

# Youth Justice Services Evaluation report

April 2004 – March 2005





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## Introduction

Sacro Youth Justice Services deliver a range of needs-specific services to young people between the age of 8 and 17 years. The services are based on restorative principles as a means of addressing both anti-social and offending behaviour. They can be provided as a preventative measure to address issues identified as underpinning anti-social behaviour which have caused concern and to help support young people and family members in preventing young people from going on to offend. If offences have taken place, Sacro's Restorative Justice Services focus on the harm caused, offering support to those affected by as well as working with those responsible for the offence. The aim is to address offending behaviour in a way that affords the people harmed an opportunity to take an active part in the process. It also allows those responsible and their wider community members to resolve the 'harm' in a meaningful way.

The ranges of measures employed by the Sacro services include: restorative justice conferencing; face-to-face meetings. (restorative justice conferencing and face-to-face meetings, involve all parties meeting with each other.); shuttle dialogue (i.e. if the person harmed declines to meet the person responsible); victim, drug and road traffic awareness programmes; personal change, cognitive behaviour programmes; restorative practices for looked after and accommodated children; risk and needs assessment using ASSET<sup>1</sup> What do you think? (WDYT) assessment. This form was designed by the University of Oxford in an attempt to standardise risk and needs assessment and to ensure that the opinions and feelings of the young people were taken seriously and given appropriate weight in any decisions taken that affected them and their involvement with other agencies and activities.

Sacro Youth Justice Services provide opportunities for all those affected by offending in their community to resolve the human consequences of such actions. The services combine the use of restorative processes with programmes and opportunities that increase protective factors and support people to make changes in both their thinking and behaviour. To date the services have worked mainly with those who show a medium risk of re-offending<sup>2</sup>. There are, therefore, several components to the Youth Justice Service process, which makes data collection and evaluation a complex area.

Arguments have been made that restorative justice services should not take referrals of minor or first time offenders<sup>3</sup>. Sacro have acknowledged that this may be an inappropriate use of resources. However, before Police Restorative Cautions commenced, Sacro did take referrals of young people who had been charged with an offence for the first time, as there was an opportunity to address risks and unmet needs which can lead to more offending. First time offences are now restricted to cases where there has been a serious offence, or at least where the people harmed experience the consequences as serious. (Sacro feels it is debatable whether in restorative justice a service has the right to decide what is, or is not serious without consulting the person harmed.) Referrals are now taken in accordance with the criteria, principles and protocols set up through the Restorative Justice Group co-ordinated by the Scottish Children's Reporters Administration (SCRA), which were endorsed by the Scottish Executive<sup>4</sup> and launched in 2005. The aims of the protocols are to increase the opportunity for both those harmed and young people who offend to access Restorative Justice. An evaluation proposal has also been developed and is with the Scottish Executive for consideration. It is only once this has been introduced across all Restorative Justice Services in Scotland and a basic level of consistency is achieved, that any cross-site comparisons would be realistic.

<sup>1</sup> What do you think? is the young persons questionnaire from the ASSET risk/need assessment (Oxford University, 2003)

<sup>2</sup> As assessed by ASSET, what do you think and restorative process, based on criteria most recently published in Buist, M., & Whyte, B (2004). International evidence to Scotland's Children's Hearings review: Decision making and services relating to children and young people involved in offending. CJSW Development Centre for Scotland.

<sup>3</sup> Whyte, B. & Buist, M. (2002) What works with children and young people involved in crime? A review of Scottish research. Criminal Justice Social Work Development Centre for Scotland.

<sup>4</sup> Restorative Justice in the Children's Hearings System (2005) Edinburgh, Scottish Executive.

The introduction of restorative cautioning by Police and the introduction of restorative and mediation approaches at Schools, mean that young people (and those they have harmed) will have a more consistent experience of **justice** and be given opportunities to change and have their needs met. Developing services to become more preventative and educative is ongoing. More recent developments include preventative work in the form of restorative acceptable behaviour services<sup>5</sup>.

Sacro argues that restorative justice is cost effective, involves those that have been harmed, has an impact on young people's attitudes, beliefs and values, as well as how they see themselves in their community. It also involves their families and addresses the harm to communities. Research shows that reduction in criminogenic factors reduces the likelihood of re-offending<sup>6</sup>. Such reduction as a direct consequence of restorative justice is difficult to demonstrate, however; Sacro has set up protocols with police in a number of areas in an attempt to measure recidivism and hopes to extend these further.

Research has also shown that how a young person experiences a service makes a difference to how it affects positive changes<sup>7</sup>. Furthermore, desistance models also work on increasing protective factors, rather than just on reducing the risks. Strong correlations were found between young people who held a belief that they would not offend and reduced re-offending rates<sup>8</sup>. It is with this evidence in mind that Sacro services work hard on building positive nurturing relationships with young people and with those they have harmed, focusing on any positives in their life as well as on how to change the risks and raise hope for the future.

The following report is based on evaluation of all Sacro Youth Justice Services across Scotland. It is important at the outset, to describe a significant theoretical difference between Sacro Restorative Justice Services and other restorative justice services, both nationally and internationally, in that the choice of language used in Sacro is young person responsible rather than offender and person harmed instead of victim. This was a policy decision based on published reports<sup>9</sup> and feedback from the service users. This is also in line with the international desistance and labelling research<sup>10</sup>, which shows that labelling children as offenders or indeed labelling those harmed as victims is not helpful. Even without this evidence, considering that the Youth Justice services are working with children between the ages of 8 and 17, labelling them offenders could be argued as inaccurate.

<sup>5</sup> Fife and East Renfrewshire.

<sup>6</sup> Dowden and Andrews (1999), *What Works in Young Offender Treatment: A Meta Analysis*. Forum on Correctional Research. Farrington D (1996). *Understanding and preventing youth crime* York: York Publishing Services for the Joseph Rowntree Foundation

<sup>7</sup> McNeill, F., & Batchelor, S. (2002). Cited in Bateman, T. (2005). *Reducing child imprisonment: A systemic challenge*. *Youth Justice*, 5 (2).

<sup>8</sup> Burnett, R., & Maruna, S. (2004) cited in Bateman, T. (2005). *Reducing child imprisonment: A systemic challenge*. *Youth Justice*,

<sup>9</sup> Smith, D., Craik, I. & Simmers, D. (2004). *Support and Services; Young Victims of Crime*. Aberdeen: Dave Simmers Consulting Ltd.

<sup>10</sup> Braithwaite, J. (1989). *Crime and Reintegration*. Cambridge: Cambridge University Press.

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Siegel, L. (2004). *Criminology: Theories, Patterns, & Typologies*, 8e. Belmont, CA: Wadsworth/Thomson Learning. Kenny, J. S. (2002).

*Victimisation and labelling theory: a parallel process*. *Deviant Behaviour*, 23, (5).

## Methodology

The evaluation covered youth justice services in 19 local authorities between 1 April 2004 and 31 March 2005<sup>11</sup>.

Demographic information was entered on a standardised client form by the practitioner and then transferred to the Access database by a member of support services. The information on the young person is entered in three stages. When the referral was taken basic address, age and type of offence was recorded. Once a visit had been made, and the young person agreed to take part in the service (with consent from their parent/guardian), an opportunity to take part was offered to the person harmed. Once this visit was completed (if they did not opt out) details were then entered onto the client form and the database as stage two. The final stage of data collection and entry was made once the case was coming to a close. A subsequent stage was completed if a **What do you think**<sup>12</sup> follow up had been consented to by the young person. Feedback forms were sent to all participants (harmed, responsible and parents) at the end of the service and collected anonymously. Self-reports (WDYT) from young people were then entered into the database at the initial stages and six months after completion by the support service staff. Signed protocols allowed information to be shared as regards recidivism; the method will be reported in Section 9. Finally, case descriptions written by service workers were provided to help illustrate practice issues.

Figures used were those available at the time of analysis.

<sup>11</sup> For reoffending and criminogenic risks, the analyses covered a longer time period, as this is longitudinal in design and although early indications are reported here, full analyses will be reported separately.

<sup>12</sup> What do you think? is the young persons questionnaire from the ASSET risk/need assessment (Oxford University, 2003).

## 1. Key findings

- Capacity for referrals has increased by 14% from April 2004 to March 2005
- The majority of cases were completed within the agreed timescales according to the RJ in the Children's Hearing System protocol<sup>13</sup>, with 67.7% of cases being closed within three months of being referred.
- 3,224 people were offered support from the Youth Justice Services.
- Most offences for which young people were referred were vandalism (22%) and assault (21%).
- 64% of young people responsible for offending were willing to take part in the service
- Of people harmed by offending who were offered a service, 73% agreed to take part.
- 68% of young people responsible, who took part in the service, had some sort of involvement with the person they affected.
- Of those who took part, one in five young people met with the person they had harmed.
- Of those who took part, one in four people harmed met with the young person who had harmed them.
- 43% of people who were harmed were individual adults.
- 16% of people harmed referred were under 16.
- 93% of young people who returned feed back questionnaires were sorry for the harm they caused and accepted responsibility before taking part in the services.
- 98% of young people, who started cognitive behaviour work, completed the Cognitive Behaviour Modules.
- 97% of the action plans agreed upon were completed successfully.
- 74% of young people who took part in the service and who had offended prior to their referral offence had no further offences in the 12 months after completing their work with Sacro (in Aberdeen, where Sacro first piloted tracking young people).
- Of those who completed anonymous feedback forms, 85% of people harmed indicated that they would recommend the service to other people.
- Of those who completed anonymous feedback forms, 90% of young people said that their thinking about offending had changed.
- Of those who completed anonymous feedback forms, 67% of parents said that they saw positive changes in behaviour.

<sup>13</sup> Restorative Justice in the Children's Hearing System (2005). Edinburgh: Scottish Executive.

<sup>14</sup> The Fast Track hearings pilot in Scotland (Hill, Walker, Moodie, Wallace, Bannister, Khan, McIvor, Kendrick (2005). Final Report, Safer Scotland, Edinburgh: Scottish Executive.

"The Scottish Executive decided that a Fast Track approach to the children's hearings system would be introduced in early 2003 on a pilot basis in selected parts of Scotland. The aim was to improve practice and outcomes with respect to the ways that the hearings system and associated services dealt with young people who persistently offend. Particular objectives were to:

- reduce the time taken both overall and at each stage of decision-making
- promote more comprehensive assessments which include appraisals of offending risk
- ensure that all young people who persistently offend and who require an appropriate programme have access to one
- reduce re-offending rates as a result of the concerted efforts made in such cases."

Sacro's Youth Justice Services had a capacity to take 2,217 referrals between April 2004 and March 2005. With the addition of new services and the expansion of existing services, this capacity has now increased by 14% to 2,527, which will be the basis of evaluation in the period 2005–2006. However, some reduction is likely with the closure of fast-track services<sup>14</sup>.

## 2. Timescales

The majority of cases were completed within the agreed timescales according to the RJ in the Children's Hearing System protocol<sup>15</sup>, with 67.7% of cases being closed within three months of being referred (see Table 1-1). 28.5% of cases were open for six months, this usually related to the amount of cognitive behaviour modules on which the young people had agreed to work. The remaining cases (3.8%) were offered continuing support and programmatic work was agreed with both the young person and the referral source (these included Personal Change Programme cases).

**Table 1-1 Length of time from referral to close of case (not including the six-month follow-up)**

Days	Proportion
1–7	1.1%
8–14	3.3%
15–21	5.3%
22–30	5.2%
31–61	26.8%
62–91	26.0%
92–183	28.5%
184–275	2.5%
276–365	0.9%
One year plus	0.4%

## 3. Referral figures for young people responsible for offending

The number of young people referred to Sacro's Youth Justice Services was 1,531. This is 69% of the current capacity agreed with funders. This apparent shortfall is accounted for in two ways. One is that the referral rates have been lower than initially expected in several areas. The initial rates were notional capacities, which were difficult to establish, as there was no experience to base them upon. Secondly, the interventions take longer than initially expected to complete in many cases, due to the range and complexity of the restorative and programme processes. However, 1,925 young people were offered a service in 2004–2005 showing that in real terms, we are operating close to capacity (87%). This was because the time period included cases that were still open from the previous year and those not yet closed that will be included in subsequent evaluation. Furthermore, a service was also offered to 1,299 people harmed by these young people. Combined, **3,224 people were offered support from the Youth Justice Services** between 1 April 2004 and 31 March 2005.

For the purposes of evaluating the services, the following sections report **closed** cases, between 1 April 2004 and 31 March 2005. Closed means that referrals were accepted by Sacro (some continuing from 2003–2004 period)

<sup>15</sup> Restorative Justice in the Children's Hearing System (2005). Edinburgh: Scottish Executive.

and, if willing to engage with the service, completed the work with Sacro or were otherwise discontinued or recalled by the Reporter. Cases that are still current will be reported in subsequent evaluation (2005–2006).

## Young people

For the purposes of analysis, the remaining data will be reported on closed cases of 1,360 young people. The types of offences for which these young people were referred were as follows:

- 22% Vandalism
- 21% Assault
- 14% Breach of the peace
- 13% Theft

The remaining 25% were split into 23 other categories. For example 2.6% of the closed cases were referred for housebreaking, 2% were for possession of an offensive weapon and 1.6% of referred cases were for racial issues (for full table of proportions see Appendix 1).

Out of the 1,360 young people whose cases were closed, 1,260 were referred by the Children’s Reporter, 45 by the Procurator Fiscal, 47 by Social Workers and seven were from other sources (e.g. sheriff, police, schools), see Table 1-2 for the relative proportions of referral sources.

**Table 1-2 Volume of referrals from each referral source.**

Referral agent	Reporter	Procurator Fiscal	Social Work	Other	Not recorded
Proportions %	92.6	3.3	3.5	0.5	0.1

Of the 1,360 cases, 876 young people actually took part in the service during that time (64%). Of the young people whose cases were either discontinued or refused (484), 31% denied the offence, so the case was then returned to the Children’s Reporter. A further 21% were unwilling to participate (e.g. refused to see the Sacro worker, did not feel that it was how they wanted to deal with the case). In 9% of cases, the young person’s parents did not let them participate, 5% were withdrawn by the referral source and 3% had moved away and no longer lived in the area covered by the service. For the remainder (31%) there were many reasons including, parents feeling that the young person had already dealt with the offence; young people had already apologised or made amends; or welfare issues arose which meant that the case had to be returned.

## Ethnicity and gender of young people referred

Sacro is committed to equality of opportunity and the opposing of discrimination. Sacro therefore collects demographic information on service users to monitor the extent to which the services are accessible and appropriate. In ethnic data collected by the service workers, 87.9% of all young people were categorised as white, 0.3% as black, 0.3% as Asian Scottish or Asian British, 0.2% as mixed, and 0.1% as other. For the remaining 11.2% of young people, the service worker either did not establish ethnicity or they did not meet with the service user and the case was discontinued. The Scottish Executive Analysis of Ethnicity in the 2001 Census reported that 2.0% of the Scottish population belong to minority ethnic groups (i.e. are non-white). Although more detailed analysis would

be required to establish whether Sacro's Youth Justice Services are meeting the needs of people of minority ethnic groups, the fact that 0.6% of young people referred were from minority ethnic groups suggests the service is reaching these people albeit to a limited extent. Sacro has a working group looking at how to make the services more culturally appropriate and available to minority groups. Part of this process would involve comparing the number of people who engage with, and are satisfied with, the service, with the population of potential service users. An issue raised by the present data is that ethnic identity is not established in a sizeable proportion of cases; measures will be taken in future to address this problem.

**Table 1-3: Ethnicity as described by the service user**

Ethnic type	Proportion (%)
White	87.9
Black	0.3
Asian Scottish, Asian British	0.3
Mixed	0.2
Other ethnic background	0.1
Ethnicity not established	11.2

In Table 1-4 the proportion of young people referred across the age bands is consistent with the proportions of offence referrals made to the Children's Reporter between 2004–2005<sup>16</sup>. Of the cases referred to Sacro Youth Justice Services and closed in the period, 18% were female, and 82% male.

**Table 1.4 Gender and age of young people**

Age	Female proportion %	Male proportion %
8	0.3	-
9	0.9	0.4
10	1.9	0.4
11	4.0	2.4
12	11.5	8.8
13	18.1	22.7
14	25.0	29.1
15	32.8	31.1
16	3.3	4.4
17	1.8	0.4
18	0.4	-

<sup>16</sup> Scottish Children's Reporter Administration: Statistics Report, 2004–2005.

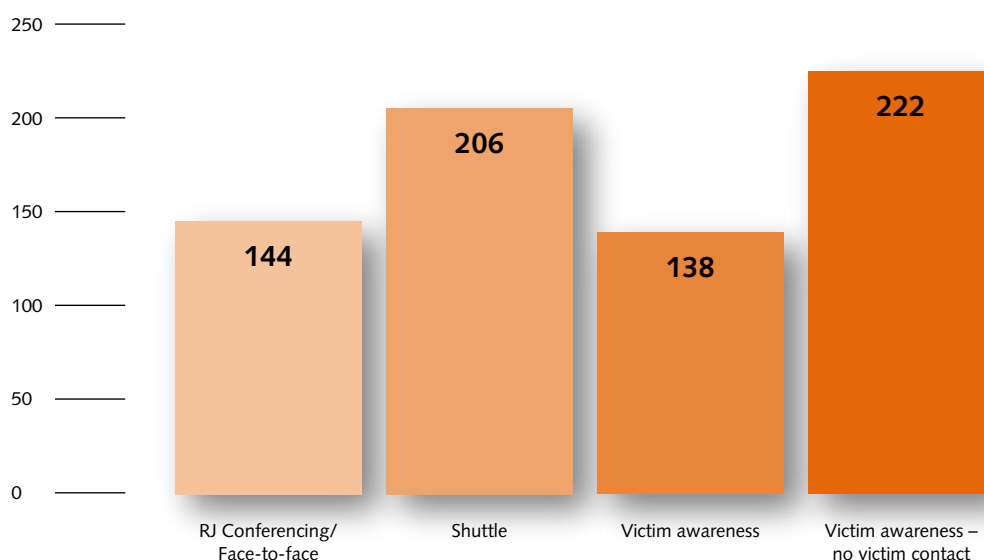
## Service delivery

The following analyses consider cases that were closed on the database between 1 April 2004 and 31 March 2005. Of the 1,360 closed cases, 876 young people were willing to take part in the Youth Justice Service (64%). Of those, 710 took part in restorative justice. Of these, 136 also did cognitive behaviour work. (The remaining 166 having taken part in cognitive programmes with no restorative justice component.)

Restorative Justice services have four main processes offered to young people and those they have harmed. Restorative justice conferencing and face-to-face meetings involve all parties meeting with each other. Shuttle dialogue and victim awareness sessions are offered where all parties do not agree to a meeting. The proportions of engagement with these processes are illustrated in Figure 1-1. 68 young people took part in a restorative justice conference, 76 in a face to face meeting, 206 in shuttle dialogue, 138 in victim awareness with the person harmed's input and 222 in victim awareness with no person harmed having been contacted (for reasons in section below).

Figure 1-1 below gives an illustration of proportion of uptake in restorative justice services by type by young people

**Figure 1-1: Volume of Restorative Justice services taken part in**



\* Of all young people who took part in youth justice, 16.4% met. This equates to 11% of all closed referrals.

It is interesting to note that as a proportion of restorative justice processes, 68% of young people responsible had some sort of involvement with the person they affected as part of the restorative process, with 20% actually meeting with them\*. This is relatively high compared with UK National averages<sup>17</sup>.

<sup>17</sup> Wilcox, A., & Hoyle, C. (2004) The National evaluation of the Youth Justice Board Restorative justice projects, showed that 13.5% of young people met with their victims 2003-2004.

#### 4. Cognitive Behaviour Programmes

Sacro Youth Justice services have undergone development and enhanced their service provision to include cognitive behaviour work as part of the action plans from restorative interventions, to allow opportunities for young people to make supported changes in their behaviour. There were 221 young people referred for cognitive behaviour programmes only.

Of the 357 young people who started cognitive behaviour work, 136 were linked to restorative justice. 8 agreed to a personal change programme (PCP), 240 to cognitive behaviour modules, 125 agreed to short behaviour programmes (which involved several modules and included other material). These numbers come to more than the total 357, as two of the young people who did PCP also did a short behaviour programme and 14 young people who did cognitive behaviour modules were also part of a short behaviour programme.

98% of young people who started to work on their thinking and behaviour satisfactorily completed the cognitive behaviour modules (satisfactorily meaning, attended agreed appointments, engaged with process and completed all aspects of the programme, including home work). 94% who agreed to a short behaviour programme completed it and 75% of those who agreed to PCP satisfactorily completed the programme. Those who did not complete the programmes were recorded as unsatisfactory, which usually involved missing sessions, not engaging fully and not carrying out tasks agreed upon between sessions.

The breakdown of programmes was as in Table 1-5 below.

Module	Proportion
Specific offences	1%
Assertiveness	1%
Emotional management	3%
Socio-moral reasoning	3%
Alcohol/substance issues	4%
Problem solving	5%
Impulsiveness	10%
Peer pressure	12%
Future choices	14%
Anger management	21%
Offending behaviour	27%

All cases would have both the induction and relapse prevention modules, which are, therefore, not included in the table above. The fact that 27% of the modules agreed to by young people focused on their thinking, feelings and behaviour related to 'offending', closely followed by anger management, suggests that young people referred to Sacro do want to address criminogenic needs. Furthermore, the fact that of the remaining module topics, there was a 12% uptake in looking at peer pressure, 10% uptake for impulsiveness and 14% for future choices further supports that programmes are targeting risks

in accordance with current research and theory<sup>18</sup> (risks which if un-addressed can lead to repeat offending). This suggests that the Youth Justice Service provides a more holistic approach than if it only offered restorative justice.

Young people's risks of offending and unmet needs were assessed using the ASSET 'What do you think?' form as well as through preparation sessions for the restorative aspect of the service. This helps guide the length of programmes offered, as well as the content. Young people may take part in one module (induction including 'what do you think?' and victim awareness), which can be up to four sessions. Each module is designed to be carried out across four sessions, however individual adaptations are necessary depending upon the needs of the young person.

- 41% of young people (357 out of 876) who participated (of closed cases 2004–2005) were willing to look at their behaviour and thinking, through cognitive behaviour programmes (the remaining young people took part in restorative justice).
- 32% of the 357 young people completed one module (4–6 sessions)
- 32% completed two modules (8–10 sessions)
- 23% completed three modules
- the remainder (13%) ranged from four to ten modules.

## 5. Action plans

As part of the restorative justice process, young people can agree to carry out work for the person they harmed, or to take part in one of the programmes delivered by Sacro, or with further assistance from an outside agency or in their own community. Non-harassment agreements and other 'promises' can also be part of the agreed action plan. It is encouraging that 97% of the action plans agreed upon were completed successfully, as determined by follow up after the process of meeting or shuttle work has been completed. That is to say, whatever was agreed upon was completed in these cases. Of the action plans carried out, the following are examples:

Tidying areas in the community, painting, gardening, clearing forest paths, photography, video production, agreeing to seek counselling for drug use, agreeing not to call each other names at school, playing music at a Burn's supper for pensioners, working for charity etc.

In one of the action plans, for example, photography was linked to self-identity. This involved taking pictures and learning how to develop film, printing the photographs and creating a life-size collage of photographs representing themselves. Thus the young people learned about their identity and individuality. This was restorative in that it helped the young people themselves reintegrate into their community, knowing that they had addressed the issues (offending) and carried out the 'task' they agreed to in the restorative part of the Service.

Similarly, as part of an action plan from the restorative service, another group of young people agreed to write a script for a video regarding drinking alcohol underage in local parks, which ended up at the storyboard stages. It was filmed on a home video camera due to lack of resources for professional equipment but was still very well received by the young people themselves as an awareness-raising, educative experience.

<sup>18</sup> Dowden and Andrews (1999), What Works in Young Offender Treatment: A Meta Analysis. Forum on Correctional Research. Farrington D (1996). Understanding and preventing youth crime York: York Publishing Services for the Joseph Rowntree Foundation

## Reparative tasks

Reparation is a simple concept whereby young people get an opportunity to give something back to the person they harmed or the community. It should not be used to access services such as work experience or other placements. This should be done through signposting to the appropriate agency to avoid the risk of losing the focus of restorative justice.

It is notable that according to the report from the Youth Justice Board for England and Wales<sup>19</sup>, an arguable misinterpretation of “restorative justice” means that some ‘projects’ tend to over focus on ‘reparation’. In Sacro Youth Justice Services out of all the young people who took part, 8% carried out some form of reparative task. These ‘tasks’ had to fulfil strict criteria, in that the work was directly related to the offence, rather than a proportional punishment style task. It had to be asked for by and meaningful to the person affected, and agreed to and meaningful to the person responsible. The work had also to be discrete and non-shaming; in that once it was completed the young person who had repaired the harm could then be actively accepted as a person of equal moral standing in their community. The type of tasks is included in the action plan section above, as well as in the section on case descriptions.

In Aberdeen funding was given to pilot a community based reparation post. The service worker is responsible for facilitation of reparative tasks. This dedicated post increased the quality of service provision, as strict risk assessment and placement protocols were further developed. It is hoped that this can be developed into restorative community work<sup>20</sup>. Although still at an early stage, it appears that there has been a significant increase in both number and scope of tasks<sup>21</sup>, one of which is described in the case descriptions section.

Therefore, although we do not wish to inappropriately over focus on reparative tasks, we do believe there is scope to increase the availability of restorative community work.

## 6. Attitude and risks (February 2002–March 2005)

Some young people referred to Sacro Youth Justice Services agreed to complete the ASSET<sup>22</sup> What do you think? (WDYT) inventory. This form was designed by University of Oxford in an attempt to standardise risk and needs assessment and to ensure that the opinion and feelings of the young people were taken seriously and given appropriate weight in any decisions taken that affected them. The key domains measured are family, care, education/employment, neighbourhood, substance misuse, physical and mental health, thinking and behaviour. It is important to stress that Sacro also work on protective factors in line with evidence that desistance is encouraged by a belief that the young person can and will change, if given the chance.

Which cognitive behaviour modules to work with young people on is based on What Do You Think? (WDYT) responses. The WDYT is designed to help identify changeable factors that are considered to predict offending, whether for first time or repeat offenders. Young people who were assessed as having a low risk of reoffending (due to low risks identified on the WDYT and assessment during preparation for conferences/meetings) would still receive the restorative part of the service, ensuring National Standards (by 2006) are reached, giving all those affected by offending behaviour an opportunity to take part in a restorative process. The service also looks at other known risk factors – e.g. the under 12's<sup>23</sup> and those who show clusters of ASSET risks – as well as how well they engage with the RJ component of the service. This helps target resources on those that will most benefit, so as not to waste ‘scarce resources’<sup>24</sup>.

<sup>19</sup> Wilcox, A., & Hoyle, C. (2004) The National evaluation of the Youth Justice Board Restorative justice projects.

<sup>20</sup> Sometimes referred to as community reparation, however, this connotes ‘orders’ which are not restorative in ethos.

<sup>21</sup> Further information can be accessed through Aberdeen Sacro office.

<sup>22</sup> Oxford University, 2003

<sup>23</sup> McGarrell, E. (2001) Restorative Justice Conferences as an early response to young offenders. OJJDP Juvenile Justice Bulletin, August, Washington DC: US Department of justice. Cited in Buist, M., & Whyte, B (2004). International evidence to Scotland's Children's Hearings review: Decision making and services relating to children and young people involved in offending. CJSW Development Centre for Scotland.

<sup>24</sup> Whyte, B. & Buist, M. (2002) What works with children and young people involved in crime? A review of Scottish research. Criminal Justice Social Work Development Centre for Scotland.

A second follow-up inventory is completed, (where the young people have consented,) six months after work with Sacro is completed. This was designed originally to explore whether young people who needed support from other agencies or services were getting that support. However, an opportunity has been taken to assess changes in attitude or risks and to look at which programmes might help the young person positively change their thinking or behaviours. This information is being analysed and will be reported on in due course.

In a recently published article, it has been suggested that far too much focus is given to assessing 'risks'<sup>25</sup>. However, as part of the whole 'package', Sacro use the WDYT as a start to building a relationship with the young people. The WDYT is also used to make sure that the views and perceptions of the young person is given full consideration. The "What do you think?" Oxford research<sup>26</sup> showed that in the majority of the sections, practitioners underestimated how much the risks assessed were impacting on young people's lives, compared to the young people's responses.

A full and separate report of the 'What do you think?'(WDYT) data will be produced<sup>27</sup>, however some important issues have already arisen from initial response data.

Of those young people who took part in Sacro's Youth Justice Services before 1 April 2005, 74.6% had responses to 'What do you think?' forms recorded on the database.

The following analysis is based on 1,539 responses recorded before 1 April 2005 and gives a broad indication of the so called "risks of re-offending". However, caution must be taken in interpreting these records since there are many factors to consider, including reading ability, misinterpreting questions, age, gender, honesty, and others.

<sup>25</sup> Armstrong, D. (2004). A risky business? Research, policy, governmentality and youth offending. *Youth Justice: The Journal of the National Association for Youth Justice*, 4 (2), 100-116.

<sup>26</sup> Baker, K., Jones, S., Roberts, C., & Merrington, S. (2003). The evaluation of the validity and reliability of the youth justice boards assessment for young offenders. Centre for criminological research, University of Oxford.

<sup>27</sup> Data will be transferred to a SPSS (statistical programme for social sciences) programme to allow for scientific analysis of data over time. There has to be individual comparisons carried out over the six months, which the access database is not designed to carry out.

## **A summary of responses shows that:**

### **Family and personal relations**

98% of young people felt that their family cared about them, and 72% said that they could NOT get away with anything they liked at home. Positive family relationships are a known protective factor and these are built on during the work with the young person and their parents with whom the service is in contact.

### **Education and employment**

79% felt that they need more training and qualifications, 44% of young people said they often stayed away from school without asking and 29% felt that they needed help with reading and writing. This suggests that many of the young people were having difficulty at school, a known risk factor which can lead to offending behaviour.

### **Lifestyle and substance abuse**

91% of young people said that they did not think taking drugs or solvents was OK. These responses again illustrate that many of the young people realised that drug taking was not healthy or acceptable. 89% of young people had some friends who don't get into trouble, however 70% said that they had lots of friends who got into trouble. Supporting young people to associate with those peers who do not offend, which encourages the use of these relationships building on protective factors, is often undermined by the fact that they also have friends who do offend.

53% of young people said that they lived in places where there is lots of crime and 40% of young people said they live in places where it is easy to get drugs, 32% said they had friends who take drugs and 11% said that they had problems because of alcohol or drugs. These are considered risks related to both offending and at times welfare and would be dealt with through programmes as well as signposting to the appropriate agencies.

### **Mental and emotional health**

A positive finding is that 89% of young people said that they felt good about themselves. The 11% who did not feel good about themselves were offered support. 61% found trusting other people difficult and there were 49% who worried about the future, 40% who said they often felt miserable or sad, 9% said that they deliberately hurt themselves and 8% said that they had thought about suicide. It is important to note that young people can often misunderstand questions relating to suicide or self-harm. For example if a child of nine is feeling very angry, these questions can be a way of expressing that anger, rather than an attempt to self-harm or kill themselves. Sacro's child protection policy, guidance and training helps guide practice implications in these issues. Building a relationship is essential before young people will trust a practitioner and this can have implications for timescales and resources as well as funding. If there were self-harm or mental health issues, these cases would be passed to the appropriate specialist agencies, if they were available locally. Sacro have recorded how many people are referred on and will report findings in due course, in an attempt to identify gaps in services for young people.

### **Thinking and behaviour**

75% of young people said that they were impulsive, 79% said that they often got angry and lost their temper, 59% got very stressed or frustrated and 39% said that they threaten to hurt other people. There were 48% who reported giving in to their peers. These findings arguably describe young people in their natural state. However, if they cannot effectively manage these 'risks' and it has caused them to be referred on offence grounds, then Sacro would aim to help address these issues through cognitive behaviour modules.

## Attitudes to offending

93% of young people working with the service were sorry for the harm they caused, 91% thought that their families were upset by their actions and 93% accepted responsibility for their behaviour. 87% thought that what they did was wrong and 65% knew they had affected other people with their actions. This finding illustrates that the young people did have a sense of moral reasoning. It also ties in with the impulsivity and anger issues identified earlier. If these issues are addressed, then people should be more able to desist from the problematic thought patterns and behaviours. Only 23% said that they blamed someone else, with 3% feeling this strongly. These latter young people would be offered victim awareness sessions and would have these thoughts of blame explored with them in a supportive way.

## Reasons for offending

51% of young people said that they offended "because my friends do it". 29% offended because they were drunk, 26% because it was exciting and 22% to get out of a difficult situation. Only 9% said it was to get money. These findings reinforce the common awareness that peers have a huge influence on young people's behaviour. Sacro provides cognitive behaviour modules to assist young people to be assertive and find ways to deal with peer pressure and look at alternatives to offending and safer ways to meet their needs.

## Motivation to change

Only 6% of those who responded to the WDYT said that they did NOT want to stop offending, i.e. wanted to continue offending.

95% said that offending was not the best way to get what they want but 34% said that they needed help to stop offending and 23% said that they thought they might offend again.

These results, taken from initial assessment forms across Scotland, highlight that young people who have offended, appeared to understand that their behaviour affected others and that they wanted to stop offending. Considering that these forms are completed **before** an intervention commences, this supports the notion that being caught, in and of itself, has an impact on young people. Media portrayals of Scotland's young people as irresponsible, badly behaved nuisances, who are out looking for trouble, are somewhat challenged by these results. However, it is also important to note that when several risks (of re-offending) were identified by young people's responses, cognitive behaviour programmes were offered, as well as a restorative justice service.

## Victimisation experience

23% of the young people referred for offending, who agreed to complete an initial<sup>28</sup> WDYT form, said that they were or had been experiencing bullying to some degree.

41% of the young people who completed the WDYT form said that they saw fights and arguments at home. It is important to stress, that seeing fights and arguments (unlike bullying) may be considered as a part of learning about conflict management skills but does not imply that these young people are being abused.

The Oxford research on ASSET<sup>29</sup> reported that many of the young people's responses show that the practitioner's assessment in the full ASSET report tended to underestimate how the young people were feeling and thinking. It is worth reiterating that the young person's perception needs to be taken seriously, as the voice of the young person is crucial to successful programmes<sup>30</sup> and is in accordance with the Children's Scotland (1995) Act as well as the UN Charter on Children's Rights.

<sup>28</sup> An initial WDYT is completed (with consent to be entered on database and shared with agencies) before the programme starts, and then a follow-up is completed, six months after the completion of agreed intervention/programme. 172 were completed in this period).

<sup>29</sup> Baker, K., Jones, S., Roberts, C., & Merrington, S. (2003). The evaluation of the validity and reliability of the youth justice board's assessment for young offenders. Centre for criminological research, University of Oxford.

<sup>30</sup> Armstrong, D. (2004). A risky business? Research, policy, governmentality and youth offending. *Youth Justice: The Journal of the National Association for Youth Justice*, 4 (2), 100–116.

## 7. Referral figures for people harmed by offending

The fact that some of the young people referred to Sacro are currently or have been victims themselves is another complex issue relating to appropriate service provision, which Sacro are currently examining.

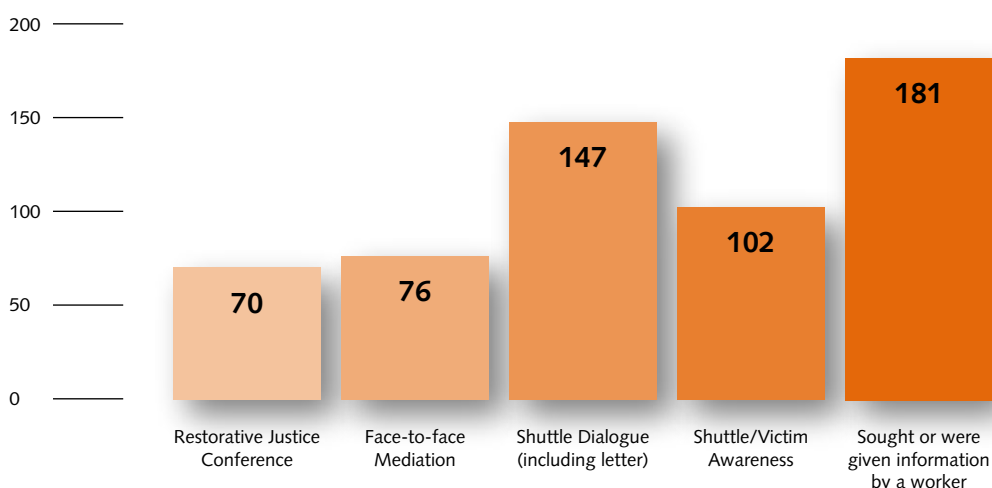
Each year Sacro receives referrals for young people whose behaviour has had a significant impact on someone else. There follows a report on those affected by the offending behaviour of these young people referred.

1,299 people who had been harmed by the young people's offences were offered a service between 2004–2005. There were 792 cases closed, from which the following analysis has been conducted.

940 cases were closed with 148 being discontinued (i.e. could not contact PH etc).

Of the 792 people harmed by offending approached by the Youth Justice Service with an invitation to take part in the service, 73% (576) agreed to take part. The form of involvement with the young person is reported in Figure 1–2 below:

**Figure 1-2: Type of intervention the people harmed took part in**



This means that as far as persons harmed are concerned, 25% of those willing to take part in the service met the young person responsible for harming them. This is one in four and is encouraging, when compared with other areas of the UK<sup>31</sup> (Note that this figure is when considering proportions of those affected who took part. Of all closed cases, whether they took part or not, 18% met the young person who harmed them). The fact that all persons harmed (where possible and appropriate) were offered the opportunity to take part in the service reflects Sacro's commitment to operate to National Standards<sup>32</sup>.

Of the 792 closed cases, 27% (216) of people harmed did not take part. Of the non-participating people harmed, 64% were unwilling to participate mainly because they felt that they would get nothing out of participating or that they had moved on. Only a minority felt that the young people should be punished and so restorative justice was not for them. Other reasons for non-participation were that 19% could not be contacted, and 4% were unwilling to participate but supported the service<sup>33</sup>.

<sup>31</sup> As the National data (Wilcox, A., & Hoyle, C. (2004) The National evaluation of the Youth Justice Board Restorative justice projects.) did not consider those who did not take part

<sup>32</sup> National standards for youth justice (2003). Scottish Executive.

<sup>33</sup> This option was added to the data base in early 2005 and so records will not reflect how many of the unwilling harmed people would also have been happy about the service before this option was available.

## Type of person harmed

Another criticism of restorative justice services is that they are too offender focused and do not give equal opportunities to those harmed by offending. Sacro have been working very hard on this aspect since the introduction of services and offer the opportunity to all appropriate cases. This is in accordance with the Restorative Justice in the Children's Hearing System protocol.

It is also often argued that restorative justice services rely on corporate 'victims'. However, last year 44% of persons harmed were adults who had been personally harmed; 16% were children (under 16); 19% were public services (council, schools etc.); 17% were businesses (stores, bus companies etc.); 4% were from community groups/other agencies (e.g. road traffic etc.).

A large proportion of people harmed described themselves as white (51%), with 1.4% seeing themselves as Asian and 0.3% with other ethnic backgrounds. However, 8.7% were recorded as "don't know" and 38.6% were left blank. Sacro is addressing this issue to try to ensure this information is more fully recorded for future evaluation.

## 8. Young victims

16% of people harmed who came to Sacro's Youth Justice Service were under 16 years of age.

A recent report by David Smith (2004)<sup>34</sup> evidences that there is a reciprocal link between victimisation and offending. The report presents findings which imply that there is a correlation between victimisation and offending or that victimisation predicts offending and that offending predicts victimisation. Young people who experienced victimisation reported committing one offence per week, whereas young people with no reports of victimisation reported one offence in two months.

It was also found in a separate study that there are serious gaps in service provision for young victims of crime, who often did not even see themselves as victims<sup>35</sup>.

In a truly restorative service, the way we deal with victimised young people (who may go on to offend) needs to be carefully addressed. Practice such as the assessment of young people who are victimized is warranted (using risk assessment tools, e.g., Impact of Event Scale<sup>36</sup>) to try and address risks of problematic behaviour at early stages. A working group has been set up within Sacro to look at these issues.

It may also follow that young 'offenders' who are treated with offending focused programmes, targeting specific behaviours using medical models, may not have help with the possible traumas of unidentified victimisation experiences. Opportunities to address these complex risks may be missed. Therefore using the restorative paradigm and desistance models may be more appropriate.

Sacro are looking at the young 'victim' or 'offender' as a person with needs and measurable risk factors, which when identified could truly help them desist from any offending (in the victims' case) or further offending (in the offenders' case). Restorative practice based on desistance models, especially community based restorative interventions, is being developed and revised as we learn from experience as well as research evidence.

<sup>34</sup> Smith, D (2004). The links between victimisation and offending. The Edinburgh study of youth transitions in crime.

<sup>35</sup> Simmers, D., & Craik, I. (2004). Support and services: young victims of crime.

<sup>36</sup> Horowitz, Wilner & Alvarez (1979)

A major step forward in Sacro has been a change in language use from victim to person harmed by offending and from offender to person responsible for offending. The aim is a shift in culture from using criminal justice system definitions, which overlook the fact that these people, especially when young, are often one and the same person.

Restorative justice values fit very well with addressing the implications from the research findings about the interchangeability of young people as those responsible and those harmed. Such evidence also influences changes to the Youth Justice Services in Sacro. The findings<sup>37</sup> also further reinforce the Scottish Children's Hearing System as being an effective system, based on best interests of any child being paramount, whichever label other systems would give them.

## 9. Recidivism

(and initial findings from Aberdeen Youth Justice Service which has had a working protocol with the Police, since December 2002) December 2002 – July 2004.

Sacro's Youth Justice Services were set up not just to reduce re-offending but in an attempt to address offending behaviour and its human consequences, which is envisioned to help reduce the risks associated with offending behaviour. The aim was also to increase a sense of community safety and cohesion including relationships within communities and young peoples' social circles, schools and homes. Sacro is considering how these outcomes can be measured effectively.

Part of the action plans from a restorative justice service is that someone harmed by the offence can ask for some form of reparation, to make good the harm caused to them by someone else's actions. Another part of the action plan is the programmes offered, based on social inclusion, increasing protective factors and working on changing behaviour and cognition with the young person. The focus of Sacro and restorative justice interventions is the reduction of criminogenic needs and risks and this will have an impact on recidivism.

There are indications that reductions in offending post-working with Sacro look promising, although, in the area where protocols have been agreed upon (since December 2002) to 'track' the young people, a period of at least 24 months will have to be allowed before complete data can be produced. It is also important to note that there are debates as to which baseline we should compare reoffending rates. The evidence often quoted<sup>38</sup> suggests that over 70% of young people who offend once, will naturally desist, simply as a result of having been caught.

First time offenders comprised 42% of referrals to Sacro's service; 17% had offended twice and 41% had three or more offences prior to Sacro's involvement.

Work on reoffending rates is a complex and difficult endeavour. It is now the hope that the model developed in Aberdeen<sup>39</sup>, which gets monthly feedback from Grampian Police on all young people who consent to being 'tracked', will be rolled out across Scotland. Offence information is provided as regards offences previous to working with Sacro, and for a period of two years after the intervention is completed, to allow enough time to see if there is any impact on offending behaviour. After 24 months the 'tracking' ceases.

<sup>37</sup> Smith, D (2004). The links between victimisation and offending. The Edinburgh study of youth transitions in crime.

<sup>38</sup> Whyte, B. & Buist, M. (2002) What works with children and young people involved in crime? A review of Scottish research. Criminal Justice Social Work Development Centre for Scotland.

<sup>39</sup> Both Fife and Perth Youth Justice Services have also a signed protocol with local police, but the tracking is too recent to glean information.

The following data is based on the first 181 young people who agreed to Sacro being given information by the Police, since December 2002. These are a self-selected population, as the choice of taking part was completely in the control of the young people. 42% of the young people referred to Sacro were first time offenders in this group (those who consented to being tracked). Because these 181 were out of 430<sup>40</sup> referrals made to Sacro Youth Justice Services in that period makes it difficult to assess whether offending behaviour was a factor in the decision to take part. This will be explored in the next phase of analysis.

There were 41 females and 140 males, who were between nine and 16 years of age (see Table 1-6).

**Table 1-6**  
Number of young people per age group being 'tracked' in Aberdeen

Age	Number of young people
9	2
10	2
11	12
12	19
13	25
14	45
15	73
16	3

In the first 12 months, 70% of all young people who consented to being 'tracked' had not re-offended. When evaluating this result it is important to consider that 20 of these young people (11% of those who were tracked) had a total of 383 crime files between them. The young people from this group had an overall average of 19 offences each (ranging from 10-52 offences each). It is also worth noting that nine of these young people were too young to access a service for 'persistent' offenders<sup>41</sup>, and that some of these young people were referred to the Sacro Youth Justice Service because of the seriousness of an offence and its impact on the community or person harmed.

In relation to these 20 alone there was an overall 10% reduction in offences over 12 months, however this cannot be attributed to involvement with Sacro services alone. The fact that these young people were either in a secure unit, or engaged in other projects at different points in the process mean that offending data is misleading. One person, for example, had 38 offences prior to referral and only two offences in the 12 months following their Sacro involvement as they were in secure accommodation. A further opportunity to evaluate what the young people were involved in at these different periods is therefore being taken.

<sup>40</sup> Young people referred in December 2002–March 2003 was 113, from April 2003–March 2004 was 247 and from April–July 2004 was 70 totalling 430

<sup>41</sup> Persistence being five episodes in six month period and Intensive support, Barnardo's New Directions and Youth Justice Social Work, both start at 14 years of age or over.

Due to these factors, and the fact that these 20 young people fall into the 'persistent' category it was felt that it would be appropriate to exclude these 20 young people from the next part of the analysis below. Youth Justice services were set up to address the offending and related issues of young people who are considered at risk of re-offending, but cannot be expected to address complexities underlying persistence through restorative justice alone. Providing the service for the 20 persistent offenders is important however, as they have impacted on so many people or so many times and the people they have affected may embrace an opportunity to access restorative justice. It is also important that we do not exclude this group of young very vulnerable people. The outcomes for this group will be analysed by their main service provider.

If we reconsider the data with more persistent young people removed, then the overall reoffending rate indicates that 80% had no further offences in 12 months from when they completed the Sacro service.

A further split of the remaining 161 young people was made into two groups, those who had no offences prior to the offence(s) referred to Sacro and those who had one or more previous offences. 48% of this sample had no offences before the referral offence, 52% had an average of 2.73 offences (range one to eight). It is also worth noting that 64% of those with previous offences had two or more previous offences and averaged 3.8 offences.

86% of the young people who were referred as first time offenders did not reoffend in 12 months from the end of working with Sacro Youth Justice Services. There were 14% of young people who did reoffend after working with Sacro; 6% had one offence in the first three months after their completion date with a further 5% having one further offence in 12 months. 3% had two further offences in the 12 months after completing the programme. It should also be noted that although these young people were first time offenders, many of them had committed several offences at one time for which they were referred and so these figures may still show a reduction in offending<sup>42</sup>. Some 'first time offenders' had also committed serious offences (e.g. £1,000's of damage, carrying offensive weapons, fire raising, and housebreaking). It is hoped that if any of the referrals were for less serious first offences that new police restorative warnings will address these issues in future.

74% of young people who had an average of 2.73 offences each (range one and eight offences) before the referral offence taken by Sacro had no further offences in 12 months. The reduction from a total of 123 offences (for those who did reoffend) for this group to 12 in the year following, suggests that there was also a 90% reduction in those 26% who did commit further offences (i.e. out of the 26% who did reoffend all the young people had only one further offence in the year apart from one, who had two further offences in a year).

Finally, due to developmental stages when learning how best to enter data, some young people who were re-referred to Sacro, were entered as new cases and their earlier referral(s) were then recorded as previous offences. This does affect the data, however there was only 5% of the sample (N=8) that fell into this category. This would arguably reduce the no re-offence rate for those with previous offences (as these young people average 4.5 offences each) to 69%. However, it could equally be argued that this is inappropriate

<sup>42</sup> Further analysis that is more complex will be carried out as the 24 months period is completed, which has not commenced yet. The first person to consent to tracking will have been with the pilot for 24 months in December 2004. Bearing in mind that there are between six and 20 young people per month consenting, it could be 2006 before substantive data are available.

as, in effect, the initial referral perhaps started a process, and due to time and experience the ultimate programme or intervention closure is where reoffending data ought to be measured. Ultimately, this small proportion had 36 offences prior to or during Sacro involvement and three re-offences post Sacro at their last referral closure, so however much time was invested in the re-referrals a 90% reduction is clearly encouraging.

Critics suggest that 60–70%<sup>43</sup> of young people who are either first time offenders or referred for minor offences, cease offending simply as the result of being caught. However, the criticism of wasting resources when engaging with first time offenders overlooks the opportunity to restore relationships with restorative processes and reparative actions. It is also important to consider what happens to the 30–40% of those first time offenders who do reoffend.

Further analysis and reports will be produced separately. The 'tracking protocol' has been signed in Dundee, Fife and Perth in addition to Aberdeen and it is hoped that it can be introduced in all of the other police areas over time. Further analysis including offence and intervention categories will also be included in the future.

This is a key area of research that will allow an evaluation of protective factors, risk factors and intervention types on different young people to inform future practice. It should be stressed however, that any reduction in offences cannot be attributed to restorative justice or cognitive behaviour programmes alone.

## **10. Satisfaction with Service (National) 2004–2005**

This section of the report is based on responses to Sacro feedback questionnaires. These forms are currently under revision and will look at both restorative outcomes based on the Scottish Best Practice guidelines, and at the service.

Meantime, the feedback below is taken from the original questionnaires, which were adapted from adult mediation and reparation services in the 1990s. They focus on reasons for using the service, outcomes from using the service, impressions of service quality, and general comments.

Response rates<sup>44</sup> varied across services that took part in the evaluation. The average from the services that recorded this was a 27% return rate for young people and 20% return rates for both parents and people harmed by the offences.

The feedback from young people indicates that the service results in them thinking about what they did and wanting to change. Feedback for everyone else involved with this type of community-based solution is also very encouraging.

<sup>43</sup> Whyte, B. & Buist, M. (2002) What works with children and young people involved in crime? A review of Scottish research. Criminal Justice Social Work Development Centre for Scotland.

<sup>44</sup> Responses were collated from: Aberdeen, Dundee, East Renfrewshire, Fife, Midlothian, and Perth, however only Midlothian and Perth collected response rates in a way which allowed reporting.

## Persons harmed

There are two types of responding from the questionnaires: 1) tick boxes, where respondents can agree or disagree to statements given on the feedback forms; and 2) written responses to open-questions.

Feedback from persons harmed attested to the positive experience of being involved in the service.

When asked why they wanted to take part, 59%<sup>45</sup> of persons harmed said they had wanted to let the young person know how they felt. A further 47% said they had wanted to help the young person. Only 17% mentioned wanting to get something back from the young person. One respondent explained the importance of the service in the following terms:

“In the spirit of good citizenship it’s important to give people the opportunity to understand the consequences of their actions and to offer a means of repairing the damage – physically or emotionally”.

One respondent explained how they thought the service could help the young person:

“[I] wanted to help the offender, so that they could reflect on the consequences of their actions and possibly learn not to repeat them”.

Similarly, another respondent highlighted the importance of early intervention, when they stated:

“[I wanted to] let them realise their mistakes before they are involved in serious crime”.

Underlining the fact that communication goes both ways, and commenting on how this engagement also helps the person harmed, one person stated:

“[I wanted] to see how the offender and their parents felt about the incident”.

Taken as a whole, these responses suggest that persons harmed wanted to explain how the young person’s actions affected them, and understood that the young person needed help, rather than punishment, and the service was an appropriate way of providing this. The fact that so few people entered the service for the purpose of getting reparation from the young person suggests that they see justice as more than simply repaying a person harmed and punishing a person responsible. The responses indicate that direct communication between the affected parties is seen as beneficial for addressing harm, and that the informal and inclusive approach to justice provided by the service is preferable to more formal processes.

With regard to the process and the outcomes of using the service, 81%<sup>30</sup> of persons harmed said that they felt the service allowed them to influence what happened to the young person, and 58%<sup>30</sup> said they had a better understanding of why the young person had behaved the way they did. These comments highlight the personal engagement with achieving justice that is lacking from more formal processes. One of the respondents commented on the importance of this engagement at the personal level by stating:

“I think it was a good way for the offender to have to sit down and write an apology and think about what they have done”.

<sup>45</sup> Fife, Dundee, Midlothian and East Renfrewshire.

This feedback supports existing theories<sup>46</sup> that suggest emotional repair can take precedence over material repair. The persons harmed see this process as beneficial as do all parties concerned, and the service provides the necessary communication that would be largely missing from more formal processes.

Awareness that the service may not suit everybody is supported. For instance, one person stated that, while they felt that the service may help others, the contact from Sacro brought back painful memories that they would rather have avoided. However, they made it clear that this was a personal reflection, and was unrelated to the professionalism of the Sacro workers.

In a similar vein, one respondent outlined the importance of swift engagement with the service when they stated:

“[I would have liked] action sooner – by the time Sacro came, the effects of the offence had worn off and my attitude had changed, I would rather have forgotten about it”.

This feedback is very helpful in gathering evidence regarding the involvement of people who have experienced serious personal offences, and the fact that the 12-week timescales may need to be reconsidered, and reinforces the need to look at each case individually. The opt-out clause in the Reporter’s letter will also give people the opportunity to stop any contact from restorative services.

Verifying the positive experience of using the service, 85%<sup>47</sup> of respondents said that they would recommend the service to other people who were in a similar situation to themselves. In contrast to this, one person who chose not to use the Sacro service stated that services ‘need to achieve more concrete results’, and as an option it seems ‘easy’ and ‘pointless’. It is possible that this is the view of people who have not engaged with the service; however, the responses from people who actually make use of the service indicate that it is in fact important, relevant and engaging, especially when considered in relation to the alternatives.

## Young people responsible

Feedback from the young people responsible emphasised the importance of communication between themselves and the person harmed, and how this changed their views and behaviours.

When explaining their reasons for using the service: 64% wanted to deal with the offence by taking part in the service; 35% wanted to explain their actions to the person they hurt; and 25% wanted to give something back. This indicates that they see the service as a positive way of addressing the issue and achieving justice.

Also, the fact that they wanted to explain themselves to the other party suggests that other processes available do not adequately allow the young people to be heard. Restorative justice provides an opportunity and support for them to be heard and taken seriously that they do not normally get, compared with the standard approach, which arguably provides less opportunity to be heard. That some of the young people wanted to give something back to the victim indicates that they accept responsibility and recognise the personal harm that they caused. In another sense, the slightly low number of respondents who stated this reason mirrors the views of persons harmed, and may indicate that the majority of people who have used

<sup>46</sup> Umbreit, M.S. (1994). *Victim Meets Offender: The Impact of Restorative Justice and Mediation*. NY: Criminal Justice Press.

<sup>47</sup> Aberdeen, Fife, Dundee, Midlothian and East Renfrewshire (Perth gave response rates only).

this service understand that justice is a greater concept than punishment and repayment, that it includes communication, relationship building, and making good. One young person made this point very simply by stating:

“I participated in the service so I could let the victim know I was sorry”.

With regard to outcomes, 90% of respondents said that their thinking about offending had changed due to taking part in the service. For instance, one respondent reflected on what they had learnt about the effect of their behaviour, stating:

“It’s not just me that has to go through it, it’s my family as well and it’s not fair on them or anybody else”.

In particular, 89%<sup>48</sup> of young people said they had a greater understanding of the impact of their actions on other people. As an illustration of this, one respondent explaining what she learnt through using the service after having trespassed on train tracks:

“I could have been crushed or dead and I don’t think that the driver would have wanted to drive another train after that and passengers might not want to travel anymore”.

Similarly, one of the young people explained how using the service made them realise the situation from the victim’s point of view:

“The victim would have been scared as she had a young child in the house”.

Furthermore, 78%<sup>49</sup> said that learning about the circumstances of the person harmed changed what they thought about them. For instance, one young person said:

“It made me realise that the people were really quite nice people”.

As stated by another respondent, this realisation about the persons harmed was linked to a reassessment of the young person’s own behaviour:

“[I learnt] that she was a normal person really and it was wrong to hurt innocent people”.

In sum, these responses indicate that communication with the person harmed allowed the young persons to consider the positions of other people, and therefore reassess their own behaviour, with the potential to make positive changes. The responses indicate that this way of achieving justice is very meaningful to the young persons, and this is supported by the 94%<sup>50</sup> of respondents who indicated they would recommend the Sacro Youth Justice Service to others who found themselves in a similar situation.

<sup>48</sup> Fife, Dundee, Midlothian and East Renfrewshire

<sup>49</sup> Fife, Dundee and East Renfrewshire

<sup>50</sup> Aberdeen, Fife, Dundee, Midlothian and East Renfrewshire (Perth gave response rates only)

## Parents and guardians

All parents of young people who sent back the forms (20%) said that the service was a good way of dealing with the offence. In particular, respondents highlighted the way in which the service assisted communication, and engaged with the young person, involving them in the justice process and helping them to learn. For instance, one parent/guardian stated:

“I believe the scheme helps both offender and victim deal with and learn from the experience”.

Another respondent explained how the service assisted communication in a normally difficult situation:

“[He showed a] willingness to open up to an adult without feeling threatened”.

Similarly, one respondent explained how it overcame the challenges of communication between young people and their parents:

“I found it helpful for teenagers, as they don’t always listen to their parents”.

Quite likely as a result of the way the service engages with the young people and assists communication, 67% of the responding adults and guardians reported seeing positive changes in their child’s behaviour. At one level, this meant the young person was more aware of, and responsive to, their own behaviour, as one respondent stated:

“He’s more happy about facing his doing’s”.

At another level, parents and guardians stated that engagement in the service had a direct effect on the young person’s offending behaviour. One respondent stated simply:

“He has not bullied anyone since”.

The positive experience of engaging with the service was reinforced by the 97% of responding parents and guardians who stated they would recommend the service to other people. In particular, one respondent emphasised the inclusive and communicative nature of the service, stating:

“I felt that it was beneficial to all concerned”.

Similar to responses from the persons harmed, who suggested that the young person needed some form of support, one of the adult or guardian respondents emphasised the fact that the service offers a positive way of engaging with the people involved, especially as an alternative to prosecution, when they stated:

“I’m just glad there are people that can help”.

Finally, a quote from a parent suggests that there are gaps in services for some young people who sometimes need continuing support even after initial changes have been made to behaviour and thinking:

“She stopped offending with about an 85% change. Now that we no longer have contact [with Sacro] the offending has started again”

Taken together the whole philosophy that people need to be supported (rather than punished) both while they make changes, and when they face the person who harmed them, is reinforced through this type of feed back.

## 11. Case descriptions

The following selection of case descriptions is provided, by practitioners, in order to help readers understand the processes and value of Sacro Youth Justice Services.

### Case description 1: Restorative Justice Conference

A number of young people deliberately broke numerous school windows. Sacro visited the young people and they agreed that they would meet with school representatives to make their amends. Some of the young people were truanting and one was excluded. During the preparation the person harmed (janitor) said he simply wanted the young people to stop breaking the windows and to stop abusive gestures and comments when he was going about his janitorial duties.

At the conference the person harmed challenged one young person on his truanting – the young person explained he had not been given a new school since his exclusion some months previously. This young person took full responsibility for encouraging the other young people in vandalism. The person harmed was able to explain how he felt about the abuse and the young people then made a sincere apology and promised not to break the windows in the future. They then agreed on an action plan, which was that they treat each other with respect and the janitor hoped that the young people would re-engage with school and be able to 'make something of their lives'.

An outcome was that the janitor's assumptions that one young person was truanting were corrected. Also, the young people were able to realise the impact their behaviour had had on the janitor's feelings. The conference built intergenerational relationships based on honesty and respect with all those involved experiencing some form of emotional repair.

### Case description 2: Shuttle dialogue

Several young people, between 13 and 14 years old, were harassing a mother, father and their 13-year-old daughter at their home. All the young people concerned attended the same school as the 13-year-old daughter and had also been bullying her constantly. The harassment began by the young people throwing stones at the house window. This soon progressed to abusive threats and intimidation. One episode of abusive behaviour, which lasted for almost an hour, resulted in the father calling the police. When police arrived 30 minutes later, three of the young people were charged with breach of the peace.

Two of the young people responsible (a brother and sister) agreed to take part in Sacro's Youth Justice Service. The boy was 12 and his sister was 13. From the first appointment, both of the young people were remorseful about their actions and wanted to have the opportunity to make amends.

With this in mind, the person harmed's details were obtained and within the protocol for referral and best practice for restorative justice, a meeting was arranged.

Prior to meeting the family who were harmed, the young people responsible underwent some preparation sessions, which included victim awareness work. In addition, they also participated in gains and losses of offending exercise and a mini ASSET What Do You Think? assessment.

Sacro then met with the persons harmed to discuss what they wanted from the Service and how best to address their needs. This part of the process allowed the girl's parents to express their feelings of anger and fear and in addition they talked through the facts and the consequences of the 'abusive' incident. Some of the consequences were that the harmed family had been ignored by other neighbours and as a result felt that they had been labelled "the neighbours from hell" through no fault of their own. Their daughter had already moved school due to the threat of bullying and intimidation in the future. They felt that the school was of little support and their daughter also found it difficult and frightening to go out.

After hearing this, the Sacro worker asked if there was anything that the person harmed's parents could think of that would make their lives and that of their daughter's easier. After some discussion, a request regarding acceptable future behaviour was written up, to which they wanted the young people responsible to agree.

Prior to this form being discussed with the young people, they wanted to write apology letters to the family. On receipt of the letters, the family stated that they would accept their apologies and in addition felt better that they were at least trying to do something. The acceptable future behaviour form was then shown to the young people responsible who agreed to the request and also felt relieved that their apology had been accepted.

Sacro then returned to the family harmed and gave them a copy of the signed acceptable behaviour form. This made them feel much better and they fed back that they appreciated all the support from the Service.

This shows that again people on all 'sides' had an opportunity to address the harm and find a solution through shuttle dialogue.

### **Case description 3: Victim awareness and cognitive behaviour modules**

A 15-year-old boy, who had been charged with assault, was referred to the Service. He kept telling the Sacro practitioner that he had been right to assault the person because they had been standing with his arms by his side (arms loose and palms forward). He had once been hit by someone who had been standing in this non-threatening manner and therefore drew the conclusion that he was about to be hit again and decided to throw a punch first.

The person who he punched had a broken nose and was too traumatised to see Sacro.

Sacro therefore worked with the young person responsible challenging the young person's cognitive processing. However, the young person appeared to maintain that he had acted appropriately. Eventually, the penny seemed to drop and he started to see where he could have acted differently. The young person had consented to a follow up visit six months later, where he told the practitioner that he had seen the boy he had assaulted in the street one day and had crossed over to say, "What I did was totally out of order and I'm sorry". This resulted in them becoming friends and it was reported that they meet up most Wednesdays.

Again this illustrates that if given the opportunity and the focus on treating people as individuals, relationships can be built between people as the harm is addressed.

#### **Case description 4: Reparation**

A boy of 14 vandalised a bus shelter. After attending a restorative justice conference with his parents and a representative from the local council, an agreement was reached and recorded in an 'action plan'. He agreed to do the council representative's job for a day. This entailed surveying the condition of all the bus shelters on one main street of the city and submitting a report to the local council. This was completed and the representative said that this saved him a day's work. The young person said that he enjoyed the work and it raised his awareness of how vandalism affected the community.

#### **Case description 5: Reparation**

Several young people vandalised school property in a Scottish city. They met with representatives from the school in restorative justice conferences. They agreed to do some gardening work and are now allowed back into the school to play football in the grounds after hours. The head teacher said that one evening when she came out of work she saw them playing football, and they waved to her and she waved back. It was then that she realised the simple yet effective scope of restorative justice.

## **12. Future**

### **a) Restorative Justice for looked after and accommodated children**

Another new development by Sacro in 2005 has been the introduction of restorative practices in residential units in Aberdeen. The service was set up to try to reduce the number of offences young people incur when they are looked after and accommodated. The service uses a range of restorative practices to address the harm caused by unacceptable behaviour and try to build relationships between young people, as well as between staff and young people. The service has seen a promising start with nine referrals between February and March 2005. Outcomes will be reported in due course.

### **b) Restorative justice in the Children's Hearing system protocols**

Sacro has been part of a group involved in the development of restorative justice in the Children's Hearing System, which establishes the principles, criteria, and protocol in the Scottish context. The Scottish Executive endorsed this document in June 2005. This development means that young people can be referred to a restorative justice service even when they are being brought to a Children's Hearing, as well as those referred for voluntary measures. This gives more young people and those they have affected the opportunity to access restorative justice services.

Sacro's youth justice work is underpinned by best practice as set out in the 'Best Practice in Restorative Justice for Scotland' developed by the Scottish Restorative Justice Consultancy. Restorative practice addresses the needs of all people affected by offending – including those offended against, the young person, their family and the community in which they live. The process provides the person harmed by the offence with a way to seek information or ask something of the young person responsible – an apology or possibly a reparative task - through restorative justice. The young person responsible is held accountable and offered a unique opportunity to take responsibility for their actions and find a way to put the experience behind them. As an important part of the restorative justice process, we continue to develop victim awareness and individual personal change programmes, based on cognitive behaviour and desistance models.

**c) Publications and training**

Sacro Youth Justice has launched a DVD and CD-ROM, with the support of sponsoring local authorities. The DVD illustrates best practice with a filmed dramatisation of a restorative justice conference. The DVD is to be used predominantly as a training tool. The CD-ROM can be used as a visual tool for illustrating the range of restorative services to young people and those they have harmed, if necessary. This tool is hoped to increase understanding of restorative processes and encourage uptake from all those involved.

**d) Restorative Acceptable Behaviour Contracts**

2005 also saw the introduction of Restorative Acceptable Behaviour (Contract) service in Fife, East Ayrshire and East Renfrewshire. Restorative Acceptable Behaviour (Contract) service is a new service, focused on young people aged between 8 and 17 years old, who have been identified in their area as behaving in an anti-social way. The service is designed to look at prevention and follows the principle of minimum intervention (Children (Scotland) Act, 1995), whereby, if the young person is referred to Sacro, an appropriate level of support will be offered, which may involve a Restorative Acceptable Behaviour Contract. This would involve the young person and their family members coming up with their own solution to address the behaviours. Other agencies (who can offer community anchors and activities) are also asked to sign the contract and commit to providing support. It is hoped that by using a combination of restorative and family group conferences that the people affected by the young person's behaviour will also have a say in what happens. Overall, there is potential for improving life for both children and adults in the community.

Early indications are that young people respond positively to this type of support. Indeed, one young person who was truanting and behaving antisocially in his city has already returned to school and has earned his way back into the city centre from where he was banned. His family were initially uninterested in the service. However, they also changed through the restorative approach and engaged with and supported the process.

**e) Working groups**

There have been working groups set up within Sacro to look at both victimisation of young people and people harmed. Development in this area is to consider a more balanced service, which could include offending awareness programmes and writing tasks as well as measuring the impact of the event has had on people, and with signposting to mental health professionals and victim support.

Another working group has been looking at Sacro's existing feed back forms. These are being developed to look more extensively at how people have experienced restorative justice and are hoped to include questions related to community safety and how things could be improved.

It is also intended to create a working group looking at special needs in young people and how this affects their participation in youth justice services.

## 13. Conclusions

The data and evidence presented in the report<sup>51</sup> has valuable implications. The arrestment and reduction of offending behaviours may be directly influenced by the restorative component of the service, but could also be affected by a variety of external factors, which are difficult to quantify. Supporting people to accept responsibility for their thinking and behaviours, as well as building on protective factors in their communities, such as education, relationships with family and friends, programmes on emotional intelligence, future choices etc. is very important.

The findings on the restorative justice aspect also shows that people tend to get a lot out of these experiences and it seems that the negative human consequences are reduced and actions, which may be senseless, can be resolved through restorative processes and some meaning given to the experience. Testimony and feedback suggests that this is the case.

Attitudes and risk factors measured in the initial WDYT forms are encouraging and tend to suggest that the young people Sacro is working with, when given an opportunity, recognise where they made bad choices and regret them. It also suggests that the majority of young people are anything but the stereotypical hooligan, given to behaving antisocially at every opportunity. Rather, they are young citizens of fragile communities who need some impartial support and opportunities to be heard, as they learn how to live in the world as it is today.

For the people harmed and affected by the young person's behaviour, restorative justice provides an opportunity to have questions answered. It also can improve intergenerational relationships. The fact that one in four people met with the young person who had harmed them is encouraging but Sacro will examine how to increase this percentage. Furthermore, almost half of these were individuals rather than corporate or public victims. Of particular concern is the referral of under 16s as people harmed (16%), which has been taken into account in future service developments.

Rather than portraying the young as 'victims', or 'offenders' we need to recognise that they are often one and the same<sup>52</sup>. Sacro believes all young people are a potential resource to their families and communities and treats them as such. They are individuals, who should be encouraged by us all. Whether 'offender' or 'victim' they make up our community.

Finally, it should be acknowledged that the encouraging results from the first evaluation of Sacro's Youth Justice Services is only possible because of the commitment of Sacro workers to empowering young people, those they have harmed, families, and the communities they make up. Building relationships with a whole range of other agencies within the youth justice arena in Scotland and internationally has also been an exciting and positive experience. Their belief in Sacro and restorative values makes this report very positive.

### Sacro Youth Justice

Nicol, W. J., Kirkwood, S. & MacFarlane, L. (2006).

<sup>51</sup> Separate full reports will be issued on reoffending rates and what do you think data.

<sup>52</sup> Smith, D (2004). The links between victimisation and offending. The Edinburgh study of youth transitions in crime

## Appendix 1

### Proportion of offences referred by category 2004–2005

Offence	% of total
Vandalism	21.5%
Assault	21.1%
Breach of peace	14.2%
Theft	13.1%
Wilfully & recklessly damaging property	7.2%
Road traffic act offences	2.7%
Other	2.7%
Theft by housebreaking	2.6%
Possession of an offensive weapon	2.2%
Attempted theft	2.1%
Culpable and reckless conduct	2.1%
Racial harassment	1.6%
Malicious mischief	1.1%
Housebreaking with intent	1.0%
Opening a lockfast place	0.8%
Wilful fire-raising	0.8%
Misuse of Drugs Act offences	0.6%
Resisting arrest	0.4%
Reset	0.4%
Trespassing	0.4%
Fire raising	0.4%
Fraud	0.3%
Contravention of telecommunication	0.2%
Unlawful possession of a firearm	0.2%
Discharging a firearm	0.2%
Attempted robbery	0.0%
Indecent assault	0.0%
False allegations	0.0%





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