removed from the repository while any claim is being investigated.

See also repository copyright: re-use policy: <http://eprints.mdx.ac.uk/policies.html#copy>

Northampton Youth Offending Service Review Panel Evaluation

**Authors: Dr. Jenni Ward and Ms.
Kathryn Warkel
Middlesex University,
London, United Kingdom**

July 2015

Acknowledgments

The research for this evaluation was facilitated by the organisation and professionalism of the Northampton Youth Offending Service, to whom we are grateful. We would like to extend special thanks to the participants of the panels, for allowing us to observe their involvement. Particular thanks go to the young people. We wish you all the best with your futures.

About the authors

Dr. Jenni Ward is a Senior Lecturer in Criminology at Middlesex University. Jenni's research interests are justice administration in the lower criminal courts, criminal court sentencing, young people growing up in state care and young 'careleavers', drugs law enforcement and the punishment of drug offenders. She is the author of several journal papers and is currently writing a book for the 'Routledge Frontiers of Criminal Justice Series'.

Ms. Kathryn Warkel is an international student on the MSc. Criminology with Forensic Psychology programme at Middlesex University. Kathryn has her Bachelors' degree in Psychology and Sociology with a minor in Criminal Justice from the University of Wisconsin-Milwaukee, and has worked in youth and adolescent residential treatment services.

Contents

	Pg. nos
Acknowledgments.. .. .	2
About the Authors.. .. .	2
Introduction and Background to the Evaluation.. .. .	4
Youth Justice Policy Context.. .. .	4
Aims and Objectives of the Youth Order Review Panels.. .. .	5
The Problem-solving Approach.. .. .	6
The Youth Order Review Panel Model.. .. .	6
Programme Evaluation Methods.. .. .	7
Depth Discussions with the YOS Operations Manager.. .. .	8
Interviews with Participating Youth Court Magistrates.. .. .	8
Observation of a Magistrates' Training Day.. .. .	8
Panel Observations and Evaluation.. .. .	9
The Young People as Panel Participants.. .. .	10
Youth Order Review Panel Findings and Evaluation.. .. .	10
Youth Offending Case Worker Involvement.. .. .	14
Panel Evaluations: Outcomes and Analysis.. .. .	14
Conclusion.. .. .	15
References.. .. .	17

Introduction and Background to the Evaluation

This report is the result of a brief pilot evaluation of the ‘Youth Order Review’ panels set up by the Northampton Youth Offending Service (hereafter NYOS) in conjunction with youth court magistrates. The evaluation has been carried out by Middlesex University researchers and took place over a nine month period between November 2014 and July 2015.

The Youth Order Review panels were set up to trial a model of service delivery designed to give a motivational push to a young person serving time on a Youth Rehabilitation Order (YRO)¹ imposed by the courts. The NYOS team was finding among their client group that while positive and good progress was achieved with a young person at the start of their ‘Order’, the impetus for some took a dip after this initial engagement period, with the risk of ‘breach’ proceedings coming into play. The purpose of establishing the Youth Order Review panels was to provide a forum within the NYOS where specifically identified young people are drawn in, and communicated with in an informal and supportive way. This is in the hope of achieving improved outcomes, such as the successful completion of their Orders, alongside addressing wider social and lifestyle factors that might be impacting upon their engagement.

Youth Justice Policy Context

The implementation of the Youth Order Review panels can be located within the broader youth justice policy context where there is a continued appraisal of trends in youth crime, and the seeking of appropriate and effective responses to reduce offending and enhance rehabilitation and reintegration. Local youth offending services contribute to this remit (Youth Justice Board, 2013). Within UK youth justice, the recent period has seen keenness towards a reduction in the youth custody population, and the diversion of young people from criminal prosecution where possible (Bateman, 2015). There are also calls for a greater appreciation of the often multiple and complex welfare needs of young people who offend (Carlile, 2014; Porteous, Adler and Davidson, 2015). The 2014 independent inquiry chaired by Lord Carlile into the operation and effectiveness of the youth courts requested improved, more age appropriate ways in which children and young people experience criminal prosecution and court processes. Moreover, in recognition of the usual early disadvantage of many young offenders, the report recommended testing models of problem-solving approaches and the involvement of youth court magistrates in overseeing the progression of a young offender’s rehabilitation (2014: 63).

Statutory youth offending services² are tasked with providing multi-agency partnership approaches in their rehabilitative work with young offenders, and have a degree of autonomy and flexibility in the design and delivery of service provision (Northampton Youth Offending Services, 2014). This leaves room for localised initiatives and the trialling of new approaches. The Northampton innovation in the form of Youth Order Review panels sits within this flexibility. The idea was added to through principles of sharing ‘good practice’ across youth offending services, and inspiration garnered from the Wrexham YOS. The Wrexham YOS had put in place ‘review and congratulate panels’ with youth offenders under their supervision with positive results (H.M Inspectorate of Probation, 2014: 29).

¹ A YRO is a court sanctioned order served to a young person between the age of 10 and 17 years old who is found guilty, or pleads guilty to a specific criminal offence. The Order is overseen by local youth offending services and has an element of punishment, restorative justice, or reparation combined with a co-ordinated, sometimes multi-agency team approach assisting the young person to address their ‘criminogenic’ needs and supporting them to participate fully in education, training or employment. They are referred to as high-level community orders.

² Youth Offending Teams were established under the Crime and Disorder Act 1998.

Northamptonshire has a history of paving the way with progressive programs in youth justice. Hinks and Smith (1985), reported in the 1980s on the establishing of the Juvenile Liaison Bureau (JLB) bringing together previously fragmented operation across the Police and Social Services to divert ‘juveniles’ from criminal prosecution. Today, across the County there is a lively commitment to the futures of young people and to effective youth justice services (H.M. Inspectorate of Probation, 2015). This is evidenced in a number of innovative ways (see the NYOS website www.n-yos.org.uk)³, and extends to leading on contemporary youth justice policy debates. The locally organised daylong seminar ‘*Should Youth Justice Be Decriminalised?*’ hosted by Northampton University in November 2014 involved high level youth justice policy actors, parliamentarians, and youth court justices in frank and challenging discussions on youth justice and youth as a priority for investment (Goble and Baker, 2014). Activities of this kind provide a supportive backdrop to the work being developed by the NYOS in the form of the Youth Order Review panels evaluated in this report.

The Northampton Youth Offending Service incorporates three teams- the South team (Northampton and outlying areas); the North team (Corby, Kettering & Wellingborough), and the Court team (covering both the North and South areas), with the latter carrying caseloads across the county. There is ambition to extend the model of the Youth Order Review panels out to the North, though this report only covers activity generated from the South team.

Aims and Objectives of the Youth Order Review Panels

The NYOS set up the Youth Order Review panels to meet a number of desired goals. First, it was hoped through a review panel style, and problem-solving approach, acknowledging a young person’s progress on a YRO, combined with positive encouragement, and implementing tailored support, that young people under YOS supervision might more successfully complete their court sanctioned Orders. An additional goal was to test the approach of involving youth court magistrates in a young person’s rehabilitation pathway. This draws on the principle of ‘sentencer supervision’ as applied in the problem-solving court way (Ward, 2014).

The goals are in tune with the reality that many young offenders have, and do experience troubled and problem family backgrounds with sometimes multiple care, accommodation, and education disruptions (Porteous, Adler and Davidson, 2015). Northampton’s ambitions to put in place responses which support young people, and affirm their progress, while at the same time holding them accountable for their actions is considered a beneficial way of working with this client group. It is very much articulated within this that the small incremental steps a young person makes towards leading a socially included, law abiding life need to be acknowledged.

In light of the overall goals of the review panels the specific outcomes the NYOS were hoping to achieve were as follows:

1. A young person’s changed attitude towards the courts and their court orders (i.e. YROs)
2. An improvement in a young person’s engagement with their ‘Order’
3. Reducing the rate of breach on a YRO

³ The NYOS received ‘The High Sheriff award’ in March 2015 by the outgoing sheriff Mrs. Anne Burnett for the useful youth work carried out across the county.

Given the short time frame of the evaluation period, it has not been possible to assess these outcomes beyond the immediate evaluation period, but there are indications the positive support provided within the review panels is producing encouraging results.

The Problem-solving Approach

The Youth Order Review panels are a ‘problem-solving approach’ applied to a young offender’s correction and rehabilitation path, and involves sentencing youth court magistrates in the process. The model being implemented maps directly onto the innovations introduced within the problem-solving courts movement originating in the specialist drug courts of the USA in the 1980s (Nolan, 2001). Problem-solving courts have emerged as a popular approach to working with offenders whose crime can be linked to broader lifestyle factors, such as drugs and alcohol misuse, mental ill-health, family and domestic dysfunction, homelessness etc. Problem-solving courts have grown substantially in number, across offending issues (i.e. family violence courts, mental health courts), and across jurisdictions (see Ward, 2014 for a wider discussion of problem-solving courts). The key differential elements in the problem-solving court approach, to that of the usual criminal justice approach is they are underpinned by the construct of ‘therapeutic jurisprudence’ and a welfare-oriented approach to addressing re/offending (Wexler and Winick, 1996). The central and unique element is a criminal court judge is involved in overseeing the offender’s journey towards rehabilitation. This is referred to as ‘judicial monitoring’ or ‘sentencer supervision’. It is this the NYOS has incorporated into their work with young offenders serving time on a YRO in the form of the Youth Order Review Panels.

Moreover, the NYOS model goes a step further in implementing this approach by bringing youth court magistrates out of the courtroom and onto the NYOS premises to meet and engage with the young people. The Ministry of Justice (2012) has been promoting the idea for justice administration to move beyond the courtroom into community settings where it might sit more appropriately in certain situations. The NYOS initiative is a vanguard in this development.

It is considered by involving youth magistrates in a young person’s progression through their Order simply beyond the court sentencing stage, that it might be an impetus to successfully see the penalty to completion. This is indeed what was found by the Wrexham YOS in the ‘review and congratulate’ panels they set up (H.M Inspectorate of Probation, 2014: 29). The Youth Order Review Panels are not mandated to impose further formal penal decisions on the young person, but are instead intended as a point of positive encouragement and reinvigorating a young person’s engagement with the Order they are serving.

The Youth Order Review Panel Model

The Youth Order Review panels are organised in a way where an afternoon session is set aside within the YOS calendar to draw in suitably identified young offenders to meet in a group forum with YOS staff, and specifically trained youth court magistrates to review progress on their Order. Certain young people who it is considered will benefit from the review process based on the rationale laid out earlier are identified by the YOS case work team and asked to attend. The panel session takes place in an informal space on the NYOS premises, such as around the kitchen table, or in the general meeting room. The informal setting is considered suitable in it sets the panel up as a supportive conversation between the different professionals and the young person, rather than a formal admonition. It is intended the selected young people will attend subsequent panels for purposes of follow-up, monitoring their progress, and for the trialling of ‘sentencer supervision’ over an extended time period.

Each panel is preceded by a briefing being given to the youth court magistrates participating in the panel of that day by the panel convenor. The Youth Offending Service (YOS) operations manager -Mr. Quentin Goodman- has managed and convened all three panel meetings. The briefing covers the young people who will be attending; the main issues they are presenting in adhering to their Order, and some background information on the wider challenges occurring in the young person's life. The realities of these young people's lives involve family breakdown, premature responsibility, poverty, unsettled accommodation, and early school leaving; difficulties which sometimes impact on achieving the expectations placed upon them.

The young person invited to attend comes along accompanied by their YOS case worker, and whoever else appropriate they want to bring along, such as a parent, a guardian, an employer etc. One young man came along with his mother, and one came with his apprenticeship leader, who was closely interested in his pathway out of crime and into work.

Once the panel gets underway, the purpose of the meeting is explained to the young person with an overview of the order being revisited, including an appraisal of how their engagement is to date, and how if necessary it can be improved upon. This is considered in light of what the YOS staff team can do to assist the young person in adhering to the Order. If the previous panel was attended, the young person is appraised on how they are managing to achieve the objectives set for them at that earlier session.

The panel is deliberately set up as supportive. The young person's index offence is not in the foreground. Rather, the discussions centrally fix on the young person's positive achievements and an encouragement for them to seize opportunities that will go towards enhancing their young adult trajectory. Each panel meeting comes to a close with the young person being empowered to establish their own goals, as well as manageable ones being set by the team. A letter is sent to the young person and their case worker following their panel attendance, reiterating the agreed goals and reinforcing the interest the YOS team, and the youth justices have in their current and future success.

Programme Evaluation Methods

The evaluation of the Youth Order Review panels has taken place over the nine month period of November 2014 to July 2015. It is only intended as a pilot evaluation. The evaluation was set up as a process evaluation, with the implementation and execution of the panels being evaluated alongside their stated delivery aims and objectives. As noted, the outcome assessment is limited by the short time frame of the evaluation. In gauging how far the review panel approach has impacted on a young person's attitudes; offending behaviour; wider efforts towards inclusion and participation in education, training or employment, the appraisal needs to be conducted at a sufficient time point. This is to allow for a reasonable period of self-reflection by the young person on what has facilitated their progress, or lack of it. The evaluation is therefore restricted in its ability to comment on the programme's objectives in terms of improved and more effective engagement and completion of the order, although it is envisaged the research team will remain in contact with the NYOs to gain this information.

A combination of methods has been used to undertake the evaluation. These involve focused discussions with the NYOS operations manager -Mr. Quentin Goodman - who initiated the programme within the Service and who remains the key driver behind its continuation; observations of two review panels in action; observation of a magistrates' training day; individual interviews with two participating magistrates, and discussions with YOS case workers.

Depth Discussions with the YOS Operations Manager

Ongoing depth conversations have been held with the YOS operations manager which clarified the initial thinking and rationale behind establishing the Youth Order Reviews; the changing relations between the NYOS and the judiciary, which has enabled a closer working relationship in the shared goals of youth justice and offender rehabilitation within the County. Discussions have also included the NYOS and youth court justices' wider ambitions to see the review panel model extended out to include the other YOS teams across Northamptonshire.

Interviews with Participating Youth Court Magistrates

Four currently serving youth court magistrates are involved in the Youth Order Reviews, and this includes the most senior youth court magistrate in Northamptonshire Mr Dominic Goble. Mr. Goble is a long serving 'jurist' and holds the Chair of the Northamptonshire Youth Court Bench. He has been actively involved in the inception, delivery, and promotion of this youth justice innovation and co-ordinates the role and participation performed by the other youth court magistrates. He has an interest in seeing the model developed more widely across youth justice. The other participating magistrates are also senior, long serving members of the magistracy. By default youth court magistrates are specialists in youth justice, with depth knowledge of youth offender rehabilitation, sentencing, and the sometimes necessary recourse to Social Services welfare provision. Two of the four magistrates were previously employed in the teaching profession.

In addition to observing the four youth court magistrates interacting with the young people in two different review panels, individual qualitative interviews were carried out with two of them. One was with Mr. Goble and the other with Mrs. Mary McLean (Deputy Chair of the Northamptonshire Bench) The interviews enquired into their views on the advantages of this problem-solving approach in working with young offenders, as well as reservations they may have towards it. A main point made by both magistrates was the limitation in their role as sentencing youth court magistrates wherein their involvement stops at the point of handing out the sentence. The benefit of having further knowledge and input into the progress and rehabilitation of a young person in the form of the panels was noted. Indeed this is a view not isolated to youth court magistrates (Ward, forthcoming).

Observation of a Magistrates' Training Day

Observations have been made of a day long training session designed for the participating youth court magistrates. The training was facilitated by the NYOS and led by Mr. Quentin Goodman. Six magistrates attended, including those already involved in the review panels, and those coming forward as interested. Three NYOS workers and a mental health worker were present.

The primary goal of the training is to prepare magistrates for their role in the review panels and to embed a shared understanding of the principles that underpin good engagement with this particular group of young people. The training therefore includes building the skills required to effectively contribute and communicate within the 'review and congratulate' panel process, such as appreciating dynamics of 'motivational change' and developing techniques of 'active listening' and 'motivational interviewing'. An important dimension included exploring issues on the speech and communication needs of children, particularly those with mental health or learning difficulties such as Attention Deficit Hyperactivity Disorder (ADHD), or who are on the autism spectrum. It is the case that some young offenders are found to have these learning disabilities (Talbot, 2014), and indeed a young man in attendance at Panel One has ADHD and autism. Within the building of this understanding it was emphasized that although sometimes it may seem a young person acts disrespectfully (i.e. not making eye contact, not listening, fidgeting,

etc.), they may not realize their actions, or have control over them. The training day also involved discussions surrounding multi-agency working within the YOS context, and the sometimes frustrating tensions that exist where the YOS is required to monitor and enforce a young person's curfew, yet the agency responsible for securing their accommodation (i.e. housing services) may not be assisting, leaving the young person homeless, or inadequately accommodated, and breaching their order without intending to. These are crucial, real life realities that do occur and it is important for there to be a robust way of recording and communicating these difficulties faced by some young people.

A mock review panel was also held as a part of the training. This is for the purpose of demonstrating to newly recruited magistrates the possible cases they will encounter, and included the acting out of the sometimes complicated lives these young people inhabit; possible exposure to a young person's illicit activities, such as substance misuse, early sexual activity etc., as well as the less than polite attitude that could be displayed. The mock panels are viewed as being close to reality. It must be noted, from the two panels we observed the young people were highly respectful, articulate, and most well-mannered.

Panel Observations and Evaluation

A central method to the evaluation was observation of the Youth Order Review panels in action. Observations were made in two out of three panels (Panel Two and Three – see Table 1.) held between November 2014 and July 2015. Panel One was held before Middlesex University became involved, but documentation on the young people attending, and their case details was passed on, and is included in this analysis. From the three panels, a total of nine young people aged between 15 and 17 years old were involved. Just one was female. All were serving time on a YRO. The offences for which a YRO had been given included 'assault, low-level theft, arson, and burglary of non-domestic dwellings', although the panel meetings deliberately do not dwell on the index offence (NYOS, 2014). A number of the young people were reported as having Social Services involvement during their growing up years, illustrating a level of welfare protection and child safeguarding has been present for them.

In Panel Two one young man (case 05) with serious drug addiction issues involving 'legal high' substances, heroin, and crack cocaine was discussed in his absence. This was for the impact the drugs were having on his ability to engage with the Order. The case was also evidence of the sometimes high risk circumstances young offender's lives are enmeshed within, that require understanding of health treatment responses, and the release of intensive, specialist resources. Further, one of the three young people (case 09) attending Panel Three was excluded from the evaluation due to the nature of the offence and confidentiality issues, though it can be added the supportive voice of the participating magistrates undoubtedly gave this young man a heightened sense of self-worth.

Along with the different support people such as case workers, education specialists, employers etc. who attend the panels with the young people, four different youth court magistrates (two at each panel) were observed for the role they performed in the panel. This is especially providing a listening ear and positive encouragement to the young person, underpinned by their official status as court 'justices' with an air of 'judicial authority'.

The panels were observed to appraise the overall delivery of the Youth Order Reviews and the team co-ordinated solutions put in place to support the young person; the engagement and reactions of the young person to the panel forum, and the interaction of the youth court justices in contributing to this unique 'sentencer supervision' role.

Youth Order Review Panel Findings and Evaluation

Table 1. contains information relating to the three panels and the young people participating in them. Middlesex University became involved in observing the panels two months after they were first put in place in January 2015, in which case our observation findings relate to Panel Two and Three⁴.

Table 1. Panel Attendance

Panels	Panel One*	Panel Two	Panel Three
Date held	23 rd October 2014	27 th January 2015	14 th April 2015
Panel attendance	YOS operations manager 2 youth court magistrates	YOS operations manager 2 youth court magistrates	YOS operations manager 2 youth court magistrates
Young people attending	4 young people	3 young people	3 young people
Young people	01. male aged 17 (non-attendance) 02. female aged 17 03. male aged 18 04. male aged 17	04. male aged 17 ** 05. male aged 15 (heard in his absence) 06. male aged 16/17	04. Male aged 17 (non-attendance) 07. male aged 16 08. male aged 15 09. male aged 16 ***

*Panel One was not observed by Middlesex University

**04 attended both Panel One and Panel Two

*** For confidentiality purposes it is not appropriate to report on case 09.

The Young People as Panel Participants

Of the total nine young people whose cases were heard within the three review panels, four are drawn upon for case analysis in this report. These are the young people we observed through our attendance at Panels Two and Three (04, 06, 07 and 08). They were aged between 15 and 17 years old and all were serving time on YROs of different time lengths, and with different conditions attached. All had been encouraged to attend the panels to assist engagement with their Order.

YROs can have different court sanctioned conditions attached to them, such as time spent on a home curfew, reparation involving a specified number of unpaid work hours in the community, electronic tagging etc. In addition to this, the YOS's role and support work with a young offender on a YRO is to examine their home-life and family support systems, their participation in education, training or employment (ETE), drug and alcohol use, mental health and well-being, and general sociability and life functioning. This is as a way of understanding how particular areas of their life might be aided for them to lead socially included, law abiding lives. The YOS operations manager communicated the importance of acknowledging the small gains made by these young people, which must count as positive progress.

The following section provides background detail on four young people including detail on their Order; the facilitators and obstacles they were facing in their rehabilitation journeys, and the

⁴ The evaluation research was approved by Middlesex University's research ethics committee.

goals being set for them within their 'intervention plans'. The information is drawn from the young people's narratives during their attendance at the review panels, with supplementary information provided by the YOS operations manager.

04. J, male, 17 years old attending Panel Two

J comes to Panel Two supported by his YOS case worker. He is 17 years old and this is the second panel he has attended. J is reported as having a history of Orders for offences including low-level theft and assault. He is on an YRO with 80 hours of unpaid work needing to be completed. It is reported Social Services have been involved through J's life and at this older adolescent stage he is not keen for that to continue. The panel Chair reports J to be "industrious and having employment success", but that it is not maintained. Owing to his erratic engagement with the Order, the YOS team consider themselves to be running out of options with the risk J's case may be taken back to court for breach proceedings. J is a user of 'legal high' substances and the aim set in collaboration with him from his attendance at Panel One was he would try to discontinue use of these. J is reminded of the previous meeting and asked what he has achieved since then, and what might remain for him to do? He informs the panel he was arrested the previous night following an altercation with his girlfriend. He expresses upset and disappointment with this, but similarly communicates it is the point at which he is moving on from what has become a turbulent relationship. The relationship failure places him in a precarious living situation temporarily held together by bedding down on a couch at his sister's place. J reports not having used any 'legal highs' for four days, and sees the now breakdown in his relationship as the point he can properly address this part of his lifestyle. He reports not using any 'legal highs' for four days and puts his use down to a habit established with his girlfriend saying he "smoked with her every hour". On being asked how he was feeling as a result of his recent drug abstinence, he acknowledges feeling better - "the days are longer, couldn't go a day, calmer, relaxed, don't feel stressed out". "I'm steering clear of it, not going back on it".

The panel members are pleased with J's forward looking positivity towards ceasing his drug use and communicate a belief in him with one of the magistrates commenting - "that is very positive, sounds fantastic, it goes to show how things can turn around ..."

On being asked by the panel Chair whether he has some real achievable goals for the forthcoming months, he responds with a simple, evidently important goal to him - "my main goal is just to keep this level head". The panel Chair comes forth with some suggested goals for J, such as working on relationship issues with his case worker and completing the unpaid work hours he needs to get through, as well as making an effort to secure work by completing the job application for the vacancy he has identified. The job vacancy is for an undertaker with the Co-operative funeral parlour⁵. It is also suggested that J sees the YOS substance misuse worker. This is well received by J. He says "I like the way S is, not too intense, that's nice, it's nice for someone like me".

The unpaid work hours remaining is made less daunting with it being established at the panel that the YOS has some latitude in how this is dealt with, and the hours J has accrued on the Health and Safety Certificate card he has been completing can be included in the unpaid work hours. This is received gratefully by the YOS team.

⁵ A job of this nature might be considered unsuitable for a 17 year old, but is likely to be a typical job type available to a young, unqualified, early school leaver.

As with all four of these young people his wants are simple and basic, and align to wanting to be included and engaged in something constructive. In relation to this, J says “I want a job; I want to get a place to live”. He places the fallout in his life in some part connected to having too much spare time - “too much time on my hands, if I could do something constructive”.

06. O, 16 years old attending Panel Two

O comes along to Panel Two with his mother. He is 16 years old. His YOS case worker is reported as unable to attend, but has put together an information sheet on O’s current situation, and one of the other YOS case workers is there to support him. He is on a 12 month YRO received two months prior to Panel Two in January 2015 panel. He is called to the panel because despite some good work having been achieved between O and his case worker, he has been missing appointments, which are a requirement of the Order with failure to attend potentially resulting in breach proceedings. It is considered that O is having some motivation issues and when asked whether there is something stopping him from engaging he acknowledges low motivation within himself - “it’s just motivating myself, I don’t know really”.

The session is mainly centred around discussing O’s low activity levels and how they can be boosted to make certain he engages with the construction course his case worker is setting up for him. O expresses a keen interest in the course -“I’m looking forward to that”.

Practical issues are spoken about such as his occasional ‘recreational’ cannabis use, which is considered could be impacting on his sleep patterns and general levels of drive and ambition. The participating magistrates express positivity with O’s gains such as altering his drinking behaviour, which seems to be occasional adolescent ‘binge’ drinking, rather than on a continued basis but which was at the root of his offending. O informs he hasn’t had a drink for a month. The magistrates add in that they are taking an “active interest” in him and reiterate his good work – “you are making such good progress. We don’t want to see you back in court”. The goals set for O are strengthened by his case worker being directed to assist O by accompanying him to the interview to secure a place available on a college-based construction course. Close, practical support of this nature is likely to be hugely appreciated by these young people. O leaves the panel with his mother with a renewed sense of purpose and ambition. He stands tall as he leaves the meeting.

07. A, 16 years old attending Panel Three

A comes to Panel Three with his employer and his YOS case worker. He is 16 years old and is on an 18 month YRO given two months prior to the panel (order given on the 5th of Feb). A’s crime is reported as ‘acquisitive theft in non-dwellings’. A is reported as having previous Social Services input when his mother moved away some years earlier resulting in A being accommodated with his older sister, and with whom he currently lives.

Through the success of A’s caseworker, A is employed as an apprentice in a small catering business. He attends the panel with his employer who is full of praise regarding the work A is doing; his reliability, and his pleasant persona saying “it is a pleasure to work with someone so switched on” and “I haven’t got a negative thing to say about him”.

A is on an electronically monitored three month home curfew requiring him to be at home between the hours of 7pm and 7am each day. At the point of the panel, he has three weeks to run on the curfew saying “he can’t wait” until it is completed.

The magistrates show interest in A allowing him the space to explain how he feels about himself, and the progress he is making. A expresses real joy with the work he is involved in, and when asked by the magistrates what has changed for him for his behaviour to be so different, he responds “out of work, out of school, too much time on my hands ends up in disaster”. He continues, saying “being in a routine”. A verbalises that he likes the support from everyone at the YOS and the apprenticeship manager is thanked for taking A on, and helping him to make such great gains in his life.

At a certain point the discussions turn to some difficulties he has had with the curfew time restrictions, such as it leaving little time for him to finish work at 6pm and cycle back home to the outlying village where he lives to meet the 7pm curfew cut off time. Most heartfelt were the time limits he said it placed on him being able to see his mother on the weekends. Such insights are important to build up a picture of what might be seen as deserved punishment in the form of a curfew and restriction of liberty for wrongdoing, but the real life impacts it has and the practical difficulties it can present for a young person in adhering to it are worth noting. It is quite likely that this level of detail is not something that filters through to sentencing youth court judges. For young people like A who has had absent parenting at a young age, rebuilding a relationship with his mother is possibly vital to his psycho-social functioning and well-being. Such detail about how curfew restrictions impact is also useful to inform how these can put a young person at risk of breach. The reality of a home curfew in a young person’s life is brought sharply into focus here through A’s explanation.

One of the magistrates asks 07 if there was anything they as the youth court could have done differently, to which he suggested a ‘buddy tracker’ at an earlier age would have been beneficial. Whether he would have reacted positively to that in actuality is not known, but he is referring to his whereabouts and actions being tracked and curtailed at an earlier point than age 16, which drew him close to a custodial prison sentence.

The panel are delighted with A’s progress and turnaround. He is praised for his motivation with it being said that “you were offered an opportunity and you’ve grasped it with both hands”. The panel Chair communicates that if 07 continues with such positive success that the YOS will be looking for an early revocation of the Order.

08. AA, 15 years old

AA is 15 years old. He is halfway through the 12 month order he received in August 2014. The index offence was mentioned as “assault with quite a few people involved”, which led the YOS case worker to comment that it was “not entirely fair on him” presumably acknowledging the case has been treated as a ‘joint enterprise’ case with even those peripherally involved or simply present implicated in the offence. Questions remain in these cases as to who really was the culprit? AA lives with his family and siblings and is currently attending a Pupil Referral Unit rather than a mainstream secondary school and from which he is also excluded. AA seemed quite down. His order has 24 hours of reparation included in it which requires him to do ‘litter picking’. These are in six hour sessions over four days. AA’s account of litter picking reparation is not a positive one. He says within the six hour litter picking sessions they don’t get enough breaks and asks whether they can shorten the length period of six hours. Owing to his experience of litter picking, AA states “I don’t like reparation at all”. The outcome of the panel is that his case worker is going to speak to the reparation manager, because the task does not seem entirely appropriate for a child of his age.

Youth Offending Case Worker Involvement

Four different NYOS case workers attended the review panels in support roles to the four young people. They provide supplementary detail beyond the young person's account, and in turn they become more fully informed about the young person and indeed their difficulties. This may be owing to the different dynamics of the review panels compared to the one-on-one assessment meetings YOS case workers are obliged to schedule with their clients, as well as the wider panel composition involving people from outside the YOS team. It is probable as with all statutory social and criminal justice services there are real pressures on staff time and resources, but issues were raised within the review panels that required YOS case workers to become more involved to help move the young person forward for instance with O needing more intensive support in securing his place on the construction course, and AA struggling with the demands of the long litter picking periods set by the external reparations team.

Panel Evaluations: Outcomes and Analysis

It is evident from the panels involving the different young people; the YOS staff team; the youth court magistrates, and others, that the young people take them on with a high level of acceptance and indicate a real sense of positivity around future engagement with the Orders they are serving. The encouragement given to them by the YOS case workers and magistrates is powerful in confirming self-worth, and raising self-esteem. This is visible in the posture and demeanour of the young people as they depart the panel meetings.

It is clear from the young people's narratives that finding stability in housing and being constructively occupied in some form of education, training, or employment is what they are all keen for. Indeed, this engagement appears to assist them change direction out of offending and into more rewarding, productive lifestyles. This was most evident in the case of A.

In essence, the young people observed are 'children in need'. They are young people from disadvantaged backgrounds who have become involved in offending of some type, and for which they are now required to engage in prolonged periods of monitoring by the YOS, coupled with a level of punishment and rehabilitative support. It is thus insightful to hear from the young people about their everyday experiences. None of them used their growing up histories as an excuse for erratic engagement with their Order, yet it is apparent they live with difficulties. These have possibly contributed to their transgression in the first place, and also have a bearing on how they manage to keep to the requirements of the Order. The relatively relaxed panel forum enables the young people space to open up and be candid about some of the obstacles and problems they face.

The panels are therefore useful for rectifying some of the hurdles the young people are experiencing in their more general lives, and in adhering to their Order. Some are basic time management issues, for instance becoming more competent in recording scheduled meetings with their support worker. Others are more confidence building needs, such as being closely assisted by the YOS team to secure a work training, or apprenticeship scheme place.

It is also a rich experience for magistrates to hear the accounts and voices of the young people in a more communicative environment than a courtroom. Youth court magistrates are obliged to operate in accordance with the law and sentencing guidelines, which have the rights of victims at their core. But, it is also important to appreciate some young offenders by the nature of their upbringing are in essence victims themselves (see Porteous, 2015). Moreover, these are young teenagers who like many other young teens are at a point in their lives which involves experimentation and risk-taking, be that with the use of drugs and alcohol, night-time socialising,

and trialling romantic relationships etc. Many youth magistrates have a professional background in working with young people and understand childhood 'special needs', nevertheless the review panels are potent at reinforcing the reality some young people take time to get their lives on track.

The magistrates' judicial input within the panels is useful. Their authority is not explicitly mentioned, nor used in a reprimanding way. Instead, it is drawn on to remind the young person of the court's current presence in their life, and also of the court's belief in them and their future potential. All the magistrates had a skill in reinforcing the young person's value, and communicated a real interest in them as a person. It was noted by one magistrate that these young people have invariably grown up without anyone showing or expressing any real interest in them, and saw their contribution here as helpful.

The participating magistrates see great value in the review panels for their opportunity to engage and communicate with a young person following the usual final point of assigning a court sentence. Yet, it was noted that sentencing magistrates would have the freedom to perform a similar sentence review role should Part 2, Section 35 of the 2008 *Criminal Justice and Immigration Act* be commenced. This would provide the youth courts with the power to put in place a review of a YRO at the point of dispensing the sentence, and enable them to bring young offenders back before the court to check on their progress. However, from this evaluation it is judged that the central role the YOS team play in closely supervising a young person, as well as holding knowledge of their broader life issues is most valuable when provided in conjunction with the youth courts in setting manageable goals for a young person.

Conclusion

From this brief evaluation of the working partnership model put in place by the NYOS in collaboration with the Northamptonshire youth courts, the Youth Order Review panels are a positive intervention that could be more widely implemented across youth justice services.

It would seem from the aims and objectives of statutory youth offending services in their role as guardians and overseers of a young offender's court order, that there is plenty of scope for the design and model of Youth Order Review panels to be incorporated across other YOS jurisdictions.

However, in implementing this additional model of supervision and offender monitoring, it is important the young people drawn into the process are carefully communicated with in regard to the panel purposes. This is so it is firmly understood that it is a re-integrative, rehabilitative process, rather than one in which a young person is further stigmatised with the possible perpetuating consequences of 'deviance amplification'. The fact the index offence is set aside at this stage of the young person's rehabilitation is seen as constructive.

It can be stated that the enthusiasm and commitment towards trialling alternative approaches towards youth offender rehabilitation in the way those involved in the Northampton Youth Order Review panels has come off is in part connected to personal generosity. It is the case that there are highly motivated key people central to this justice innovation, for instance the NYOS operations manager - Mr. Quentin Goodman, and the senior youth court magistrate - Mr. Dominic Goble. Both are extremely engaged in the process and are inspired to see a success with the approach. It is possible there is a similar level of belief in this problem-solving approach among other youth court magistrates and across other regional YOS areas, but it is also the case

the enthusiasm and willingness to go the extra mile with work of this nature might not be universal without it becoming an embedded way of working in youth justice.

While we view the Youth Order Review panels as positive, it is essential the execution of them does not interfere with the impartial criminal court adjudication process. It is important the youth court magistrates who sit on these panels are not involved in further court appearances of a young person they have encountered in a panel. Within the review panels, magistrates are exposed to depth detail about a young person's life, including their use of illicit drugs and alcohol, or living with a girlfriend against Social Services permission. This is information not usually revealed within courtroom interactions. Such material could bias a magistrate's view and potentially jeopardise decision-making relating to that young person. The possibility for this to arise was acknowledged within discussions with the magistrates. It was confirmed that should a situation like this occur, the magistrates would withdraw from that 'bench sitting', with the case handed over to a fellow youth justice. The pressure on the rostering of magistrate sittings though, means it unlikely a magistrate could stand down without placing a delay on the young person's case. The panels and future youth court contact require careful management in this regard.

References

- Bateman, T. (2015) *Resettlement of Young People Leaving Custody: Lessons from the Literature*. Beyond Youth Custody: UK. www.beyondyouthcustody.com [accessed 22 July 2015].
- Hinks, N., and Smith, R. (1985) Diversion in Practice: Northants Juvenile Liaison Bureaux. *Probation Journal*, 32, 2, 48-50.
- H. M. Inspectorate of Probation (2015) Short Quality Screening of Youth Offending Work in Northamptonshire. www.justiceinspectrates.gov.uk [accessed 26 July 2015]
- H. M. Inspectorate of Probation (2014) *Full Joint Inspection of Youth Offending Work in Wrexham: An Inspection Led by H.M. Probation*. www.justiceinspectrates.gov.uk [accessed 29 June 2015].
- Lord Carlile of Berriew (2014) *Independent Parliamentarians' Inquiry into the Operation and Effectiveness of the Youth Court*. www.ncb.org.uk
- Goble, D. and Baker, J. (2014) *Should Youth Justice be Decriminalised?* Unpublished.
- Goodman, Q. (2015) *Northampton Youth Offending Service Youth Order Reviews: A Problem-solving Approach*. Northampton Youth Offending Service. Unpublished.
- Goodman, Q. (2014) *Northampton Youth Offending Service Youth Review Panels Practice Guidance*. Northampton Youth Offending Service. Unpublished.
- Ministry of Justice (2012) *Swift and Sure Justice: The Government's Plans for Reform of the Criminal Justice System*. The Stationary Office: UK.
- Nolan, J. (2001) *Reinventing Justice: The Drug Court Movement*. Princeton University Press.
- Northamptonshire Youth Offending Service (2014) *Northamptonshire Youth Justice Plan 2014/15*.
- Porteous, D., Adler, J. and Davidson, J. (2015) *The Development of Specialist Support Services for Young People who have Offended and who have also been Victims of Crime, Abuse or Violence: Final Report*. Greater London Authority. www.london.gov.uk [accessed 22 June 2015].
- Porteous, D. (2015) *Troubled Lives: Supporting Offenders who are also Victims*. Middlesex Minds blogspot. www.mdxminds.com [accessed 21 June 2015].
- Talbot, J. (2010) *Seen and Heard: Supporting Vulnerable Children in the Youth Justice System*. Prison Reform Trust. www.prisonreformtrust.org [accessed 31st July 2015].
- Ward, J. (forthcoming) *Transforming Summary Justice: Modernisation in the Lower Criminal Courts*. London: Routledge.
- Ward, J. (2014) *Are Problem-solving Courts the Way Forward for Justice?* Howard League What is Justice? Working papers 2/2014. www.howardleague.org
- Wexler, D. B. and Winick, B. J. (1996) *Law in a Therapeutic Key: Developments in Therapeutic Jurisprudence*. Carolina Academic Press.

Youth Justice Board (2013) *National Standards for Youth Justice Services*. Youth Justice Board for England and Wales. www.gov.uk