



**An Evaluation into the Effectiveness of the Early Diversion Intervention 'Triage' as a Mechanism for Tackling Youth Offending in Newcastle Upon Tyne**

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**June 2011**

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### **Acknowledgements**

The research team would like to specifically thank Tracey O'Neill for providing much of the background material and data for the project and also for her ongoing support during the project.

## **Contents**

Executive summary	4
Background to Research	12
Policy and Literature Review	15
Quantitative Research Findings	22
Qualitative Research Findings	26
Social Return on Investment	43
Best Practice and Recommendations	54
Conclusion	
Bibliography	56

## **Executive Summary**

In 2010, Newcastle Youth Offending Team (YOT) commissioned Northumbria University's Department of Social Sciences to undertake a critical evaluation of the delivery and impact of 'Triage'; an early diversion intervention for first time entrants (FTE) into the criminal justice system (CJS). The aims of the evaluation were to assess the extent to which Triage is meeting its stated aims and objectives and to identify a series of recommendations to improve the delivery and impact of Triage and opportunities for the wider roll-out of Triage.

Triage Model 1 was implemented in Newcastle in January 2010 and due to the positive and extensive work by Newcastle YOT additional funding has been secured to allow Triage to continue beyond March 2011 (the date when the original funding for the introduction of Triage expired). Triage takes place at the point in which a young person enters police custody and seeks to act as a gateway whereby all young people entering custody can be rapidly assessed to ensure that they are dealt with swiftly and effectively. Triage Model 1 is utilised for: FTEs aged 10 - 17 years old at the time of committing the offences; where the offence has a gravity score of 1 or 2; and, where the young person admits the offence in question. Here a restorative justice intervention would be the most likely outcome unless other risk factors came to light. The aims of Triage are to:

- Reduce serious youth crime through early identification of risk, leading to a swift and effective criminal justice response;
- At the earliest opportunity, divert young people committing low level offences away from the CJS into effective interventions to reduce reoffending;
- Increase community confidence in the CJS through greater involvement of victims and witnesses and restorative justice;
- Improve collaboration and decision-making at the point of arrest resulting in interventions which are more targeted and proportionate.

In the period up to January 2011, 190 young people received a Triage intervention; of which 68% (129) were male and 32% (61) were female, and 87% (167) defined themselves as white. The main offence categories resulting in Triage included: theft and handling stolen goods; public order; criminal damage; and, violence against the person.

The extent to which Triage can be viewed as effective is clearly part of a longitudinal approach which would necessitate revisiting the young people who have undergone Triage

across their life course and evaluating the extent to which they have displayed desistance from criminal activity. However, the research team are confident that the introduction and delivery of Triage by Newcastle YOT is a welcome and valuable intervention.

Both quantitative and qualitative evidence suggests that Triage is a highly effective intervention in terms of reducing serious youth crime through the early identification of risk and leading to a swift and effective criminal justice response. The re-offending rate for Triage, which stood at 8.9% for the period January 2010-2011, in comparison to reprimands which stood at 29.5% for January 2009- December 2009 for example, would suggest that Triage is a successful intervention and one which is directing young people (in the main) away from the CJS. When interviewed, the young people themselves felt that Triage had been a valuable experience. After the intervention, they expressed remorse for their offences (having reflected upon the impact of their crime on the victim) and reported that they did not intend to reoffend in the future, particularly in response to having learned about the impact of a police/criminal record on their future life chances. YOT caseworkers concurred that young people are generally very engaged with the process, due in part to the fact that it is the first contact which they have had with authority and hence, support the need for a greater emphasis on early diversion. Nonetheless, concerns were raised about the extent to which Triage was perceived as a 'soft option' by the young people. A number of young people suggested that they had completed Triage because they did not want to go back to the police, rather than because they valued the opportunity which they were being offered. These feelings were echoed by the young people interviewed who had received reprimands and final warnings, who suggested that they would have preferred Triage because it would not show up on their criminal record. A number of police stakeholders were also sceptical about the value of Triage; feeling that it was perhaps a 'weaker form' of other types of interventions and accordingly would have a weaker impact, but conceded that they had little knowledge of Triage beyond the YOT referral process.

The effectiveness of Triage as an intervention was attributed to both the nature of the intervention and the way in which it is delivered. The intervention encourages young people to think about what they have done and the impact of their actions on the victim; gives the young people insight into the possible range of actions which may be taken by the CJS if they go on to reoffend in the future and what impact having a police/criminal record may have on their life chances; and, is an opportunity for YOT to understand the motivational factors underlying their offending behaviour and to signpost them on to additional services, where relevant. In principle Triage is delivered away from the police station, in a supportive environment and within 48 hours of the offence being committed – whilst the incident is

still fresh in the young person's mind –these factors have an important role to play in the effectiveness of Triage. This importance of this point was illustrated by discussions with young offenders who had received a reprimand or final warning. In practice almost 50% of young people in this group reported that they had committed the offence in question at least one month prior to the intervention. As a result they were often unable to remember the details surrounding the offence which they had committed – including the impact of their offence on the victim.

Further areas of concern were identified, however, associated with the operation of Triage at both custody suites and YOT premises. Processes taking place at custody suites do not comply with Newcastle YOT Standard Operating Procedures, as outlined by the London Criminal Justice Board, which stipulate that the Triage process should be explained to the young person by a police officer whilst they are in custody; they should be given a leaflet to take home, which explains the Triage process further; and finally, they should be given a choice about whether or not they accept a Triage intervention. The research findings reveal that eligible young people are not fully briefed about Triage while in custody; they are not given a leaflet explaining Triage; and, they are not given a choice about whether or not to accept a Triage intervention. This potentially undermines young peoples' engagement with and appreciation of the process and its subsequent impact. This is particularly surprising given that 500 police officers and staff were offered training on Triage prior to its introduction by Newcastle YOT. In some cases, the young peoples' lack of understanding of the process prior to attending the YOT appointment, resulted in resistance during the sessions when informed that they must complete a workbook and write a restorative letter of apology to the victim.

At Newcastle YOT premises, Triage appointments with a caseworker are scheduled to last up to one hour. During appointments, the young offender must engage in discussion and complete a workbook with the YOT worker and at the end of the session, must write a restorative letter of apology to the victim of their crime. Newcastle YOT has developed a range of helpful workbooks which are used to frame the Triage sessions (a generic workbook and a workbook for alcohol-related offences). There is a lack, however, of workbooks which are tailored to specific offences and the workbooks do not reflect the varying levels of maturity, literacy skills or cognitive abilities of the young people attending the sessions. Concerns were also raised about inconsistencies in the level of emphasis placed on the restorative element of the process by both YOT caseworkers and the young people and the level of discretion exercised by YOT workers in their response to young

people; all of which suggest the need for greater internal management and quality assurance of the process.

‘Signposting’ young people on to additional services is not a formal part of the Triage process and less than 10% of young people who receive Triage are referred on to additional services; despite caseworkers, parents and the research team identifying that almost one third of the young people involved in the research process may have benefitted from additional support. Furthermore, there is no process of case management currently in operation for young people who had completed Triage. The issue of ongoing case management post-Triage was raised particularly when young people articulated that they suspected that they will go on to re-offend and that they had been offered services by other agencies which they have declined. Ongoing support for some young people may be necessary to ensure that the complex issues which many of them face are dealt with effectively and do not result in further offending.

The most critical issue identified, however, was that contrary to initial beliefs and policy, completing a Triage intervention appears as ‘No Further Action’ (NFA) on young offenders’ police records. This significantly undermines the ‘diversionary’ aim of Triage. There is concern that while Triage is regarded as a successful intervention (evidence by low reoffending rates), NFA appearing on police records checks may have negative long-term impacts on reoffending through limited careers and education opportunities. This issue undermines the use of Triage by police stakeholders who reported preferring to issue young people with a community resolution, for example, as this intervention is not recorded. Furthermore, in response to NFA, questions may need to be asked about the appropriateness of Triage as an intervention for young people who have committed particularly minor offences and whether the age of criminal responsibility is too low.

The extent to which Triage has increased community confidence in the CJS through the greater involvement of victims and witnesses and restorative justice in the CJS, remains unclear. The custody sergeants and police officers who deal with victims directly after young people have committed an offence reported that victims are generally dissatisfied with the action taken against the young offenders; although this may be attributed, in part, to police lack of understanding of the Triage process and the way in which they subsequently explain the process to victims of youth crime. As the Triage initial training offered to 500 police officers and staff covered in detail the Standard Operating Procedures this is both concerning and worrying – additional training is recommended to revisit these core issues. Conversely, the police stakeholder who is responsible for liaising with victims regarding the

restorative letters of apology reported that those who choose to accept the letters tend to appreciate them; feeling that the letters have given them a sense of 'closure' on the incident and that the letters help them to understand why the young people committed the offences in question. Figures reveal, however, that only 25% of victims choose to accept their letters of apology. Clearly, victims' acceptance of the letters cannot be made compulsory but consideration should be given to the extent to which a greater support for the process by victims could be encouraged. Furthermore, it was suggested that awareness of Triage amongst the wider community is limited. Discussions with young offenders who had received a reprimand or final warning and their families revealed that none of the young people were aware of 'Triage' as an intervention. Newcastle YOT and the police need to consider how they get the positive messages associated with Triage fed back to communities.

The research indicates that Triage would benefit from improved collaborative working and decision-making between YOT and the Police. Sixty per cent of police stakeholders interviewed were unclear about the eligibility criteria for Triage and reported that this requires support from police officers based at YOT regarding which intervention is most appropriate for a specific young offender. Newcastle offers Triage Model 1 and as a result, there is no requirement for a joint assessment (made by both YOT caseworkers and the Police) of the young person's needs when taken into custody – and, the level of assessment received by young offenders when in custody varies across the city. Both YOT and police stakeholders interviewed raised concerns about the lack of information sharing between the various agencies involved in tackling youth offending and supporting young people; clearly this is an area where multi-agency working needs to be reviewed (see recommendation 3 that as part of this process a dedicated Police lead should be introduced). Furthermore, some YOT stakeholders who were actively involved in the delivery of Triage reported being unaware when a young person attends an intervention about whether or not they have a police record, if they are known to other agencies, if they have any problems at home and if they are attending school, for example. Stakeholders reported that they have access to 'Total View', but that the database is limited in terms of the information which is available to them and often this information is of little real value in terms of supporting them through Triage.

There research process involved significant debate about the ways in which Triage could be rolled out to a wider group of young people. Discussions related to whether young people should be able to receive Triage for a second time; whether the gravity score of Triage

should be increased; if the age criteria for Triage should be broadened; and, if the restorative process associated with Triage should be introduced into the reprimand and final warning processes.

In response to the above findings and discussion points, and in order to further strengthen the valuable work currently being undertaken by Newcastle YOT and the Police, the following recommendations are advised:

**R1 No Further Action:** To explore the possibility of Triage interventions not appearing on young peoples' police records. **This we see as the most critical and significant of all the recommendations.**

**R2 Gatekeeper role:** Additional and targeted police 'marketing' material on the eligibility criteria for the different interventions available for dealing with youth offending and a review of the 'Standard Operating Procedures' associated with each intervention. This could also be supplemented with additional training if resources permit.

**R3 Greater consideration of the restorative nature of Triage:** Consideration should be given to the quality of the letters of apology produced by the young people; the 'symbolic' nature of the apology; and, the extent to which it has real meaning for the young offender and the victim. Consideration should also be given to whether feedback on the extent and manner to which the letter of apology was received would be beneficial to the young person.

**R4 Review of the Triage workbooks:** The research team were impressed by workbooks which have been developed to support Triage but recommend the development of a wider range of workbooks to maximise their relevance and benefits to the young people. Specifically, the research team would suggest the development of a range of workbook which reflect the different ages, levels of maturity and cognitive abilities of the young people eligible for Triage, as well as the development of workbook targeted at the types of offences which have the highest recidivism rates by young people such as theft and the handling of stolen goods; the possession of drugs; and, violence against the person.

**R5 Case Management:** The research team suggest Newcastle YOT considers extending the current system of case management for young offenders who have completed Triage, to ensure that all young people receive the support which they need to prevent further offending behaviour. **This is considered to be the most difficult recommendation to implement** as: the young person has to wish to receive additional support; there is a danger of further embedding the young person within the CJS; and, resource implications. YOT

should also explore the possibility of making 'signposting' a more formal part of Triage; by, making the completion of a session with a substance misuse service, for example, part of the criteria for completing 'Triage' for those who have committed substance-related offences – *'It shouldn't be a case of 'do you want to come to an appointment', it should 'this is part of your intervention, you have to come'...especially around drugs and alcohol'*.

**R6 Triage session:** Consideration should be given to a number of issues associated with the Triage session. Clearly there is a responsibility for a parent or guardian to be present but the research team observed on a number of occasions that there were issues associated with the 'responsible adult'. If possible, the team suggest that a review of the 'appropriate adult' should be undertaken – looking at *who* the appropriate adult is (e.g. sibling) and the extent to which they should be involved in the process of Triage. This would have been assessed on an individual basis (which again would have clear resource implications). It should be noted that although some young people expressed a wish for their parents not to be involved in the Triage process, nearly all young people said the impact of their offending behaviour on their parents/family had had the most significant impact in them. Is this something which could be built upon? Flexibility over appointment times should also be considered as some parents/guardians discussed difficulties associated with the timing of appointments, due to employment or other family commitments.

**R7 Preparation for Triage:** Young people and their parent/guardian should be given more information about Triage, (this also applies to final warnings and reprimands) at the police station. Here, further training should be considered. It should be fully explained to the young people and their parent/guardian what the focus of the session will be and that it is based on principles of restorative justice. This would serve a number of purposes: to make the young people and their parent/guardian less anxious about the appointment; to encourage greater engagement with the process; and, to save time during the YOT appointment so that YOT workers' time with the young people can be used more effectively.

**R8 Quality Assurance:** Existing management and quality assurance mechanisms appear strong and robust but possible extensions to the existing system should be considered such as audits of the workbooks and provisions of further training of YOT workers regarding how to deliver Triage to young people with specific learning difficulties, for example.

**R9 Multi-Agency Working:** Avenues to allow greater information sharing/multi-agency partnership working regarding young people should be explored. This needs to be done as a bottom-up approach so that practitioners who work on a day-to-day level can have a regular forum to allow discussion of not only current practice and challenges but also future

directions. The interviews with practitioners also suggested that a more streamlined process, with a single point of contact would be of significant benefit on a daily basis. It was perceived by the practitioners interviewed that this would allow them to be 'more effective' in their roles.

**R10 Greater Victim and Community Involvement in Triage:** To ensure that the restorative nature of Triage is maintained and further developed, a review of the extent and nature of the victim's involvement in Triage needs to be considered. Alongside this, Newcastle YOT should consider how they share and publicise the 'good news' stories associated with their work. At present, many of the examples of successful interventions do not appear to leave the criminal justice arena. The communities which have been affected by offending behaviour should be updated on positive developments, such as *91.1% of young people who have gone through Triage have not gone on to re-offend.*

**R11 Standardisation:** Consideration should be given to developing a clearer and more transparent protocol for working with young people, such as a standard young person's pathway. The fieldwork consistently highlighted concern from all agencies about the extent to which the intervention delivered to young people was the most appropriate response; was robust; and, was delivered in line with standard procedure and guidelines.

**R12 The Rolling Out of Triage:** There is clear value in delivering Triage to a wider audience, and consideration should be given as to whether Triage could also be offered to First Time Entrants (FTEs) who go straight to reprimand or final warning (as an additional intervention, rather than to replace the reprimand or final warning); to allow young people to consider and evaluate the wider impact of their offending behaviour. Clearly this would also have resource implications.

## **Background to the Research**

### **Project Overview**

In 2010, Newcastle Youth Offending Team (YOT) commissioned Northumbria University's Department of Social Sciences to undertake an evaluation of the delivery and impact of Triage, an early diversion intervention for first time entrants (FTE) into the criminal justice system (CJS).

The aims of the evaluation were:

- To assess to what extent Triage is meeting its stated aims and objectives;
- To develop a series of recommendations to improve the delivery and impact of Triage;
- To develop a series of recommendations regarding the roll-out of early diversion interventions to a wider group of offenders.

The objectives of the research were:

- To assess working practices in relation to Standard Operating Procedures;
- To assess the strengths and weakness of the delivery model;
- To assess the delivery and impact of Triage on young offenders, victims and communities in relation to others forms of intervention for young offenders;
- To calculate the Social Return on Investment (SROI) of Triage and review its return compared to other forms of intervention;
- To identify areas for improvement;
- To explore opportunities for the wider roll-out of Triage.

### **Methodology**

The research involved a number of key stages:

**Stage 1: Understanding the Project:** This stage consisted of a range of activities aimed at gaining a clear and comprehensive picture of the nature and scope of the evaluation. These included:

- **Project Inception Meetings:** The research team met with the YOT Manager and a number of YOT officers to clarify the aims and objectives of the research; to discuss

approaches to data collection; to identify relevant stakeholders to be included in the study; and to discuss project timescales.

- **Project Planning:** The research team developed a detailed project evaluation plan, which outlined the research methodology, staff roles in the project, project costs and a project timetable. This plan was agreed by the funder.
- **Policy and Literature Review:** A policy and literature review was undertaken to develop the rationale, context and supporting evidence for this study. Literature was reviewed in relation to:
  - Policy context (government policy in relation to youth offending and the current range of options used by the Police and YOT to deal with young offenders);
  - Academic and research findings on the impacts of the range of measures used to tackle young offending (such as Triage, reprimands and final warnings);
  - Documentation relating to the operation of Triage in Newcastle, including Standard Operating Procedures and the workbooks used to structure the interventions.

**Stage 2: Quantitative Data Collection and Analysis:** The research team requested two sets of quantitative data from Newcastle YOT and Northumbria Police.

- **DS1:** The first set of data related to the age, gender, offence category, residential postcode and reoffending behaviour of all young people who received a Triage intervention, reprimand, community resolution and final warning between January 2010 and January 2011. The research team used the data to explore similarities and differences between the different categories of young offenders and differences between the reoffending rates of each type of intervention.
- **DS2:** The second set of quantitative data related to the various costs associated with different types of interventions used for dealing with young offenders. This data was used to produce a cost-benefit analysis of Triage assessments, as opposed to other types of intervention.

**Stage 3: Qualitative Data Collection and Analysis:** The third stage involved the research team undertaking a series of face-to-face, semi-structured interviews with a range of stakeholders who have a key role in developing and delivering interventions for young offenders, including: a YOT manager; 6 YOT caseworkers, 2 police officers based at YOT; and, 5 custody sergeants operating across the city. Discussions with stakeholders focused on the following issues:

- The prevalence and nature of youth offending in Newcastle, and changes over time;
- The suitability of the matrix of interventions currently used by the Police and YOT for dealing with young offenders;
- The value of early diversion;
- The design and delivery of Triage;
- The impact of Triage on young offenders, victims, communities and police/YOT resources;
- Possibilities for the wider roll out of Triage.

Interviews were also undertaken with two groups of young offenders: 13 young offenders who had completed a Triage intervention and 16 young offenders who had received a reprimand or final warning between February and April 2011. Discussions with both groups of young offenders focused on:

- Their offences and underlying reasons for their offences;
- Their experiences of the CJS/restorative process;
- Their views on the support offered to them by the Police and YOT caseworkers;
- How they feel about their offences, and crime more generally, post-intervention.

It was not possible to interview victims of crime or representatives from the courts as part of the research process.

It was envisaged that by using a combination of methods, the research team would be able to evaluate the success and value of Triage, not only to Newcastle YOT, but also the young person through evaluating the extent to which this has an impact on their offending profile (reduction in the seriousness or frequency of offending); the wider community, through reduced levels of youth crime; and correspondingly, a decrease in the costs associated with the detection of and responses to youth offending. Through greater understanding of successful intervention programmes, lessons of best practice can be shared and the value of Triage to a wider audience can also be considered.

### **Policy and literature Review**

Academic debates around young people's engagement in criminal activity and the CJS's response(s) are both extensive and varied. This mirrors the range of interventions and options available to practitioners within the CJS and led to statements such as those by Crawford (1997) who referred to this array as a 'smorgasbord'. The difficulty that often occurs is ensuring that the most appropriate interventions are used for individual offenders; that the CJS can be both flexible and 'needs' driven; and also, that practitioners are fully aware of the range of interventions available and the policy and practice that underpins their use. Case (2006) has taken this argument one step further to state that:

*'...targeting of interventions could then be represented as sensitive and responsive to expressed need, thus limiting the criminalisation and stigmatising potential of unwarranted and invasive interventions'.*

One of the most significant and enduring debates relating to young people and crime are those which stem from Cohen (1985) and Austen and Krisbergs (1981) regarding the extent to which many of the government initiatives – developed in essence to respond to youth crime – have resulted in '*net-widening*'. If we look at this specifically in the context of youth justice, we can see it is a complex set of inter-relating factors which impact upon this process. '*Net-widening*' can be split into several categories. First it is argued that an impact of expanding the remit of youth justice, is to draw more people into its reach. '*Net strengthening*' occurs through the intensification of sentencing through either indeterminate sentences or individual treatment models and '*different nets*' are the result of institutions not replaced/altered but supplemented by additional actors/agencies operating in the field. These arguments (both academically and in practice) relating to net widening have continued to resurface since the 1970s; a period when young people sentenced to custody rose dramatically. Yet, contrary to the '*net widening*' debates which dominated the 1970s, the 1980s saw a drastic decline in both the youth crime rate and youth custody, leading commentators such as Allen (1991) to state that the 1980s should be seen as 'a successful revolution' in relation to youth crime and custody. Muncie describes this period as one in which the youth justice system was more focused towards '*diversion, decriminalisation and decarcation*' rather than what Goldson refers to as a '*futile and counterproductive*' nature of custody.

Since the Crime and Disorder Act in 1998, a number of interventions – both new and re-badged – have been developed to respond to growing concerns around youth crime. One of the most significant of these developments was the growth in multi-agency working and the introduction of YOTs, and as Goldson (2000) notes:

*‘YOTs have clearly given local inter-agency work a more stable footing but they also operate within targets and deadlines set by the youth justice board...YOT work is constantly scrutinised through budgetary planning and auditing for cost and effectiveness’.*

This has led to much academic debate relating to the role of YOTs and the value of the inter-agency working (see for example, Muncie 2000; Appleton and Burnett 2002). This was clearly highlighted in the joint Her Majesty's Inspectorate of Constabulary (HMIC) and Her Majesty's Crown Prosecution Service (HMCPS) inspection. While looking predominantly at police practices, much of the focus was towards ‘activities’ that were inter-agency in their delivery:

*‘We selected cases from 2008/09 to allow a review of re-offending 12 months after the disposal. We found that re-offending rates are lowest for restorative justice disposals, at 9 out of 40 cases; levels ranged from 18 out of 50 cases for conditional cautions to 22 out of 50 for PNDs, and reach 40 out of 50 for those charged in court’.*

Triage, which operates in line with restorative justice principles, clearly has benefits for the individual offender, the victim, the CJS and wider society. There are many contested debates within academia as to what constitutes restorative justice. Marshall (1991) for example, states that restorative justice:

*‘is a process whereby all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future’.*

The key principle that underlies restorative justice (and a practice that is used by YOT through, for example, youth offender panels and restorative conferencing) is that it has a greater focus towards repairing relationships, and that criminal activity related to the breakdown of this relationship is secondary in the CJS response. Roche (2001) builds upon this and states that finding a suitable definition of restorative justice is highly problematic in

that it deals with both a philosophy and a range of practices that can vary significantly across the CJS. Triage, which operates in three different formats, is a clear example of this. What has been evidenced through research, such as that carried out by Burnett and Appleton (2002) looking at Oxfordshire YOT, is the desire for YOT to actively develop these opportunities, when they state that:

*‘They seized upon the prospect of applying restorative justice principles and queued up for the relevant training; they embraced the ideas of victim involvement and education inclusion; and they welcomed the increased range of interventions they could call upon to support their work’.*

But as Haines and O’Mahoney state, much of the concern has been around the philosophy and practice of restorative justice, and there is limited evaluative research as to its real impact on the offender and offending patterns.

In Newcastle, like much of England and Wales, the most commonly used interventions have historically been reprimands and final warnings – introduced through the 1998 Crime and Disorder Act. Recently, there has been an increased focus by the CJS on the value and use of interventions that do not require an offender to attend court. The joint inspection by HMIC and HMCP (2011) argues that there is a place with the CJS for:

*‘Effective justice that fits the circumstances of the crime, which can be achieved for victims and offenders – particularly young people – outside the formal court system by adopting different methods of dealing with crime’.*

In Newcastle, the existing options available to criminal justice practitioners have been supplemented by two additional interventions targeted predominantly at FTEs to the CJS; ‘Community Resolution’ delivered by Northumbria Police and ‘Triage’ which is delivered by Newcastle YOT after referral from Northumbria Police (introduced from 2009 onwards).

Community resolution has been heralded as an innovative approach to dealing with minor offences, such as public disorder, criminal damage and inconsequential assaults; and developed as an alternative to a reprimand. Community resolution, while very different to Triage in that it is administered by Northumbria Police, has similarities in its ideology – aiming to address the offending behaviour and restore social capital. Before deciding upon community resolution as a course of action, the offender’s history and any history /relationship between the offender and victim are considered. Northumbria Police (2011)

identify that a number of criteria must be applied before community resolution can be undertaken:

- The offender must admit to the offence and agree to participate in the process;
- The victim will be consulted in relation to what form the 'resolution' will take – this, for example, may include apologising or sending a letter of apology to the victim or the offender making some form of reparation, such as repairing or paying for any damage done. The offender may also be offered advice in relation to their offending behaviour.

The second model which is operating in Newcastle and is the focus of this evaluation is Triage. The concept and philosophy of Triage, in the context of criminal justice, is one which has been developed to mirror that of the NHS accident and emergency processes. Triage takes place at the point in which a young person enters police custody and seeks to act as a gateway whereby all young people entering custody can be rapidly assessed to ensure that they are dealt with swiftly and effectively. One of the clear strengths of the model – as identified by the London Criminal Justice Board (LCJB) – is the extent to which multi-agency working can be evidenced and the extent to which it has a wider and more significant impact on all those involved in the Triage process, compared to other types of intervention. The LCJB (2010) states that:

*'Joint decision-making has also led to a greater understanding between organisations and highlighted the commitment to appropriate outcomes for the offender, victim and community'.*

Frances Done, Chair of the Youth Justice Board said, while referring to the wider philosophy and use of Triage, (LCJB 2010):

*'Triage prioritises the assessment of a young person and their offence, which means that the right levels of support are made available far earlier. This can include the use of restorative justice or prevention services, such as family support, which may reduce the chances of the young person moving further into the criminal justice system'.*

After initially being trialled in two London Boroughs (Greenwich and Lewisham), the LCJB (2008) stated that through the support of Youth Crime Action Plan funding, Triage would be rolled out in eleven more boroughs and many other local authorities have followed suit. It stated:

*‘...early diversions rapidly engage a young person in effective interventions designed to reduce their chance of re-offending. Wherever possible, interventions are based on restorative justice where the young offender is confronted with the consequences, in terms of the impact on the victim, of their offending behaviour.’*

This is further supported by the joint inspection by HMIC and HMCPs (2011) which states that, when developing and implementing out of court disposals:

*‘...the strategy should be based on what works to improve victim satisfaction, reduce re-offending and provide value for money’.*

Triage has three routes for disposal, as identified by the Criminal Justice Board Standard Operating Procedures, which are briefly comprised of Triage 1 – early diversion; Triage 2 – joint risk assessment; and Triage 3 – criminal justice disposal. Specifically:

- **Triage 1** is utilised where offences are graded as Gravity 1 or 2 and the young person admits the offence(s) in question. Here a restorative justice intervention would be the most likely outcome unless other risk factors came to light.
- **Triage 2** can be administered when the activity relates to Gravity 1, 2 or 3 offences where the young person has a previous reprimand or final warning and admits the offence. In this case the disposal decision would be made jointly by Police, CPS and YOT staff.
- **Triage 3** has been developed to respond to offenders where the offence is Gravity 4 or 5 (most serious), or regardless of gravity, the young person has denied the offence. In these cases a restorative justice intervention is not applicable and a Criminal Justice disposal (reprimand, final warning or charge) will be instigated.

This somewhat confuses the picture in that the label of ‘Triage’ is used to refer to a vast range of initiatives which have been based on either Triage 1, 2 or 3 and are tailored to meet local needs. This ‘local’ focus can often make a difference not only to what is delivered, but also where. Triage in Newcastle, for example, is delivered in YOT offices, but many others are delivered in police stations or, in court premises. The London Borough of Hackney have further developed their model of Triage so that it has a greater focus towards the courts:

*‘Increasingly, Triage from court is coming to notice, particularly in London. Hackney have developed a court Triage (conducted by the YOT court officer with CPS etc) to*

*counter overzealous charging where Triage from custody could have been an option. Southwark have had young people referred from youth courts and are feeding back on engagement before a case is dismissed.'*

This is clearly a model which is very different both in content and nature to the model of Triage which is delivered in Newcastle. Currently, a young person would be given the opportunity to undertake Triage (as long as they fit the criteria, e.g. FTE for a relatively low level offence) by the custody sergeant. They would then be given a date and time to attend Newcastle YOT for a one hour appointment with a YOT worker. During the session, the young person is required to discuss the actions which led to them being referred for Triage; complete a workbook which is relevant to their situation; and, write a restorative letter of apology to the victim of their crime.

The overall aims of Triage, as stated by the Criminal Justice Board Standard Operating Procedures, will be addressed and evaluated in the context of this research. Triage aims to:

- Reduce serious youth crime through early identification of risk, leading to a swift and effective criminal justice response;
- At the earliest opportunity, divert young people committing low level offences away from the CJS into effective interventions to reduce reoffending;
- Increase community confidence in the CJS through greater involvement of victims and witnesses and restorative justice;
- Improve collaboration and decision-making at the point of arrest resulting in interventions which are more targeted and proportionate.

This is supported through four objectives which are listed below and have been evaluated in relation to Newcastle YOT's Triage processes and outcomes. The objectives of Triage are, to:

- Identify the risks and needs of young people at the earliest point after arrest to inform effective decision making and reduce re-offending;
- Prevent the unnecessary entry of young people committing low level, low risk offences into the CJS, through diversion out into restorative disposals;
- Identify risk and share relevant cross police, CPS and YOT on more serious and persistent young offenders;
- Ensure effective decision making at the point of disposal and where appropriate fast track responses through the CJS.

One of the key areas of concern specifically in relation to Triage is that it appears as ‘No Further Action’ (NFA) on the young peoples’ police/criminal records. This issue has also been highlighted by the recent joint inspection by Her Majesty's Inspectorate of Constabulary (HMIC) and HMCPs (2011), which noted that:

*‘While all except restorative disposals are recorded on the Police National Computer (PNC), not all out-of-court disposals carry the same obligations of disclosure to a court or an employer. The choice of disposal therefore has a potential impact on an individual’s future life. An offender in one area may be dealt with by way of restorative disposal for a first offence, whereas in another area he or she might have received a caution – which is visible in a Criminal Records Bureau (CRB) check.’*

This is further complicated when the table below is evaluated. Triage appearing as NFA goes against both the philosophy and ideology of Triage and also the 2011 HMIC and HMCPs which states that restorative justice practices should not be entered onto the PNC; should not be disclosable at court; and, should not appear on an advanced and standard CRB. In order for the philosophy and practice of restorative justice to remain central to Triage, the recording practices need to be revisited to consider their significance not only so that they are commensurate with national practices but also so that they do not impact on the young offender’s life course trajectory (see later discussion in the findings and SROI sections of this report).

<b>Disposal</b>	<b>Recordable (entered onto PNC)</b>	<b>Disclosable to courts for sentencing</b>	<b>Criminal Records Bureau (standard)</b>	<b>CRB (enhanced)</b>	<b>Disclosable abroad</b>	<b>Rehabilitati on of Offenders Act applies</b>
<b>PND</b>	✓	✓	✓	✓	✓	✓
<b>Simple caution</b>	✓	✓	✓	✓	✓	✓
<b>Conditional caution</b>	✓	✓	✓	✓	✓	✓
<b>RJ disposals</b>	X	x	X	x	X	x

<b>Convictions</b>	✓	✓	✓	✓	✓	✓
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### Quantitative Research Findings

Triage Model 1 was implemented in Newcastle on 25<sup>th</sup> January 2010, with a focus towards young people aged 10-17 at the time of committing the offences. In the period up to 24<sup>th</sup> January 2011, 190 young people received a Triage intervention; of which 68% (129) were male and 32% (61) were female, and 87% (167) defined themselves as white. The main offence categories resulting in Triage included: theft and handling stolen goods; public order; criminal damage; and, violence against the person. The table below illustrates that the pattern is also found when looking at the offences of all FTE receiving Triage, reprimands and final warnings, being referred to Newcastle YOT over the time period.

**First Time Entrants to Newcastle Youth Offending Team (January 2010 – 2011)**

	Male	Female	Total
Arson	3	1	4
Criminal Damage	61	9	70
Drugs	16	4	20
Fraud/Forgery	3	3	6
Motoring	15	1	16
Public Order	48	32	80
Racially motivated	1	3	4
Theft/handling	108	133	241
TWOC	14	0	14
Violence	70	26	96
Non domestic burglary	13	2	15
Robbery	3	0	3
Sexual offences	3	0	3
Domestic burglary	2	0	2
Other	5	5	10
	<b>365</b>	<b>219</b>	<b>584</b>

During a similar time period (1<sup>st</sup> August 2009 to 31<sup>st</sup> December 2010), 4125 individuals were involved with community resolution; 138 on more than one occasion and six offenders went through the process on five occasions. Of the total 4125, over half of those (2,340) were 18 or under, with six individuals under the age of ten and the youngest person being 7. The multiple use and age of offenders was reviewed by Northumbria Police in December 2010, with clearer guidance and protocols now in place. No data was provided from Northumbria

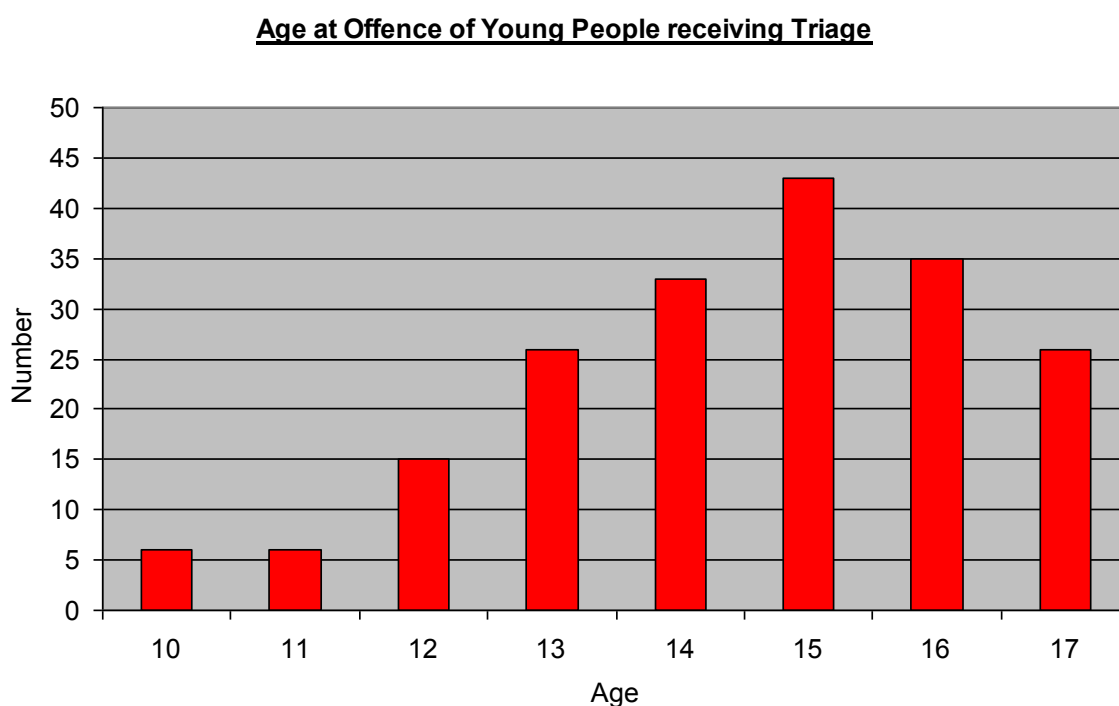
Police as to the extent young people who undertook community resolutions later received a reprimand, final warning or court order.

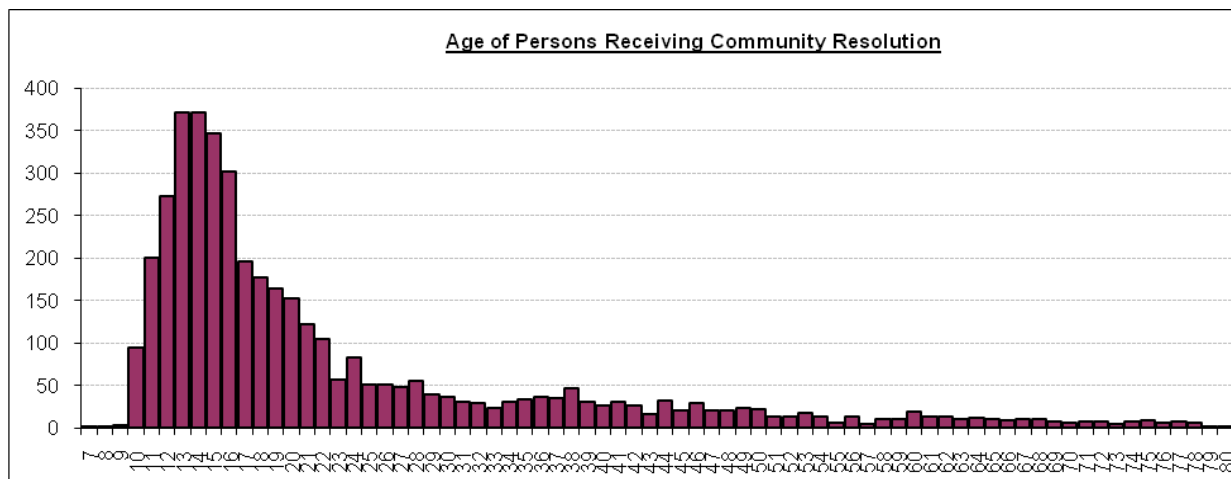
The reason for these young people receiving community resolutions as opposed to Triage is unclear but during interviews with custody sergeants, they expressed preference to community resolution as the police have more 'ownership' over the process.

What raises concern is the number of offenders who have received community resolution on more than one occasion; the lack of justification for giving community resolution to those under the age of ten; and, the extent to which there is clarity and oversight of the decision-making process at individual and force level. As identified by the HMIC and HMCPs inspection (2011):

*'The principal area of concern is the use of out-of-court disposals for repeat offenders. Although sometimes this may be accounted for by the circumstances (for instance, if a witness is reluctant to attend court), within our small sample, we found obvious examples of unexplained and unchallenged overuse.'*

The age of young people receiving Triage and community resolution also raises questions. For Triage, there is a steady increase in its use by age, with a clear 'peak' for young offenders aged 15.





The re-offending rate for Triage which stood at 8.9% for the period January 2010 - 2011, in comparison to reprimands which stood at 29.5% for January 2009 - December 2009, would suggest that Triage is a successful intervention and one which is directing young people (in the main) away from the CJS. What the quantitative data does not highlight is the extent to which these young people would have historically received an intervention. When we look at the time between receiving Triage and any re-offending that came to CJS attention, the critical period can be identified as the first six months after the intervention is delivered. This would re-enforce some of the data collected through qualitative interviews that in some cases additional 'follow-up' activity would be beneficial to young people.

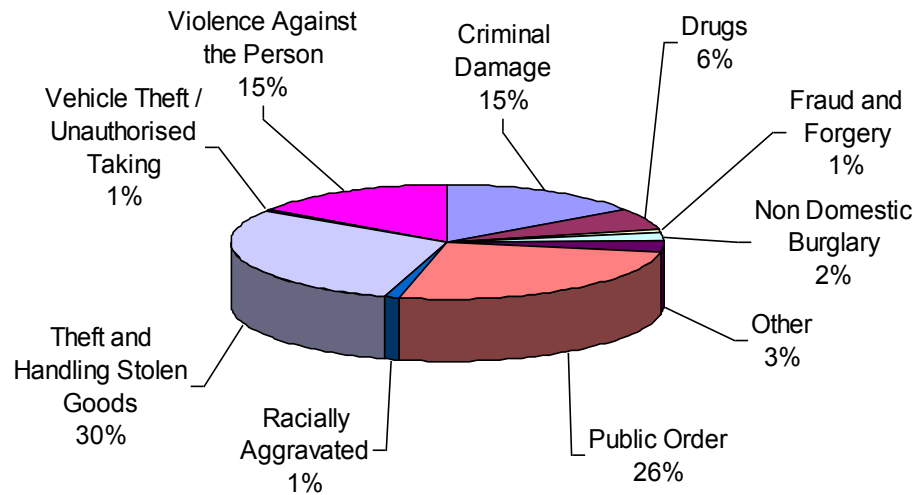
### **Triage Re-Offending Timescales**

0 – 3 months	6 re-offended within this timescale
3 – 6 months	9 re-offended within this timescale
6 – 9 months	1 re-offended within this timescale
9 – 12 months	3 re-offended within this timescale
12+ months	0 re-offended within this timescale

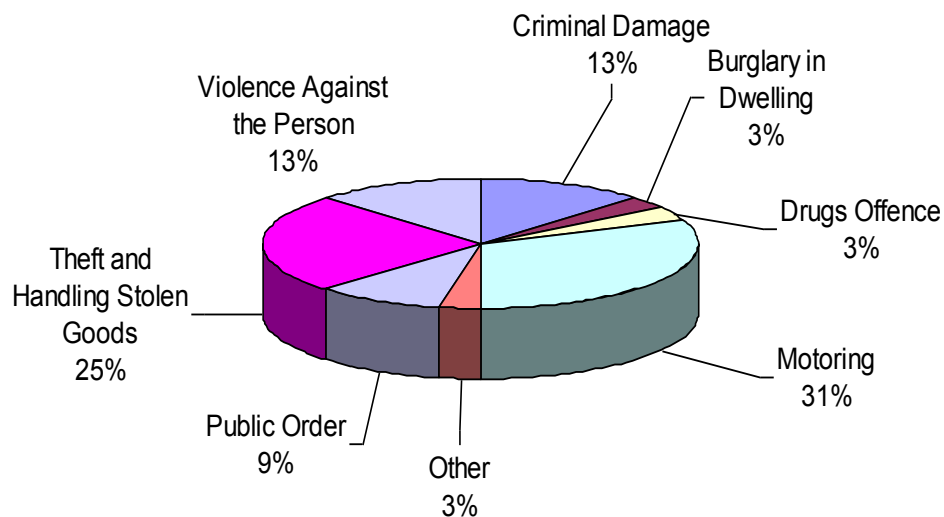
The data also highlights some unusual patterns in relation to re-offending; most notably, when re-offending occurs, none of the young people re-offended in the same offence category – with re-offending predominantly being for theft and handling of stolen goods and also, violence against the person.

The following charts illustrate the initial activity which brought the young person into Triage and the re-offending data.

### Offences of Young People receiving Triage



### Re-offences Following Triage



## **Qualitative Research Findings**

The qualitative data is drawn from the semi-structured interviews which were undertaken with both key stakeholders and young offenders receiving reprimands, final warnings and Triage interventions.

### **The Nature of Young Offending in Newcastle**

There was a general perception amongst all stakeholders interviewed that youth offending rates in Newcastle have remained largely stable over time. They suggested that many of the young offenders who they deal with are FTEs. The average age of first time entry into the CJS has decreased over time, from approximately 14–15 years old to 13–14 years old, but suggested that this may be attributed to a greater focus on early diversion which has largely formalised a more ad hoc approach to dealing with young people, such as taking them home and having a discussion with their parents. Furthermore, the gravity of offences committed by this group of young offenders remains low and many do not go on to reoffend. Stakeholders reported that the most serious crimes committed by young people – which suggest an increased propensity for violence, organised crime and the use of weapons – are committed by a small cluster of prolific young offenders, who generally have a range of complex needs. These young offenders are well known to the CJS. The stakeholders also identified that the majority of offences committed by young people are theft and alcohol-related offences; although this varies across the city. For example, ‘shoplifting’ was identified as more prominent in the city centre than in suburban areas and a higher level of public order offences are committed on weekends than during the working week. The custody sergeants interviewed estimated that they spend 25% of their time dealing with young offenders and that this figure has remained constant in recent years.

### **Mechanisms for Addressing Youth Offending**

Stakeholders suggested that the static nature of youth offending in Newcastle is due – in large part – to the effectiveness of the current system for dealing with young offenders. Stakeholders were very supportive of the range of options available to them for tackling youth offending, which includes: Triage, community resolution, reprimands, final warnings and court orders. As a result of the range of options open to them, stakeholders reported that youth offending is increasingly handled in a much more effective and efficient manner over time. For example, the Police and YOT now deal with all low level offending and only

the most prolific offenders, with the most complex needs, are propelled into the court system. A number of stakeholders – particularly YOT stakeholders – commented that the range of measures available is *'fairly diverse'*, commenting *'there is probably the right kind of spectrum for us to choose from'* and *'it does allow for the Sergeant to make a decision based on the evidence there rather than it being set in stone.'*

A large minority 40% of stakeholders expressed concern, however, that the current system is *'over-complicated'*, commenting *'it's too broad...much too broad...it's far too complicated and it changes that much as well'* and *'I have to look it up every time and I still get it wrong. I quite often get emails from them saying 'why you are doing that?'* Furthermore, while the range of options available to the Police for dealing with youth offending would suggest that they have a considerable level of discretion to select the best option for each individual young person – in reality, the system can be rigid due to the strict criteria attached to each type of intervention. One stakeholder commented, *'there are sometimes too many rules in the book which limits the options in practice'*. Another stakeholder suggested that Triage, in particular, had limited police discretion, explaining *'there's been times when I've put people forward for Triage and I've thought, 'I don't like that I'm giving you this option before you even jump onto the reprimands or final warning stage but that's the process as I understand it, they have to have that opportunity'*.

Nonetheless, stakeholders were supportive of the *'progressive'* nature of the system. Interviewees strongly believed in the need for there to be *'consequences to the young peoples' actions,'* but at the same time, expressed concern that *'young people are criminalised too quickly'*, *'they're not allowed to make mistakes and they're not allowed the opportunity to put the mistakes right'*. They suggested that once they become criminalised, *'it is difficult for them to escape the system'*, arguing that repeat contact with the CJS results in young people becoming labelled by the community and associated with inappropriate peer groups; and, they lose their *'fear'* of the CJS and *'acquire knowledge of how to work the system'*. All young offenders interviewed suggested that their first experience with the CJS was the most significant in terms of impact. They recalled feeling *'nervous'* and *'scared'* when taken to the police station for questioning for the first time. One Triage interviewee reported, *'it was ok at the time but I couldn't go through it again'*. However, after repeat contact with the police, offenders who had received a reprimand or final warning reported feeling *'less bothered'*, *'not bothered'* or *'fine'* about being taken into custody. This example supports the idea that once young people have recurring contact with the CJS, they lose their fear of the system and accordingly, the aim of Triage *'to reduce serious youth crime through early identification of risk, leading to a swift and effective criminal justice response'*.

Stakeholders agreed that there should be a greater focus on early diversion in the CJS, commenting *'young people tend to commit crimes because of an underlying problem at home – this is why early intervention is so important', 'having specific targeting in the areas of their lives where they need it...that's what's going to make the difference' and 'by giving them a police record, we're not benefitting them, we're just rubber stamping them and sending them on their way'.*

### **The Development of Triage**

There was, however, a division of opinion amongst stakeholders about the value of and need for the development of Triage. YOT stakeholders saw the introduction of the early diversion intervention as a *'positive development'*. One interviewee, in particular, commented, *'I'm sold on Triage, I must admit'*. They reported that many young people who have completed a Triage intervention to date have been respectful and polite, had supportive family backgrounds and ambitions, and have made what they referred to as a *'silly mistake'*. YOT stakeholders feel that these young people deserve a *'second chance'* before being propelled into the CJS. They reported that many young people begin offending due to boredom or in response to a domestic problem and receiving guidance from the Police and YOT and being offered the opportunity to engage in meaningful, positive activity, are sufficient to prevent further offending behaviour. One stakeholder commented, *'I don't really know [about its impact] but I believe in the process. They deserve a second chance'*. YOT stakeholders were also supportive of the *'restorative'* element of Triage. They argued that Triage is different to other interventions because it requires young people to *'think about what they have done'* – unlike reprimands, for example, which one stakeholder described as essentially *'a paper exercise'*. They suggested that if reprimands and final warnings had a greater restorative element *'we would have even less young people going through the court system'*.

Broadly speaking, police stakeholders were less convinced, however, about the value of Triage. A number of police stakeholders supported the underlying *'second chance'* principle of Triage. One police stakeholder commented, *'Triage is advantageous for a decent kid who comes in for the first time...If there's any way we can turn them away from further offending, then great....it's good to have that extra tool in the box'*. More typically, however, police stakeholders did not understand the rationale behind the development of Triage, commenting *'I don't know why it was developed', 'I associate Triage with the hospital*

system...you see someone and they decide what is going to happen to you but with this, you have Triage and that's it...I don't understand it'. Clearly, some worrying comments in that these stakeholders act as gatekeepers to Triage. Furthermore, 80% of the police stakeholders interviewed were not aware of the restorative element of Triage. When asked about their understanding of the YOT aspect of the process, responses included: *'I haven't got a clue', 'I don't understand what happens with Triage', 'I don't know the technicalities of it', 'Do they meet the victim?' and 'I imagine they go in with an appropriate adult, discuss the error of their ways and then they go...I would imagine it's just going through the motions most of the time'*. Another reported not understanding the difference between Triage and reprimands, for example, guessing that perhaps Triage is simply a more informal version of a reprimand. This lack of understanding has been picked up by YOT stakeholders who suspected that *'custody sergeants are not fully up on it'*, due to the nature of the system. They explained, *'there's so many options open to them and if they don't come across young people often, they won't remember it and a lot of them did not originally like the idea of Triage as they didn't think the young people were getting punished'*.

### **Eligibility for Triage**

A majority, (60%) of police stakeholders reported being unclear about the eligibility criteria for Triage and reported often requiring support from police officers based at YOT regarding what action to take against a young offender. One stakeholder admitted, *'I have to look it up every time and I still get it wrong. I quite often get emails from them saying 'why you are doing that?''*. YOT stakeholders confirmed that *'an awful lot of people are booked in for Triage who aren't eligible'*. This is a recurring theme within the interviews but as Newcastle is offering Triage 'level one', there is no requirement for a joint assessment at the point of first contact with the young person to take place. What's more, the decision-making process across police stations appeared to vary significantly, with some custody sergeants reporting that they try to involve a range of stakeholders – including the officer in charge, the young offender and the young offender's parents – in the decision-making process and then decide what action to take based upon that information and others conceding, *'If it's their first offence and its low level, they get Triage...that's as much assessment as they get'*. It is considered by the research team that although a joint assessment process would require a significant amount of resources, it would be beneficial in that it would ensure that the right people are being offered Triage; this could possibly increase the number of young people referred to Triage but also reduce those who are referred and not deemed appropriate for this type of intervention.

## The Triage Process at the Custody Suite

Standard Operating Procedures for Triage require that if a young offender is eligible for a Triage intervention, the Triage process should be explained to them by a police officer whilst they are in custody; they should be given a leaflet explaining the process further; and, finally, they should be given a choice about whether or not they accept a Triage intervention.

The custody sergeants interviewed conceded that, due in part to their limited understanding of the Triage process, young people are not fully briefed about what a Triage intervention involves, nor are they given a choice about whether or not to accept the intervention. When asked if they think the young offenders understand what Triage is when leaving the police station, most custody sergeants responded with *'probably not'*. The YOT stakeholders interviewed also suspected that the Standard Operating Procedures for Triage were not being followed while young offenders were in custody. They reported, *'we know from the young people coming through that the leaflets aren't always given out'* and *'a lot of them don't understand so you end up spending the first five minutes of the session explaining what Triage is and checking they are willing to go through with it'*. YOT stakeholders estimated that less than a quarter of young people attending a Triage session understand the purpose of the appointment beforehand. They also explained that a small group of young people are resistant to writing a letter of apology to the victim for their offence and felt that if this was explained to them before they attended the session, the young people would have time to prepare themselves for this and would exhibit less resistance to the process during the YOT appointment. It should be noted, however, that it is likely that many parents and young people do not engage with the information which they are given by the police during custody due to the stressful nature of the situation. Stakeholders commented, *'parents and young people are often nervous at the police station so may not be taking in what they are being told'*. When speaking to the Triage group of young offenders, almost 80% suggested that 'Triage' (as a term and what a Triage intervention involves), was not explained to them at the police station, nor were they given a leaflet about Triage or a choice about whether or not to accept a Triage intervention.

These findings raise concern about the extent to which young people are engaged with the process and the extent to which Triage is seen as an appropriate response to youth offending by both gatekeepers and the young people themselves. Stakeholders agreed that

the strength of Triage lies in its symbolism; being given a 'second chance'. If the young people completing the intervention do not understand the opportunity which they are being given, it is likely that this will undermine the value and impact of Triage.

### **The Triage Process at the YOT Office**

Triage appointments with a YOT worker are scheduled to last up to one hour. During appointments, the young offender must engage in discussion and complete a workbook with the YOT worker and at the end of the session, write a restorative letter of apology to the victim for their crime.

Newcastle YOT has developed two Triage booklets for use in the sessions; a generic booklet and a booklet for use with those who have committed an alcohol-related offence. The workbooks cover:

- Information about the offence which resulted in the young person receiving a Triage intervention, including its impact on the victim(s);
- The young person's views on different types of crimes such as fighting, stealing, swearing, carrying a weapon, causing damage to property, substance misuse and motoring offences;
- Ideas for the restorative letter which the young offenders must write to be considered as having successfully completed the intervention;
- The consequences of having a police/criminal record on their future life chances.

The research team and stakeholders discussed some concerns about the adequacy of the workbooks currently in use and the possible benefits derived from developing a wider range of workbooks to maximise their relevance and benefits to the young people. It was first agreed that it may be beneficial to develop workbooks which are tailored towards the most common types of offences committed by young people such as theft and the handling of stolen goods; the possession of drugs; and, violence against the person. The research team were also concerned, however, when looking at the quantitative data, that when young people who have completed a Triage intervention go on to reoffend, they generally reoffend in a different category of crime. It is suggested therefore that there is also a greater emphasis on discussing young people's attitudes to crime more generally. Finally, the development of separate workbooks for 10–13 year olds and 14–17 year olds was suggested. Stakeholders agreed that the seriousness or underlying causes for offences

generally differs between the two age groups, as well as their understanding of key terminology.

Concerns were raised regarding inconsistencies in the emphasis placed on the restorative letter by different YOT workers and the quality of the letters being produced by the young people. Stakeholders agreed that all young people should be encouraged to write a well-structured, detailed and thoughtful letter of apology to the victims, to maximise the symbolism of the Triage intervention. The research team would recommend the regular auditing of the quality of letters being produced by an internal manager. Furthermore, many young people are not able to identify who the victim(s) is/was, particularly for criminal damage. For the symbolism to be fully entrenched within the process, consideration should also be given to providing the young people with feedback on how the 'apology' was received.

The research team also observed that much of the Triage intervention is focused upon the young people reading the Triage workbooks, writing down their answers to each question and drafting a letter of apology. The team are concerned about the potential loss of symbolism from the process for young people who have learning difficulties and poor literacy skills. Stakeholders reported that they have not received training on how to deliver interventions to young people with learning difficulties and that caseworkers are required to deal with these types of situation in their own way when they arise. The Department of Health funding recently received by Newcastle YOT will hopefully allow some of these issues to be addressed.

Young offenders and their parents/guardians attend Triage appointments with the YOT caseworkers. Stakeholders reported that parents are generally engaged with the process and their presence during the intervention does not generally impact upon the dynamics of the meeting in a negative way. This was true of the interviews conducted by the research team with approximately 20 young people and their parents/guardians; except for in one case. There was a significant degree of tension between the young person and their sibling during their interview with one of the researchers and at one point, the young person disclosed that they were unable to speak openly and honestly in front of their sibling about issues which were affecting them in their home life. They commented that they would have preferred to have been able to complete the Triage intervention without the presence of their sibling. The research team suggest that further consideration needs to be given as to

the appropriateness of the 'appropriate adult' in this context and the extent to which this could be a signpost for further multi-agency investigation.

A key part of the Triage intervention is to identify any underlying causes of offending behaviour and to signpost young people onto appropriate services in response. Approximately 90% of young people who engaged in the research were not signposted on to additional services. The majority of young people did not perceive their offending behaviour to be a problem or something which they needed help for. They generally attributed their offending behaviour to peer pressure or '*getting carried away*' and often described their offences as '*spur of the moment*' acts. Yet, the research team and YOT caseworkers had concerns about approximately one third of young people who may have benefitted from additional support that may have been appropriate. It is very clear that the level of assessment which is undertaken is proportionate to the level of entry and resources available and this is further supported by YOT stakeholders who reported that assessment is not a formal part of Triage and that young people are not required to take up additional support as part of their intervention. The danger of extending the assessment processes is that it could further embed young people in the criminal justice system, but on occasion the research team felt that further assessment may have been beneficial (resources permitting) for some young people. One YOT stakeholder conceded, '*I don't think we deal with the young peoples' needs well enough, such as substance misuse, accommodation...support is available at the lower end of the scale but its motivating the young people to access the services...there's no conditionality attached to each stage of the system*'. A number of parents/guardians interviewed also expressed concern that their child had not been allocated additional support. One parent in particular, whose son had severe anger management issues said, '*he definitely needs more work but I've have no idea what*'. Furthermore, police stakeholders claimed to see 'signposting' as the role of YOT, not the police. Interviews with young offenders who had received a reprimand or final warning also revealed that no young people took up the option of further support – despite a number of young people displaying worrying behaviour and dealing with issues such as substance misuse at the point of interview. Stakeholders agreed, 'It shouldn't be a case of 'do you want to come to an appointment', it should '*this is part of your intervention, you have to come*'...*especially around drugs and alcohol*'. A more successful approach to signposting and promoting the take up of additional services is advisable. YOT may also wish to explore additional services which parents/guardians may benefit from being signposted on to. As stakeholders explained, '*we should have more capacity to do parenting at Triage and reprimand stage*'...'*If mum has other younger children at home, we might be able to stop*

*those children coming through the system'*. This may have an impact on recidivism rates if the issues are addressed in their entirety. The research team recognises that this will have significant resource implications.

Stakeholders reported that they do not monitor young people once they have completed a Triage intervention. The issue of ongoing case management post-Triage was raised particularly when young people clearly articulated that they suspected that they will go on to re-offend; and that they have been offered services by other agencies which they have declined. One young person in particular had severe anger management issues, was not remorseful for what they had done and was not equipped to deal with an ongoing issue in their life – which had directly resulted in the offence which led to them receiving a Triage intervention. In relation to this young person, a stakeholder commented, *'he'll be back...can't do anything with him'*. Since Triage began operating in Newcastle, YOT caseworkers reported that they have engaged in ongoing work with approximately 5-6 young people and the research team were pleased to see that during the research period, a number of YOT caseworkers expressed the intention to meet with further young people again or pass their contact details on to other services/agencies, where appropriate. Nonetheless, stakeholders reported that ongoing monitoring is *'over and above other duties'* and that *'[management] would prefer you to say this is what the issues are, refer them to other services and close the case'*. One stakeholder commented, *'I've never yet sat down with a manager and said I'm concerned about this young person, I'm going to keep working with them. You have to make a judgement on the day and you are expected to close it...those ones niggle'*. Ongoing management of young people post-Triage raises concern that it further entrenches young people within the CJS. On the other hand, however, for some young people, further support may be necessary and a one-off intervention might not be sufficient to deal with their complex issues.

Concerns were also raised about the lack of internal management of the Triage process within YOT and the level of discretion which YOT workers may exercise in their response to each individual young person. Stakeholders comments included, *'I don't think we have a structured way of working with young people, we tend to deliver interventions quite ad hoc'*, *'The system needs to be more formalised, more joined up...not down to individual reactions...the system needs to be accountable and I don't think we have that at the moment, it is too much personal choice'* and *'the pathway that a young person receives changes depending on who is delivering the intervention'*. Overall, it is clear that there needs to a greater level of internal management and quality assurance of the Triage process.

## Engagement with the Process

Despite a perceived lack of understanding from young people prior to attending the YOT appointment, YOT stakeholders reported that most young people are generally engaged with the process – due in part to the fact that it is the first time they have come into contact with authority. Stakeholders reported, *'you have a captive audience....it's the first time they have come into contact with us and they just like to complete it and get it over and done with'*. Interviews with the young offenders themselves suggested that many were engaged in the process; but equally, it was clear that a significant minority of young people had completed Triage because they did not want to go back to the police, rather than because they valued the opportunity which they were being offered. This raises questions about the true impact of Triage on young people. The motivations for involvement need to be reviewed and considered in more detail.

What was clear from both stakeholder interviews and interviews with young offenders and their families, however, was that parents/guardians were generally very supportive of the process. There was a suggestion that parents/guardians have a greater appreciation of the value of Triage than the young people involved. Many were appreciative of the fact that no further action was being taken against their child and that the police and YOT were reinforcing the same messages which they have been trying to pass on to their children. When asked to what extent they feel Triage was an appropriate response to their child's behaviour, parental responses included: *'it's a good idea, better than going to court as it makes people think about what they've done'* and *'it seems like a good idea, nip it in the bud now and hopefully he won't go up that ladder'*. Only one parent/guardian felt that Triage was a disproportionate response to their child's behaviour, saying *'it's a completely over the top response...when you know that every other kid out there is smoking a bit of dope and getting away with it...he was just stupid enough to get caught'*.

Building upon this, stakeholders and the research team discussed the potential benefits of engaging parents/guardians more fully in the Triage process, through the incorporation of a parent-child social contract into the workbooks, for example. Indeed, the majority of young people interviewed reported that their parents were *'disappointed'* and *'annoyed'* about

what they had done and suggested that the reaction of their families to their offence had a more significant impact on them than being confronted by the police.

### **Impact of Triage on Young Offenders**

Police stakeholders, in particular, were largely sceptical about the likely impact of Triage on young offenders. Comments included: *'It must work for a few, it must...but those few may also benefit from the PC just taking them home to their parents'*, *'some will be receptive to it but probably a minority'* and *'it will have a positive impact for some...maybe 10%'*. Police stakeholders generally perceived Triage to be *'a weaker form'* of community resolution and reprimands, for example, and therefore concluded that Triage would have a lesser impact on young offenders than other types of intervention. They conceded, however, that their involvement in the process ends once they refer young people on to YOT and therefore have little evidence upon which to base their opinions. This raises concern for the research team, however, regarding the extent to which the police – who perform a vital gate keeping function for Triage – regard Triage as an *'appropriate'* intervention.

There was strong consensus amongst YOT stakeholders, however, that Triage is an effective measure for tackling youth offending; as evidenced by the reoffending data for Triage – commenting *'it's definitely been successful...it can't be denied from the figures we've got'* – and by the reduced number of young people being given court orders. Stakeholders attributed the effectiveness of Triage to the nature of the intervention and the way in which the intervention is delivered. Stakeholders reiterated that the intervention: encourages young people to think about what they have done and the impact of their actions on the victim; gives the young people insight into the possible action taken by the CJS if they go on to reoffend in the future, and what impact having a police/criminal record may have on their life chances; and, is an opportunity for YOT to understand the underlying root causes of the young people's offending behaviour and to signpost them on to additional services, if necessary. One stakeholder commented, *'Triage is about reflection, ownership and responsibility and rehabilitation....it is not about punishment'*.

They also suggested that Triage being delivered away from the police station and in a more *'supportive environment'* and the fact that the intervention takes place within 48 hours of the offence being committed – when it is still fresh in the young person's mind – had an important role to play in the effectiveness of Triage. This importance of this point was

illustrated by discussions with young offenders who had received a reprimand or final warning. Almost 50% of young people in this group reported that they had committed the offence in question at least one month prior to the intervention and as a result, were often unable to remember the details surrounding the offence which they had committed – including the impact of their offence on the victim.

Broadly speaking, the young offenders interviewed, who had completed a Triage intervention, generally felt that Triage had been a valuable experience. They reported reflecting upon the offences which they had committed and the impact of their crimes on the victims (most young people reported feeling '*bad*', '*stupid*' and '*ashamed*' of what they had done); they were offered advice about how to avoid reoffending in the future; and crucially, they were informed about the impact which having a police/criminal record may have on their future life chances. After the intervention, the majority of young people tended to express remorse for their offences; reported that they had '*learned their lessons*' and that they were grateful for no further action being taken against them; and were worried at the thought of going to court and/or having a police/criminal record. A number of young people had ambitions to join the army or police in the future and were concerned that having a police/criminal record would affect their chances of realising these aspirations. As a result, the majority stated that they did not intend to reoffend in the future. Only one young person interviewed did not appear remorseful for their crime, did not feel that Triage had had a positive impact on them and explicitly stated that it was likely that they would go on to reoffend in the future.

Similarly, the young people who had received a reprimand or final warning felt that their appointment was useful as they were informed about the impacts which having a criminal record will have on the opportunities available to them in the future. They reported being worried about the impact which this will have on them in the future such as not being able to secure a good job. Only one young person did not believe their final warning appointment was useful, reporting that they didn't '*learning anything new*'. They also reported not being worried about having a criminal record or the threat of going to court. The research team would suggest a greater emphasis on discussions around the long term impacts of a police/criminal record on young peoples' lives during all types of intervention.

When asked about their opinions on Triage, responses were fairly evenly split. Half of the young people who had received a reprimand or final warning thought '*it sounded like a good idea*', believing that '*understanding that actions have consequences might help [young*

people] think about what they do more', and would have accepted it if it had been offered to them. One participant in particular, mentioned feeling *'on their own'* when dealing with issues in the past and suggested that they would have appreciated *'some sort of support from YOT'*. The other half of the young people, however, suggested that they would have welcomed Triage to simply avoid more serious action being taken by the police. Two interviewees didn't think Triage sounded like a good idea, suggesting that young people *'will just think they have got away with [their offence]...[if given a Triage intervention]'*. One young person who had received a Triage intervention and subsequently went on to receive a reprimand, reported that Triage was *'pointless really'*, saying *'you just tell them what you told them in the statement'*. They did not feel that Triage is of benefit to young people. These comments raises questions about the extent to which stakeholders ensure that Triage is not perceived as a *'soft option'* by young people involved in interventions, victims and those who operate as gate-keepers to Triage.

Overall, however, the effectiveness of interventions such as Triage, reprimands and final warnings appears to be closely linked to young peoples' perceptions about the seriousness of their offence and their perceptions about the type of person whom they are. Differing perceptions were particularly pronounced between those who had committed burglary and those who had been caught in possession with drugs, for example. The young people who had shoplifted appeared to understand that what they had done was wrong and were regretful, while the young people who had been caught with cannabis did not appear to be remorseful, were not concerned that what they had done is illegal, they considered themselves to be *'in control'* of the situation, they were not convincing that they would stop taking drugs; and, they did not consider themselves to be *'drug users'*. It appears that final warnings, reprimands and Triage had very little impact on these young people.

### **Impact of Triage on Victims and Communities**

The research findings were less conclusive about the impact on Triage on victims of youth offending. The custody sergeants and police officers who deal with victims directly after young people have committed an offence reported that victims are generally dissatisfied with action taken against the young offenders, stating *'you try to explain the Triage process to victims...I explain that we have this system which tries to keep them out of the criminal justice system and I think people aren't very happy about it'*. Another stakeholder attributed this lack of satisfaction with the police's lack of understanding of the Triage process and the way in which they subsequently explain the process to victims. They suggested, *'another way of explaining to people how it works would be good'*. Conversely, the police stakeholder

who is responsible for liaising with victims regarding their letters of apology reported that those who choose to accept the letters tend to appreciate the letters-feeling that the letters have given them a sense of '*closure*' on the incident and that the letters help them to understand why the young people committed the offences which they did. However, they conceded that the majority of victims do not want to receive the letters of apology written by the young people. Figures reveal that only 25% of victims choose to accept their letters of apology. The custody sergeants interviewed were shocked at the low level of victim engagement post-Triage. Clearly, victims' acceptance of the letters cannot be made compulsory but the symbolic value of the letter needs to be considered in this light and it also relates to the aims of Triage in that it aspires to '*increase community confidence in the CJS through greater involvement of victims and witnesses and restorative justice*'. Consideration should be given to the extent to which a greater support for the process by victims could be encouraged.

The research findings also suggested that Triage is having little impact on community confidence in the CJS. When asked if communities were aware of Triage, stakeholders suggested that communities will have very limited awareness of Triage, if at all and would most likely associate with the term 'Triage' with healthcare. Discussions with young offenders who had received a reprimand or final warning and their families revealed that none of the young people were aware of Triage as an intervention. The youth offending team and the police need to consider how they get the positive messages associated with Triage back to communities so that it can fully meet its required aims and objectives and that confidence in the CJS can be enhanced.

### **Impact of Triage on Police Resources**

Police stakeholders were fairly evenly split in their opinions regarding whether the introduction of Triage had had a positive impact on police resources in terms of time spent with young offenders or administrative duties. 60% of stakeholders did not think Triage reduced the amount of police resources used to tackle youth offending, suggesting that the Triage *process* was no different to other types of intervention such as reprimands and final warnings. 40% of stakeholders did, however, believe that Triage is having a positive impact on police resources, suggesting that Triage is less labour intensive on the side of the arresting officer in terms of the amount of time they spend with each individual young offender. Yet, one stakeholder expressed concern that less police contact may be not be beneficial for a FTE.

## Multi-Agency Decision-Making and Information Sharing

Both YOT and police stakeholders interviewed raised concerns about the lack of information sharing between the various agencies involved in tackling youth offending and supporting young people. Comments such as *'Never get any feedback on Triage...If the young person turned up, for example', 'It doesn't get fed back to be honest' and 'We don't get any feedback on Triage...we just send them to the meeting and that's it...No feedback on whether it works or not'*. This was a consistent message across the police interviews; clearly this is an area where multi-agency working needs to be reviewed - as do some of the attitudes to Triage when it was stated that *'the custody suite is very busy – by the time YOT have dealt with the young person, we might have had another 50 people through....there's no point me knowing then'*. Furthermore, YOT stakeholders reported being unaware when young people attend an intervention about whether or not they have a police record, if they are known to other agencies, if they have any problems at home and if you are attending school, for example. Stakeholders reported that they have access to 'Total View' – a multi-agency information sharing database regarding young people – but that the database is limited in terms of the information which is available and is often not of real value in supporting them in Triage. One stakeholder suggested, *'we need a more formal process where we have a single contact point and we can say 'are they known to you?'....'It something that needs to be done so we can offer the best services, otherwise we are overlooking things...we need to treat the underlying cause of the offence'*.

## No Further Action

During the period while the research was being carried out, it became clear that contrary to initial beliefs and policy, young people were receiving a police record for engaging in a Triage intervention. All stakeholders raised concerns about Triage displaying as NFA on a CRB check and the extent to which this may undermine the aims and objectives of Triage, which include: *'At the earliest opportunity, divert young people committing low level offences away from the CJS into effective interventions to reduce reoffending'*. In fact, a number of police stakeholders reported preferring community resolution to Triage, for the very reason that they feel it has a lesser impact on young peoples' opportunities for the future, as community resolutions do not appear on police record checks. The research team and stakeholders interviewed felt strongly that this is something which needs to be reviewed so that consistency is achieved across the range of restorative interventions used

for tackling youth offending. Staff reported being unaware that this would happen when Triage was first introduced and therefore informed young people in the first few months of Triage's operation that the intervention would not appear on their police records. A number of young people have since returned to the YOT office and reportedly been '*very upset*' that the incidents have appeared on subsequent CRB checks for jobs and other circumstances.

In light of Triage appearing on young peoples' police records, questions need to be asked about the appropriateness of Triage as an intervention for young people who have committed particularly minor offences, and for offences committed when the young people are only 10 – 12 years of age. One stakeholder, in particular, felt strongly that the age of criminal responsibility is too low and many of the youngest people who receive a Triage intervention do not have the capacity to understand the gravity of what they have done and the impact of having a police record on their future life chances. They suggested raising the minimum age criteria of Triage to 12 years old, if Triage is to continue to appear as NFA on young peoples' police records.

There is concern that while Triage is regarded as an appropriate intervention which has successful re-offending rates, NFA appearing on criminal records checks may have negative impacts on long-term re-offending through limited careers and education opportunities. This is also seen as an issue which could undermine the long-term use of Triage by police stakeholders, as community resolution, for example, does not have the same impact.

### **The Wider Roll-Out of Triage**

All stakeholders agreed that YOT and the police should engage in a greater level of restorative and prevention work with young offenders, particularly at reprimand stage. Both YOT and police stakeholder opinions were split, however, regarding whether Triage specifically should be rolled out to a wider group of offenders.

Opinions were mixed as to whether Triage should be available to young people who commit a second, minor offence. Some respondents felt that low level offenders should be given only one opportunity to engage in Triage, feeling that at the point of committing a second offence – even if low level – young people must then be dealt with in a more formal manner and that to receive Triage for a second time would result in a loss of its unique significance and symbolism. Others, however, felt that Triage should be available to young people when committing a second, low level offence if there is a significant time lapse between their first

and second offence. One stakeholder commented, *'there's a big difference between a ten year old and a fifteen year old...so maybe they could be given a second chance'*.

All respondents agreed that the gravity score for Triage should not be broadened, suggesting that for those who commit more serious offences, Triage does not have sufficient repercussions for their actions.

One stakeholder suggested that a restorative option such as Triage could be available to young adults who have not been in trouble with the police in the past. This stakeholder suggested broadening Triage to students, for example. He explained, *'students...arrested for being drunk...at University...first time away from home...Intelligent people with futures ahead of them...I think something like this would be beneficial to them. I'm all for a second chance when people are working towards a goal'*. Others however disagree. One stakeholder commented, *'Triage has its place for children as many juveniles don't know the difference between right and wrong. Instead of restorative, it's educational. By the time they are adults, 18, they shouldn't need as many chances really. There is the option for community resolution...so there is a way of keeping them out of the CJS'*.

## Social Return on Investment

### **Social Return on Investment (SROI) Overview**

The SROI model was developed in 2000 by REDF (formerly the Roberts Enterprise Development Fund), as an outcomes-based measurement; supporting organisations so that they can quantify the social, environmental and economic value of their work. The premise extends traditional cost-benefit analysis to ascertain the monetary value of project activities in broader terms; the ultimate aim being that SROI produces a ratio that states how much social value (in £) is created for every £1 of investment. According to the Scottish Government, who introduced SROI predominantly for third sector activities in 2009:

*‘SROI is a way in which an organisation can look at what it does, measure the difference that activity makes to people's lives and tell a robust story about that difference or impact. It uses financial comparators or 'proxies' to report on the impact made’.*

According to the SROI Network UK, SROIs can be split into two distinct types:

- **Evaluative SROIs** are conducted retrospectively and are based on actual outcomes that have taken place over a given evaluation period. These are most useful where a project is already up and running and there is good outcomes data available.
- **Forecasted SROIs** predict how much social value will be created if activities meet their intended or most likely objectives.

SROI is based on a six principles which underpin the methodological approach. These include:

- **Establishing scope and identifying key stakeholders:** Clear boundaries about what the SROI will cover and who will be involved are determined in this first step.
- **Mapping outcomes:** Through engaging with stakeholders, an impact map, or theory of change, which shows the relationship between inputs, outputs and outcomes is developed.
- **Evidencing outcomes and giving them a value:** This step first involves finding data to show whether outcomes have happened. Then outcomes are monetised – this means putting a financial value on the outcomes, including those that do not have a price attached to them;

- **Establishing impact:** Having collected evidence on outcomes and monetised them, those aspects of change that would not have happened anyway (deadweight) or are not as a result of other factors (attribution) are isolated;
- **Calculating the SROI:** This step involves adding up all the benefits, subtracting any negatives and comparing them to the investment;
- **Reporting, using and embedding:** Easily forgotten, this vital last step involves sharing findings and recommendations with stakeholders, and embedding good outcomes processes within your organisation.

## Social Return on Investment and Triage

The difficulty with establishing a SROI in the context of Triage is that it has a number of audiences, including:

- The individual young offender who is engaged with Triage;
- The agencies (youth offending and wider CJS) who have/could have future involvement and engagement with the young offender;
- The community impacted upon by the offence(s) – this may include victims, families, friends and the wider community.

In this context, therefore, the SROI is looking at three individual yet interrelated audiences; it may be ambitious to think that Triage could be seen as a complete success in all areas. Instead, what we are trying to ascertain is the extent to which value and impact can be evidenced across the three audiences (individuals, agencies and the community).

A simple cost benefit analysis model would need to look at a number of factors, to allow an evaluation in a financially effective value of Triage.

The actual costs associated with Triage will vary depending upon a number of factors, including the nature of the offence committed by young people.

For the purposes of this study, and based on the data available, we will focus on two worked examples – criminal damage and theft.

The first example is based on criminal damage and uses cost models developed by Camden PIU Offence/Incident Calculator. The average costs associated with different elements of the process have been used to calculate the final cost associated with the offence.

**SROI Cost of Criminal Damage per Offence**

Select Offence	2003/04 costs	2008/9 Inflation Adjusted Cost	Total offences/ incidents	Total cost inc. inflation	BCS Weighting	Estimated Crimes	Estimated cost	
<b>Criminal Damage</b>	<b>£ 866</b>	<b>£ 980</b>	<b>1</b>	<b>£980</b>	<b>3.03</b>	<b>3.03</b>	<b>£2,971</b>	
<b>Breakdown of costs</b>								
Costs in anticipation of crime	Defensive expenditure	£ 15		£15			£45	
	Insurance administration	£ 41		£41			£124	
Costs as a consequence of crime	Physical and emotional impact on direct victims	£ 534		£534			£1,619	
	Value of property stolen	£ -		£0			£0	
	Property damaged/destroyed	£ 240		£240			£727	
	Property recovered	£ -		£0			£0	
	Victim services	£ 2		£2			£7	
	Lost output	£ 7		£7			£21	
	Health services	£ -		£0			£0	
Costs in response to crime	Criminal Justice System	£ 143		£143			£432	Minus Unreported CJS Costs
	Total Cost	£ 980		£980			£2,971	£2,681

As can be seen from the worked example, the cost associated with this form of criminal activity is based on a number of factors split into three broad categories: cost in anticipation; cost as a consequence of crime; and cost in response to the crime (this is where the majority of the criminal justice costs associated with the criminal activity fall). What is evident from this worked example is that in the context of SROI, many of the costs associated with offending behaviour are met by not only the CJS, but also by individuals (both pre-emptive to protect themselves against the impact of crime and also as a result of being a victim of crime) and the wider community.

***For an individual, the costs associated with criminal damage would be £837.***

- Anticipation (pre-emptive) = £56
  - Defensive expenditure (such as upgrading locks on doors, for example) = £15
  - Insurance administration = £41
- Consequences of crime = £781
  - Physical and emotional impact on victims; damaged property; lost output (loss of work).

***For the community, the costs associated with criminal damage would be £2511.***

Recognising that not all crimes will appear in the official crime statistics, the British Crime Survey estimates that financial figures are misleading and should be multiplied by a factor of three to account for the unrecorded crime. On this basis, if we add the anticipated and consequential costs of criminal damage to individuals and multiply this by three, this suggests that the total cost, in the context of SROI, to the wider community would stand at a figure of approximately £2511 per offence.

***For the CJS, the costs associated with criminal damage would be £564.***

- The cost associated with consequences of crime = £2
  - Victim Services: Although it could be argued that much of this is delivered by the third sector, for the purpose of the SROI, they are being classed as 'Criminal Justice' as it would be difficult to establish what financial input is charitable and what is met by the state
- The cost in response to crime = £429
  - CJS direct costs are £143. If we then use the British Crime Survey guidance (multiplication of 3 for unrecorded crime), the total cost to the CJS as a consequence of criminal damage equates to £429.

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***Total Cost per Criminal Damage Offence***

**SROI Cost of Theft per Offence**

Select Offence	2003/04 costs	2008/9 Inflation	Total offences/ incidents	Total cost inc. inflation	BCS Weighting	Estimated Crimes	Estimated cost	
Click cell below		Adjusted Cost						
<b>Theft</b>	<b>£ 844</b>	<b>£ 955</b>	<b>1</b>	<b>£955</b>	<b>3.03</b>	<b>3.03</b>	<b>£2,895</b>	
<b>Breakdown of costs</b>								
Costs in anticipation of crime	Defensive expenditure	<b>£ 67</b>		<b>£67</b>			<b>£202</b>	
	Insurance administration	<b>£ 59</b>		<b>£59</b>			<b>£178</b>	
Costs as a consequence of crime	Physical and emotional impact on direct victims	<b>£ 217</b>		<b>£217</b>			<b>£659</b>	
	Value of property stolen	<b>£ 318</b>		<b>£318</b>			<b>£964</b>	
	Property damaged/destroyed	<b>£ 78</b>		<b>£78</b>			<b>£237</b>	
	Property recovered	<b>-£ 41</b>		<b>-£41</b>			<b>-£124</b>	
	Victim services	<b>£ 1</b>		<b>£1</b>			<b>£3</b>	
	Lost output	<b>£ 11</b>		<b>£11</b>			<b>£34</b>	
	Health services	<b>£ -</b>		<b>£0</b>			<b>£0</b>	
Costs in response to crime	Criminal Justice System	<b>£ 246</b>		<b>£246</b>			<b>£744</b>	<b>Minus Unreported CJS Costs</b>
	Total Cost	<b>£ 955</b>		<b>£955</b>			<b>£2,895</b>	<b>£2,397</b>

The second worked example relates to theft. It follows the same principles as the previous example.

***For an individual, the costs associated with theft would be £709.***

- Anticipation (pre-emptive) = £126
  - Defensive expenditure = £67
  - Insurance administration = £59
- Consequences' of crime = £583
  - Physical and emotional impact on direct victims, property damaged, loss output (loss of work) = £624
  - Cost offset against an incoming figure for property recovered = £41

***For the community, the costs associated with theft would be £2127.***

- Recognising that not all crimes will appear in the official crime statistics, the British Crime Survey estimates that financial figures are misleading and should be multiplied by a factor of three to account for the unrecorded crime. On this basis, if we add the anticipated and consequential costs of criminal damage to individuals and multiply this by three, this suggests that the total cost, in the context of SROI, to the wider community would stand at a figure of approximately £2127 per offence.

***For the CJS, the costs associated with theft would be £742.***

- The cost associated with consequences of crime = £1
  - Victim Services: Although it could be argued that much of this is delivered by the third sector, for the purpose of the SROI, they are being classed as 'Criminal Justice' as it would be difficult to establish what financial input is charitable and what is met by the state
- The cost in response to crime = £741
  - CJS direct costs are £246. If we then use the British Crime Survey guidance (multiplication of 3 for unrecorded crime), the total cost to the CJS as a consequence of criminal damage equates to £741.

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***Total Cost per Theft Offence***

## **SROI Findings**

Comparing the findings of the SROI analysis across offence types demonstrate that not only do the costs vary per incident vary, but also who is responsible for meeting those 'costs' varies. For example:

Each individual case of theft equates to £955 and criminal damage £980. When we break this down further, we can see that:

- The costs borne by the individual is £583 for theft and £822 for criminal damage – making a £239 differential in the cost to the victim, per offence.
- The costs borne to the CJS is £247 for theft and £143 for criminal damage – making a differential of £104 in the cost to the CJS, per offence.

When the British Crime Survey weighting is applied the cost to difference to the wider community equates to £717 and to the Criminal Justice system £312.

What this clearly highlights is that due to the lower re-offending rates for those young people who have received Triage (8.9%), compared to other types of intervention-which are 29.5% in Newcastle. The cost saved by the individual, the wider community and the CJS is substantial. If we take an average cost between theft and criminal damage:

- For the individuals, the average cost between theft (£583) and criminal damage (£822) would equate to £702.50.
- For the CJS, the average cost between theft (£247) and criminal damage (£143) would equate to £195.

The average reoffending rate across interventions is 1:3.3. This suggests that every additional £702 associated with re-offending costs for Triage, equates to £2,318.25 in re-offending costs for other forms of intervention.

## **SROI Concerns**

There are several problems with this methodology; most notably that it does not take into account the full engagement with the CJS experienced by a young offender. There are many hidden costs associated with young peoples' interactions with the CJS. For example: A FTE may be offered Triage, but the police may have previously engaged with the young person on a number of occasions – for example, asking them to '*move on*' when in large groups in

public spaces. The time and financial cost of this is not easy to identify. Alternatively, a FTE may jump straight to a final warning due to the nature of the offence(s) which brought them to the attention of the CJS, but another offender may have already undergone Triage and a reprimand before receiving a final warning. The total cost to the CJS by the time a young offender by the point of receiving a final warning, may be either:

- FTE – Straight to final warning = £FW
- Repeat offender – Triage to reprimand to final warning = £T + £R + £FW

Many configurations of the above could also occur depending upon the nature of the offence and the offenders' offending history.

What this highlights is that a linear progression model of accounting – the cost of Triage, followed by the cost of a reprimand, followed by the cost of a final warning, is not a valid as many young offenders will not follow this route and many variations could and do occur. This makes assessment of the SROI of different interventions particularly complex and difficult.

Another challenge for this methodology is monetising the social costs and benefits to both the individual and the community of different types of intervention. As identified in the literature review, the long term impact of a young offender having a criminal record – even for a minor offence – can have a significant impact on employment and career patterns and their overall social and economic opportunities. This future orientated nature of the impact of Triage (or other intervention which could be evidence through a CRB check) would fit with the 'forecasted' model of SROI. At present, this is very much an unknown figure (economically, socially and environmentally), which could only operate on a risk probability mechanism – the likelihood of future offending – and also prevalence/nature of future offending. Although this could give an estimate of the future cost associated to an individual (and also savings if Triage is deemed successful in reducing their future offending trajectory), it would be very difficult, time consuming and expensive to develop a model which would be dynamic enough to allow for the changing external factors to be regularly updated, such as those which could impact upon a young person's life progression – and ultimately affect their risk probability – to evidence in longitudinal terms, the impact Triage has made. Clearly, such calculations are not only about the short term impact that Triage is making on a young person – but the long term impact over their life course and the extent to which desistance from criminal activity can be evidenced.

The alternate argument to this is that the social and economic cost to the individual could be balanced by the 'return on investment' to the victim and/or community. Because Triage is based upon the principles of restorative justice, it might be judged to be successful in terms of social return if Triage helps to restore social capital. This is supported through the joint HMIC and HMCPs inspection (2011) which states that:

*'We selected cases from 2008/09 to allow a review of re-offending 12 months after the disposal. We found that re-offending rates are lowest for RJ disposals, at nine out of 40 cases; levels ranged from 18 out of 50 cases for conditional cautions to 22 out of 50 for PNDs, and reach 40 out of 50 for those charged in court.'*

The restorative practices that underlie Triage can be evidenced through the formal letter of apology to victims and feedback to the wider community which may go some way to repairing the social harm and impact of the initial offending behaviour. This only works, however, if a number of pretexts can be addressed:

- That the victim(s) wish to be involved in the restorative element;
- That the victim can be identified – conceptually and practically; this can be difficult, for example, with activities such as anti-social behaviour where the 'apology' process is more directed to the community. While conducting interviews with the young offenders, this was consistently seen as a problematic – in that conceptually, they found defining a community as a victim alien;
- That the offender is clear as to the purpose of the letter of apology;
- That the offender is 'engaging' with the apology process and not, as suggested in the findings section, 'going through the motions';
- That once the process of writing the apology letter is undertaken, there is some follow up;
- It also needs to be considered whether the young offender should receive feedback on the apology and the manner in which it was received. It may be that the victim did not feel it was an appropriate response – in which case, the social capital has not been restored. For the young offender, the value of engaging in a process of apology currently remains unknown.
- The extent to which this can be evidence in financial terms also poses difficulties.

At a national level, the intricacies and difficulties of achieving engagement with restorative justice have been recognised and although no one standard process operates and the

government are keen to allow variance in practice, common operating procedures are being suggested. The Joint inspection by HNIC and HMCPS (2011) states that:

*'Each force appears to take a different approach to recording RJ, and because RJ disposals are not 'counted' for the purposes of solving crime in national statistics, this important area of police activity has not attracted the profile of other out-of-court disposals. In addition, the lack of a standard recording practice, and the non-recording of these disposals on PNC, makes it possible for one offender to receive multiple restorative disposals in different forces without detection.'*

The community resolution data discussed earlier highlighted that this is a real issue in that 138 offenders have undergone community resolution on more than one occasion and six offenders have been through the process on five occasions. This is before cross-force issues are investigated. Data at present is not available to identify whether, (and how many), young offenders have undertaken community resolution prior to Triage/reprimand/final warnings. Again, this raises concerns as to the true extent to which the restorative element of the intervention has been met; and also, the extent to which 'real' savings, both socially and economically, can be evidenced.

In the context of SROI, the recording of Triage as NFA is both problematic and undermines the principles upon which it was developed. If addressed, this would have a significant social impact for young offenders across their life course and also allow the principles of restorative justice to be fully implemented. The LCJB (2008), when reflecting upon the value of Triage, stated that:

*'The use of restorative justice not only has a great impact on the offender but also increases confidence of victims and witnesses in the CJS as it makes them feel more engaged in the process'.*

### **Reoffending cost**

To date, Triage has a very low re-offending rate (8.9%). This can be used as a measure of success in the context of SROI. What is unknown, however, is whether these young people historically would have had any intervention by the CJS. One of two arguments could be adopted here.

- Through engaging young people in Triage, re-offending is reduced and therefore, the SROI is positive in that the individual, community and agencies are benefitting.

OR

- Some young people entering Triage would not historically have been offered any intervention and would have either:
  - Not gone on to re-offend and therefore, the intervention has had a cost to the individual and agencies that they would not have previously experienced. This would have also meant that the restorative element to communities would not have been offered and therefore, the SROI would not have been addressed

OR

- Continued to be involved in criminal activity, bringing costs to the individual, communities and agencies. The concern with this response would be largely around two areas;
  - That if the young person had been offered support early, they may have desisted from the latter criminal activity, giving a positive SROI. This would follow a signal crimes approach – in that by looking at the previous behaviour and actions, interventions could be put into place and reduce the likelihood of continued engagement in criminal activity.
  - That if the initial behaviour is not seen by the community to be responded to, greater damage (both socially and environmentally) might be felt by communities. Here, the need to repair social capita becomes much more significant.

### **Areas of Best Practice and Recommendations**

The extent to which Triage can be viewed as effective is clearly part of a longitudinal approach, which would necessitate revisiting the young people who have undergone Triage across their life course. This would allow a holistic evaluation of the extent to which the young people have displayed desistance from criminal activity. However, the research team are confident that the introduction and delivery of Triage by Newcastle YOT is a welcomed and valuable new development. Stakeholders are clearly supportive of Triage and the extent to which young people engage in the process is also seen as a measure of success; this is also supported by much lower recidivism rates than for other types of intervention.

#### **Best Practice**

**B1 Low Levels of Re-offending** – this is clearly the most significant part of the success story of Triage – demonstrating a re-offending rate of approximately a third of other interventions. This also feeds through into the SROI – in that the costs associated with re-offending are two thirds higher for reprimands and final warnings due to the higher levels of re-offending.

**B2 Timely Intervention** – In line with the underlying ethos and philosophy of Triage the timeliness of the intervention clearly has value for the offender and the victim. The initial assessment by the Police custody Sergeant, and the number of evening sessions offered by Newcastle YOT mean the Triage session can be delivered in a timely and relevant manner; not only is the offence and circumstances still clear in the young person's mind it also means that where possible and appropriate feedback to the victim can be given so that it still has significance.

**B3 Recognition of the Offence**—In order for a young person to be eligible for Triage they must admit that they have committed the offence. The significance of this should not be downplayed; as it is the beginning of the process whereby the young person recognises that their action(s) has had an impact on others. Without this the restorative element of triage would be impossible, and it would be doubtful as to whether the impressive number of young people would continue to desist from criminal activity, (as identified in B1). There is clear evidence that this is being built upon in the Triage sessions between the young person and the YOT staff.

**B4 Recognition of Impact**—building upon B3—the letter of apology and the Triage session itself are building upon the recognition that the action of a young person can have an impact(s) both positive and negative on others. The triage workbooks and sessions clearly identify and allow the young person to contextualise the impact of their actions. It is

important that young people do not see the actions which led to their triage session in isolation; but begin to evaluate the way in which they interact and affect others around them. Consistently throughout the interviews with the young people post triage, this was the most significant factor which the young people themselves identified. The YOT staff should be applauded for this; encouraging young people to be reflective and at the same time forward thinking is both difficult to encourage and facilitate.

**B5 Not on Police Premises** – a clear benefit to the young people was the venue of the Triage intervention. Many young people expressed concern over their time at the police station and also the anxiety that this placed upon family members/ carers. The delivery of Triage at Newcastle YOT premises was seen as more supportive, not directly entrenching young people in the criminal justice system and also more accessible than some Police stations.

**B6 Welcomed Addition for Low Level Entry** – Triage level 1 is seen as a welcomed addition to the interventions available for first time entrants to the Criminal Justice System (the only real concern relating to this is covered in R1). Allowing young people the opportunity to admit the offence and begin to recognise the impact of the behaviour; and at the same time keeping them away from both court and more punitive sanctions is allowing young people the opportunity to desist from further criminal activity and also from becoming more embedded in the Criminal Justice System.

**B7 Supportive Environment** – clearly all the areas of best practice that have been identified need to be prefixed with specific caveats. The success of Triage level in Newcastle YOT is **the result of the committed and supportive environment which Newcastle YOT consistently demonstrates**. The commitment of all the YOT staff (from session workers to management) should be applauded and recognised as without this the introduction and continued support for Triage (such as the additional funding received by the DoH to continue beyond March 2011) would not have been possible.

Based upon the findings of the research and discussion points raised throughout the research process, the recommendations outlined below are design to **further strengthen the valuable work currently being undertaken by Newcastle YOT** and to stimulate debate about the wider roll-out of Triage.

## Recommendations

**R1 No Further Action:** to explore the possibility of Triage interventions not appearing on young peoples' police records. **This we see as the most critical and significant of all the recommendations.**

**R2 Gatekeeper role:** additional and targeted police 'marketing' material on the eligibility criteria for the different interventions available for dealing with youth offending and a review of the 'Standard Operating Procedures' associated with each intervention. This could also be supplemented with additional training if resources permit building upon the initial training of 500 police officers which was undertaken before Triage 'went live'.

**R3 Dedicated Police lead:** to ensure a more streamlined approach, and the for the greater sharing of information and knowledge between Newcastle YOT and Northumbria Police a dedicated Police lead would allow many of the recommendations to be implemented with greater ease. This would ultimately have a significant impact on the young person's experience(s) of triage and also the effectiveness of the Criminal Justice Systems response.

**R4 Greater emphasis on, and consideration to, to the restorative nature of Triage:** consideration should be given to the quality of the letters of apology produced by the young people; the 'symbolic' nature of the apology; and, the extent to which it has real meaning for the young offender and the victim. Consideration should also be given to whether feedback on the extent and manner to which the letter of apology was received would be beneficial to the young person.

**R5 Review of the Triage workbooks:** the research team were impressed by workbooks which have been developed to support Triage but recommend the development of a wider range of workbooks to maximise their relevance and benefits to the young people. Specifically, the research team would suggest the development of a range of workbook which reflect the different ages, levels of maturity and cognitive abilities of the young people eligible for Triage, as well as the development of workbook targeted at the types of offences which have the highest recidivism rates by young people such as theft and the handling of stolen good; the possession of drugs; and, violence against the person.

**R6 Case Management:** The research team suggest Newcastle YOT considers extending the current system of case management for young offenders who have completed Triage, to ensure that all young people receive the support which they need to prevent further offending behaviour. **This is considered to be the most difficult recommendation to**

**implement** as: the young person has to wish to receive additional support; there is a danger of further embedding the young person within the CJS; and, resource implications. YOT should also explore the possibility of making 'signposting' a more formal part of Triage; by, making the completion of a session with a substance misuse service, for example, part of the criteria for completing 'Triage' for those who have committed substance-related offences – *'It shouldn't be a case of 'do you want to come to an appointment', it should 'this is part of your intervention, you have to come'...especially around drugs and alcohol'*.

**R7 Triage session:** consideration should be given to a number of issues associated with the Triage session. Clearly there is a responsibility for a parent or guardian to be present but the research team observed on a number of occasions that there were issues associated with the 'responsible adult'. If possible, the team suggest that a review of the 'appropriate adult' should be undertaken – looking at *who* the appropriate adult is (e.g. sibling) and the extent to which they should be involved in the process of Triage. This would have be assessed on an individual basis (which again would have clear resource implications). It should be noted that although some young people expressed a wish for their parents not to be involved in the Triage process, nearly all young people said the impact of their offending behaviour on their parents / family had had the most significant impact in them. This is something that could be built upon. Flexibility over appointment times should also be considered as some parents/guardians discussed difficulties associated with the timing of appointments, due to employment or other family commitments.

**R8 Preparation for Triage:** young people and their parent/guardian should be given more information about Triage, (this is also applies to final warnings and reprimands) at the police station. Here, further training should be considered. It should be fully explained to the young people and their parent/guardian what the focus of the session will be and that it is based on principles of restorative justice. This would serve a number of purposes: to make the young people and their parent/guardian less anxious about the appointment; to encourage greater engagement with the process; and, to save time during the YOT appointment so that YOT workers' time with the young people can be used more effectively.

**R9 Quality Assurance:** existing management and quality assurance mechanisms appear strong and robust but possible extensions to the existing system should be considered such as audits of the workbooks and provisions of further training of YOT workers regarding how to deliver Triage to young people with specific learning difficulties.

**R10 Multi-Agency Working:** avenues to allow greater information sharing/multi-agency partnership working regarding young people should be explored. This needs to be done as a

bottom-up approach so that practitioners who work on a day-to-day level can have a regular forum to allow discussion of not only current practice and challenges but also future directions. Interviews with practitioners also suggested that a more streamlined process, with a single point of contact would be of significant benefit on a daily basis. It was perceived by the practitioners interviewed that this would allow them to be 'more effective' in their roles.

**R11 Greater Victim and Community Involvement in Triage:** to ensure that the restorative nature of Triage is maintained and further developed, a review of the extent and nature of the victim's involvement in Triage needs to be considered. Alongside this, Newcastle YOT should consider how they share and publicise the 'good news' stories associated with their work. At present, many of the examples of successful interventions do not appear to leave the criminal justice arena. The communities which have been affected by offending behaviour should be updated on positive developments, such as 91.1% of young people who have gone through Triage have not gone on to re-offend.

**R12 Standardisation:** consideration should be given to developing a clearer and more transparent protocol for working with young people, such as a standard young person's pathway. The fieldwork consistently highlighted concern from all agencies about the extent to which the intervention delivered to young people was the most appropriate response; was robust; and, was delivered in line with standard procedure and guidelines.

**R13 The Rolling out of Triage:** there is clear value in delivering Triage to a wider audience, and consideration should be given as to whether Triage could also be offered to FTEs who go straight to reprimand or final warning (as an additional intervention, rather than to replace the reprimand or final warning); to allow young people to consider and evaluate the wider impact of their offending behaviour. Clearly this would also have resource implications.

## Conclusion

The research team are happy and confident that the introduction of Triage level 1 in Newcastle –Upon- Tyne is both welcomed by practitioners and participants and effective. The work of Newcastle Upon Tyne Youth Offending Team in the setting up and rolling out of Triage level 1 should be applauded and promoted. The dedication of YOT staff was evident throughout the twelve months of this evaluation and they were widely commented upon as enthusiastic, supportive and visionary. A number of areas of best practice and recommendations have been highlighted above– but these are in the context that Triage has had a positive impact on young offenders and the wider community, with the recommendations largely to in relation to administrative and process issues. Specifically the research team would like to highlight the following;

- Triage can be seen as effective and to be working in general terms – with only 8.9% of young people going on to re-offend.
- Through the lower re-offending rates (compared to reprimands and final warnings which were used as the control group), equating to one person from triage re-offending compared to three re-offending from the control group considerable savings are being made to the Criminal Justice System, to the wider community and the young people themselves.
- The timely nature of triage should also be applauded, which is evidenced through the initial referral from the custody sergeant to an appointment at the YOT; with the majority of young people undergoing their triage session in a matter of days. The importance of this is that the offence still has significance for the young person, allowing the triage session to be more reflective and ultimately more valuable.
- The YOT and wider Criminal Justice agencies should consider how they report such positive messages (such as the success of Triage) back to the wider community. At present there seems to be a block in this process (across the CJS and not just with YOT) whereby positive messages are not getting message back to the communities who have been affected by youth crime and disorder. This may also encourage greater victim involvement not only with Triage but other restorative justice programmes, and also aspire to improve overall confidence in the CJS.

- In order for a number of the administrative and process issues to be resolved one dedicated Police lead for triage would be welcomed. This would allow many of the recommendations outlined above to be introduced; a better service provided to victims, young people and their families/carers; and ultimately a more robust multiagency working environment.
- Consideration should also be given to further training in relation to the SOP that underpins Triage to the wider CJS (and in particular the police). Although training was delivered to over 500 police officers and staff before the introduction of Triage there is still concern with the research team that many stakeholders (outside of YOT) do not have a comprehensive understanding of triage.

The recent Legal Aid, Sentencing and Punishment of Offenders Bill 2011 which is currently undergoing parliamentary scrutiny identifies a number of factors which have also been highlighted in this report, significantly around the introduction of youth cautions. The recommendations that these could be offered on more than one occasion (if the offence was seen to be appropriate); that the young person would have to admit to the offence; and also that the police would have to refer all young people who receive a youth caution to the youth offending team so that they would have a holistic view of a young person's involvement with the police is welcomed. But this raises two key issues for YOTs and the delivery of triage.

Firstly the greater level of overview would allow for example the YOT to gain more of understanding of young person's individual experience of the Police and CJS which may not historically have come to light. For example prior involvement with initiatives such as community resolution. This would allow interventions to be appropriate and needs driven. However, this also raises concerns in relation to resource implications for YOTs. If additional demands are being placed upon YOTs this needs to be adequately resourced so that the interventions can be fully and effectively resourced.

Secondly, and finally, the Legal Aid, Sentencing and Punishment of Offenders Bill 2011 makes reference on numerous occasions to issues relating to No Further Action some of which have been identified in this study. The most significant concern for the research team in relation to Triage is the issue of reporting and recording triage as a NFA. If the Government wishes to review interventions and out of court disposals for young people, we suggest that the issue of NFA is reconsidered in light of not only our findings but broader issues and concerns.

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