



Open Report on behalf of Heather Sandy - Executive Director - Children's Services

Report to:	Children and Young People Scrutiny Committee
Date:	19 November 2021
Subject:	Joint Diversionary Panel – University of Lincoln Evaluation

Summary:

This report provides Committee members with the key findings of the evaluation of the Joint Diversionary Panel undertaken by Dr Sue Bond-Taylor from the University of Lincoln. The evaluation was commissioned by the Office of the Lincolnshire Police and Crime Commissioner and the Safer Lincolnshire Partnership.

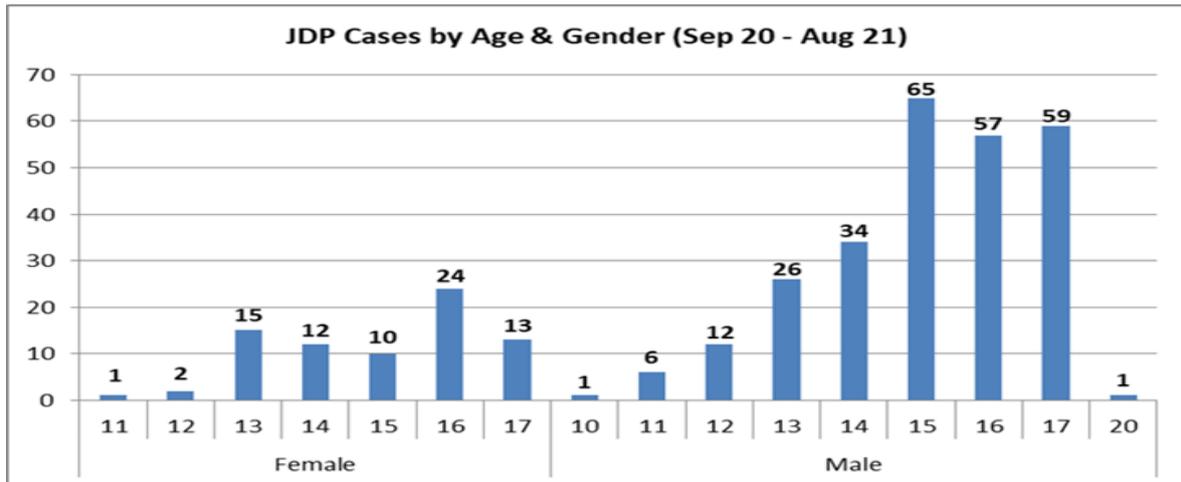
Actions Required:

The Committee is invited to review and comment on the outcome of the evaluation and to endorse the proposed actions to continue the on-going development of the Joint Diversionary Panel.

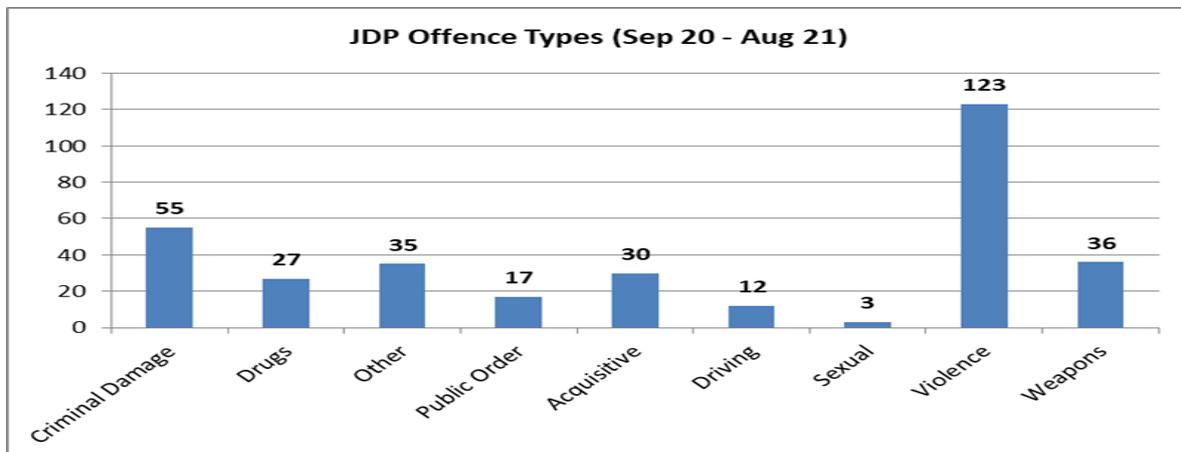
1. Background

In September 2020, a report on Lincolnshire's Joint Diversionary Panel (JDP) was presented to the Children and Young People Scrutiny Committee. This provided an explanation of the key aims, principles and objectives of the JDP, in addition to performance data and case studies, to demonstrate the impact to date, of the JDP. The report also highlighted the interim findings from the evaluation of the panel which was commissioned by key partners and being undertaken by Dr Sue Bond-Taylor from the University of Lincoln.

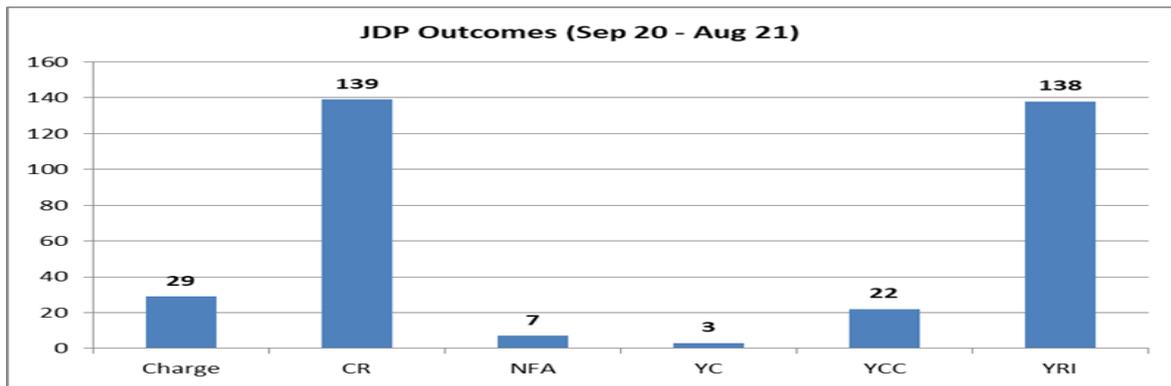
The Joint Diversionary Panel was established in 2017 in response to detailed analysis of criminal justice disposals which evidenced the inappropriate use of Police Cautions against children and young people. As a direct consequence of this practice there was a much higher number of First Time Entrants (FTE) into the criminal justice system in Lincolnshire, in comparison to our statistical neighbours. The implications of acquiring a criminal conviction for a child or young person can have potentially long-term negative impacts upon their future.



The JDP currently reviews cases of children and young people aged between 10 and 18 where there is an admission of responsibility for the offence. The JDP seeks to understand the underlying causes of children and young people's behaviour. In addition, it offers the ability to provide timely and effective intervention to reduce the potential for children and young people to become involved in the formal justice system. The table above reflects the ages and gender of those children reviewed within the panel. This demonstrates that the predominant age range for males is between 15 and 17, whilst the numbers of female children is noticeably less when the contact with the panel is at an earlier age.



The table above maintains a consistent spread of offence types that have been present since the commencement of the panel. Whilst violence is the most common type of offence this should also be considered in the context of the seriousness of these offences which allows them to be dealt with outside of the court process and can often be peer on peer assaults. The views of victims are critical and are gathered within the panel process to highlight the impact of the offence, but this also brings a restorative focus which is also demonstrated to reduce the potential for re-offending. Research has demonstrated the effectiveness of Restorative Practice (RP) in the respect of longer-term benefits for children and young people.



Key:

CR – Community Resolution
 NFA – No Further Action
 YC – Youth Caution

YCC – Youth Conditional Caution
 YRI – Youth Restorative Intervention

The table above provides evidence that throughout the lockdown we have been able to maintain a focus on providing restorative disposals in the vast number of cases. There are occasions when the panel decides that a case should be charged to court, but this is by exception and has only been utilised in approximately 8% of all cases heard in this 12-month period.

The Joint Diversionary Panel is an integral element of the Future4Me offer which is built on our key principles of being child first, relationship based, restorative and recognising the impact of trauma and adverse experiences in childhood. Seeking the views of children and young people within the Future4Me cohort is a core aspect of shaping our service delivery. Through our engagement with children and young people it has highlighted significant levels of satisfaction with the support they have been offered. As part of a recent evaluation with over 50 young people, more than **90%** said they would recommend the service to their friends and over **93%** said that their futures looked more positive as a result of their involvement with Future4Me.

University of Lincoln Evaluation

The evaluation was commissioned and funded by Lincolnshire County Council and the Office of the Lincolnshire Police and Crime Commissioner and carried out between January 2018 and April 2021. There is recognition that the evaluation was also unavoidably delayed due to the Covid-19 pandemic and the ability at that time to undertake key pieces of work to bring it to an earlier conclusion.

The evaluation is informed by elements of an appreciative inquiry approach, in the context of a longer standing reciprocal relationship of partnership working. In the role of researcher Dr Bond-Taylor acted as a ‘critical friend’ to Lincolnshire County Council and Lincolnshire Police in highlighting what is already working, developing ‘provocative propositions’ that stretch and challenge the service, and generating practical recommendations to help direct future practice and achieve improved outcomes for children and young people in the county.

Evaluation Objectives

The objectives of the evaluation were twofold:

- 1. Evaluate the appropriateness and effectiveness of the Joint Diversionary Panel process for making decisions about outcomes for young people who have admitted an offence.**
- 2. Review the effectiveness and suitability of any subsequent Youth Restorative Interventions being delivered as out of court disposals.**

The evaluation was designed to identify evidence outcomes set out within the Joint Diversionary Panel Terms of Reference. This included a necessity to ensure that victim satisfaction and confidence are maintained and that the panel contributes towards community safety and reducing the risk of re-offending.

The importance of stakeholder confidence is also key in that the panel is seen to be fair and proportionate, and balancing a need to ensure children are not criminalised unnecessarily. Finally, adopting a holistic approach and solving problems at the earliest opportunity to reduce the need for longer term statutory involvement are also important objectives in determining the success of the panel process.

Methodology

The methodology for the evaluation was robust, objective and independent, and founded upon an academic basis which reflected and incorporated research regarding best practice within criminal justice and restorative interventions. The views of all key stakeholders are reflected within the evaluation, and this crucially includes professionals, victims of crime and young people who had experienced the Joint Diversionary Panel.

Analysis of service data for the 2-year period January 2018 to December 2019 revealed that 867 cases were heard at the JDP. Background research was undertaken at the outset to provide a clear and transparent context for the evaluation, and this was further supplemented by interviews, victim surveys and case file analysis.

The evaluation sought to review the use of The Youth Restorative Intervention (YRI) as an alternative to formal disposals such as the youth caution, youth conditional caution and prosecution. It works alongside the JDP by offering a range of interventions that can be delivered with the young person without resorting to their formal criminalisation, and it is therefore a means to divert young people away from the youth justice system.

2. Conclusion

The overall findings of the evaluation are that:

Lincolnshire's Joint Diversionary Panel has provided a robust and effective process for making informed decisions about young people in conflict with the law, which:

- a) Prevents their unnecessary criminalisation; and
- b) Diverts them into supportive and preventative interventions.

The introduction of the Youth Restorative Intervention for use by the panel has significantly improved outcomes for young people in the county whilst maintaining community safety.

Key Findings which emerged from the evaluation

Holistic Decision Making: there is clear evidence that the JDP provides a process for making more holistic and informed decisions about young people who have admitted an offence. The multi-agency nature of the panel and the use of information from various sources feed into this. The analysis will explore this process in more detail, identifying good practice and potential gaps in the information considered at the JDP.

Problem Solving Approach: the analysis is exploring how the panel takes a problem-solving approach which attempts to maximise positive outcomes whilst minimising harmful consequences. There is evidence of the panel's awareness that some outcomes have the potential to do more harm than good. The case file analysis identified 43 different factors considered within the sample of 12 cases.

Non-Escalation: the JDP is emerging as an important non-escalatory approach to youth justice, which helps to divert young people away from criminalisation where possible and thus to minimise the long-term impact of their actions. The analysis has uncovered how non-escalation is facilitated in different aspects of the decision making, including critical use of intelligence, responses to breach and considerations of proportionality.

Interventionist Diversion: the research provides evidence that the YRI enables young people to receive positive support without being criminalised – thus filling an important gap in the services available for young people in conflict with the law and reflecting a form of interventionist diversion.

Allocation and Relationships: there is evidence of flexible allocations to staff from a range of agencies, based on several factors specific to the young person's life. The analysis is exploring how this reflects a relational approach and helps to support the young person's engagement.

Restorative Interventions: the emphasis on high support and intervention alongside a reduction in criminalisation reflects the aims of a restorative practice approach which is promoted across Lincolnshire County Council's Children's Services more broadly.

Multi-agency Working and Changing Cultures: the interviews have revealed the JDP process as a conduit or mechanism for shifting wider organisational cultures. Changing police attitudes and responses to young people in conflict with the law has emerged as a particular theme which is being explored in the analysis.

Communication: an important theme is emerging around communication within the context of multiagency decision making, and the extent of individuals' understanding of the JDP process. The analysis will consider how this has improved and developed during the two years the JDP has operated and identify possible areas for improved communication.

Victim and Young Person Views: the analysis has raised questions about the challenges of including the views and voices of the parties to the offence within the panel process. The analysis will consider whether these are appropriately considered at the panel, and how to overcome some of the challenges.

Recommendations

Whilst acknowledging the valuable contribution and success of the JDP and YRI initiative, this evaluation has also identified the potential for further service development and improvements in the following areas:

1. **Develop a young person participation strategy:** There is scope for developing a more participatory approach in which young people's views and contributions are embedded more systematically into the process and which collaboratively address the issues impacting other young people in their community.
2. **Expand the Future4Me offer:** Building upon the creative emergency approaches which the Covid-19 pandemic and lockdown prompted, the Future4Me team could broaden and enhance the offer of positive diversionary activities, promoting social inclusion and citizenship, and restorative work with young people.
3. **Increase victim participation:** Whilst it is important to separate victim needs from the outcome for the young person, so as not to undermine the non-escalatory approach, there is scope for enhancing victim inclusion, information and communication. The design and distribution of the Victim Survey needs rethinking to provide more reliable data.
4. **Undertake enhanced data analysis:** The opportunity for quantitative data analysis has been limited within this evaluation. It would be useful to engage in a more systematic collection and analysis of service data in key areas.

5. **Improve communications and share success stories more widely:** There is scope for further public relations work to share the purpose and successes of the JDP and YRI, e.g., a public information event.

Conclusion

The evaluation undertaken by the University of Lincoln validates the establishment of the panel in 2017. It demonstrates that the Joint Diversionary Panel provides an effective and positive element of how we address youth crime in Lincolnshire. It also provides a credible out of court process and maintains the confidence of the key stakeholders and is founded on multi-agency decision making regarding children/young people's offending behaviours.

It is recognised that an extensive and diverse universal support offer already currently exists across Lincolnshire which includes Positive Futures and Youth and Community Development. It is key that these and other localised activities and programmes are fully utilised and act in a preventative and diversionary way to minimise the potential for children to become engaged in crime or anti-social behaviour.

The panel ensures that there is an informed and proportionate response to children's behaviours. It enables us to divert young people away from the formalised justice system and support them to avoid the longer-term implications of acquiring a criminal conviction, where it is safe and appropriate to do so. This has positive implications on an individual level for that child/young person and their family, the victim and the community and in regard to continuing to contribute to the picture to reduced numbers of arrests and first-time entrants in Lincolnshire.

Following the conclusion of the evaluation, the panel recognises the need for continuous reflection and review, working collaboratively with key stakeholders to identify opportunities for development and improvement. These will be taken forward as part of a specific action plan to provide the necessary assurance for all key stakeholders and to ensure reduced crime and safer communities in Lincolnshire.

All partners with a vested interest in the Joint Diversionary Panel would wish to extend their genuine appreciation to Dr Sue Bond-Taylor for providing a robust, objective and comprehensive evaluation. I have no doubt that the findings will significantly contribute towards our on-going development and learning.

3. Consultation

a) Risks and Impact Analysis

Not Applicable

4. Appendices

These are listed below and attached at the back of the report	
Appendix A	University of Lincoln JDP Evaluation

5. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Restorative Practice - Lincolnshire Joint Diversionary Panels (JDP) – Position Report and Evaluation Report from the University of Lincoln – Report to the Children and Young Committee on 4 September 2020	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=124&MId=5499

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