Evaluation of Enhanced Triage (ET) – can a welfare approach to young offenders make a difference?

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Abstract: This paper details the findings of a research evaluation of ‘Enhanced Triage’ (ET), an integrated decision making model piloted in England by the Suffolk Youth Offending Service (SYOS) in partnership with Suffolk Police between 1st February and 30th September 2015. The use of the ‘Enhanced Triage’ – a welfare approach to young offenders was introduced and adopted the use of joint decision making between the police and the youth offending service, and made a wide range of support services available to young offenders to make more effective use of restorative justice.

The research provides evidence in relation to how effective decision-making practices and outcomes are for children, young people and their families. Based on face-to-face qualitative interviews and focus groups with n= 70 participants and an anonymous survey n= 73, the findings suggest that through Enhanced Triage and the integrated decision making process, disposal decisions concerning young offenders are more consistent and through the assessment process, more likely to deliver improved outcomes for young offenders as well as victims of crime and the wider community.

Keywords: Welfare, Justice, Triage, Youth-Offending

JEL classification: D78 Positive Analysis of Policy Formulation and Implementation; K42 Illegal Behaviour and Enforcement of Law

Introduction

This conference paper draws upon an evaluation of ‘Enhanced Triage’ an Integrated Decision Making Model-piloted jointly by the Suffolk Youth Offending Service and Suffolk Police during 2015 [Manning, 2015]. The pilot followed trends in the evolution of Youth Justice (YJ) policy in England and Wales, and certainly since the financial crisis of 2008, of being largely supportive of increased shared services and multi-agency working. According to Pitts [2015] the coalition government in 2010, led by then Prime Minister-David
Cameron, pledged to cut £2 bn. from the Ministry of Justice’s (MOJ) £9 bn. budget. At the same time Pitts [2015,p.35] observed that, according to data available to the UK government, 50,000 families were experiencing multiple social, economic and health problems with a further 70,000 families close to achieving that status. These budgetary cuts would also cause significant staffing cuts to policing and other agencies falling under the MOJ umbrella and this would create an imperative to reallocate traditional police functions to other agencies, or for them to work more effectively and efficiently together. This included serious consideration of whether the interventions settled upon, represented value for money in terms of reducing the number of young offenders entering the Youth Justice System (YJS) for the first time and all the concomitant costs associated with resource allocation, but also the costs to victims of crime. This has been the trajectory of Youth Justice YJ policy since the New Labour government of the 1990s, although the outcomes for young people were not always favourable for them and a brief discussion of this trajectory will place the ‘Evaluation of Enhanced Triage’ in context.

**Pursuing the contradictory goal of Welfare and Justice**

Radical reforms of the YJS in 1998 had already redefined the principal aim of the new YJS to be ‘the prevention of offending’ with the enactment of the *Crime and Disorder Act* [1998] [CDA, 1998]. However, the motivation for the reform was to settle a perceived conflict of striving to resolve the contradictory goals of addressing the welfare needs which led young people to offending behaviour in balance with other priorities such as public protection [Home Office, 1997; Field, 2007]. Central to this reform was the formation of multi-agency Youth Offending Teams (YOTs) with practitioners from a range of professions including social workers, police and probation officers [Field, 2007]. It was intended these multi-agency YOTs would work together towards the common purpose of preventing offending, however, academics such as Bateman [2011] suggested this new emphasis would put pressure on existing practitioner cultures rooted upon a welfare perspective-such as social workers, to act against the cultural norms of their profession. This had the potential for professional conflict but also, unsatisfactory outcomes for young people [Field, 2007]. Scraton and Haydon [2002] also argued that despite the 1998 reform, contradictions remained as existing justice theory and policy, whilst inextricably linked, continued to be locked in a debate of how to secure rehabilitation and *just deserts* in punishment from a welfare and care approach. It can be argued that the financial crisis of 2008 added a further complication as regardless of ideology-reduced funding and a lack of resources would impact on the YOTs ability to deliver better outcomes for young people. Albeit despite periodic shifts in political ideology, the welfare approach had been widely accepted as the dominant model [Pratt, 1989]. This is reinforced by guidance from the Sentencing Guidelines Council [2009, p.3], which states, “*a court must have regard for the welfare of the offender*”. This is underpinned by s.44 of the Children and Young Persons Act [1933], which also requires the court to consider the welfare of a young person presented at court [Crown, 1933]. None the less, the YJ reforms offered opportunities to try new approaches for dealing with young offenders, for example by diverting them away from the formal YJS.

Souhami [2012]; Burnett and Appleton [2004] and Smith [2005] argue that whilst failing to settle the welfare/justice debate, the reform provided an alternative framework to deal
with the problems of offending behaviour with the development of supportive intervention strategies. One such strategy involved the use of *Restorative Justice* (RJ), an evolving model of justice that supported the aims and purpose of the YJS reform—cited in the CDA [1998] and s.142 of the Criminal Justice Act [2003]. RJ allowed young offenders to make reparation for the harm caused to those affected by their actions and, was wholly consistent with the renewed interest of attempting to reform offenders, started by the reform but continued by the Coalition and Conservative governments since 2010 [Cavadino, Dignan and Mair, 2013]. Restorative justice also seeks to repair the harm caused to the community in which the offending occurred, and this is achieved by the offender accepting responsibility for their conduct, acknowledging it was wrong and by providing them with an opportunity to make amends [Cavadino, Dignan and Mair, 2013]. This process encourages offenders to behave in a better way in the future, therefore, having a rehabilitative effect on them [Cavadino, Dignan and Mair, 2013].

The introduction of Restorative Justice was significant as there are a number of philosophical problems in any attempt to align the YJS with one particular approach or justification for punishment. However, it is significant that the reforms in 1998, followed by supportive policy and legislation such as the *Criminal Justice Act* [2003]; the Coalition Government policy: *Breaking the Cycle* [2010] and most recently, the *Legal Aid, Sentencing and Punishment of Offenders Act* [2012], have embedded restorative justice in the YJS. Fundamentally, it forms the basis of most intervention strategies operationalised by YOTs [Cavadino, Dignan and Mair, 2013]. Enhanced Triage, the subject of the evaluation, is a contemporary evolution of such a supportive strategy. Albeit, Smith [2005] also highlights that intervention strategies intended to reduce crime and support welfare principles had considerable potential for ‘net widening’ or punitive outcomes and there was evidence of this during the evaluation of ET. Whether this has been the general trajectory has been another unresolved and on-going debate since the CDA 1998 reforms, despite changes of ethos in the approaches operationalised by political, justice and policing approaches to Youth Justice.

There are, however, opposing debates on the subject of RJ. Empirical research has suggested that the outcome of RJ interventions may be that victims question the sincerity of apologies made by offenders in RJ conferences and this reduces their effectiveness [Shapland, Atkinson, Atkinson, Colledge, Dignan, Howes, Johnstone, Robinson and Sorsby, 2006]. Research by Miers [2004] and more recently by Hayes, Mc Gee, Punter and Cerruto [2014] also question the effectiveness of restorative justice to prevent offending, although Hayes et al (2014) concluded restorative justice is most effective to prevent offending when offenders perceived the process was fair and consensual.

This is important because in 2010, the political and legislative landscape changed and introduced new considerations that highlighted the importance of strong partnership working and privately funded initiatives across the spectrum of criminal justice services.

### 1. Evolution of Policy; Breaking the Cycle and the Legal Aid, Sentencing and Punishment of Offenders Act [2012]

In a time of austerity for public services, The Ministry of Justice Report-*Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* [2010, p.72] challenged
YJS partners to find more cost effective Youth Justice interventions. However, the legislation which followed: The Legal Aid, Sentencing and Punishment of Offenders Act (2012), retained as a legislative provision, the opportunity for the police use of non-statutory community resolutions (CRs). Properly used, CRs still required the involvement of victims and the use of restorative justice measures. The Association of Chief Police Officers (ACPO) had already published a report: Restorative Justice Guidance and Minimum Standards [2011] which laid out the criteria for an effective restorative justice intervention—this included an admission by the offender, the involvement of the victim and a structured process that sought to repair the harm caused by the commission of the offence. CRs seemed to introduce an effective method for resolving low-level crime. However, without clear guidance, concerns began to be raised that CRs were not being used appropriately and allowed several contacts to be made with the police before any examination was made into the causes of the offending behaviour by young people. This led to the publication of a Home Office report ‘A Revised Framework for Recorded Crime Outcomes’ [2013] which reinforced the need for police discretion, whilst ensuring a victim oriented approach within a transparent framework. Whilst the emphasis was placed upon officers using their professional discretion to achieve the best outcome for offenders and victims, practice in Suffolk suggested that a closer examination of the use of CRs would potentially produce a better outcome for all parties to the resolution, by consistent decision-making and enhanced RJ interventions.

The intention of ET was to produce this consistent decision making whilst still allowing for the police use of discretion to administer one CR. Thereafter, a more detailed assessment was to be made of the characteristics of the offender as well as the crime, and a joint decision made by staff from Suffolk Constabulary and SYOS to determine the appropriate disposal [Manning, 2015]. The potential benefits to victims and young offenders arising from effective RJ encounters cannot be understated and this is supported in a plethora of Youth Justice literature, including a systematic review of research concerning ‘Restorative Justice, Reparation and Victims’ to determine best evidence of ‘What Works’ in Restorative Justice [Sherman, Strang, Newbury-Birch and Bennett, 2007].

From a financial perspective, an examination of the Durham model of ET (cited in the Youth Out-of-Court Disposals report as evidence of best practice), suggests there was potential for many positive outcomes. The report highlighted a 74% reduction of FTEs in the period 2007-2012 and a 50% reduction in re-offending after an intervention. At the same time, Durham YOS suggested the £670,000 per year investment was delivering a cost benefit of £1.5 million per year (estimated) as a saving to the Criminal Justice System. These claims were considered in the context have of the ET pilot.

2. Enhanced Triage- the evaluation.

The ET model proposed that police officers engaged in the pilot area would administer one CR disposal to a young offender aged between 10 and 18 years. Thereafter, any consideration of further out of court disposals for those who reoffend would be referred to SYOS and a new integrated process for a decision to be made on the most appropriate disposal option. Additional resources were put in place and included an extra police officer who became the victim liaison officer responsible for early contact with victims of crime
and to secure victim involvement to the RJ programme [Manning, 2015]. This new process was wholly consistent with guidance from the Youth Justice Board (YJB) [2013] that lays out the protocols, which should be in place between the police and the YOS for joint decision-making. It was intended that practitioners from SYOS would make a detailed assessment of the cases referred to them in partnership with a seconded police officer, and then make a joint decision on the most appropriate disposal option.

Outcomes from the joint decision making process could include taking no further action, referring the matter back to the police for further investigation, consideration of a prosecution, application of a statutory Youth Caution, or the voluntary engagement of young people on the locally agreed, non-statutory triage programme-ET. There were two levels of voluntary intervention-Level 1 for less serious offending, involved two to four meetings with a YOS practitioner during one month including an exploration of the causes of the offending behaviour, access to welfare support through the extended family and an emphasis on RJ. Level 2 for more serious offending would involve a 3 month programme of voluntary engagement aimed at young people with more complex needs. These interventions would tackle wider issues than just the offending behaviour and would involve family members. Exit strategies were also put in place to ensure there was support for young people when they completed the intervention. These interventions were wholly consistent with YJB guidance [Manning, 2015]. The YJB guide—Youth Out-Of-Court Disposals: Guide for Police and Youth Offending Services [2013] emphasises that all decisions should be solid, accountable, transparent, consistent and properly recorded.

To assist decision makers, a Youth Gravity Factor Matrix, was devised as a guide for deciding the most appropriate option. This guide also considers whether the disposal option reflects ‘public interest’ principles as well as the sufficiency of the evidence. For those who voluntarily engaged with triage, restorative justice (RJ) and other appropriate interventions, would be utilised to increase the young offender’s understanding of the impact of their offending behaviour, whilst also addressing the contributory factors which may have led to this behaviour.

2.1 Research Aims

1. to provide a detailed relative cost analysis which will consider both financial and time efficiency savings achieved by Suffolk Constabulary, Suffolk YOS and potentially, the wider Criminal (Youth) Justice System (CJS/YJS).
2. to consider the impact on SYOS in terms of workload and the capacity required to effectively deliver the ET model, and whether seconding two police officers to the pilot is sufficient/economically viable to offset the anticipated increased workload.
3. to provide evidence in relation to how effective decision-making practices and outcomes are for children, young people and their families and this will also include early consideration of police understanding of Youth Diversionary Practices (YDP) and referrals. Success indicators will include, for example, an increase in the number of Triage rates for North Suffolk; and increase in overall workload for SYOS in the Northern area; a reduction in reoffending rates and a reduction in the number of criminal convictions for young people; increased use of restorative Justice and earlier and more effective engagement with victims.
2.1.1 Participants

Table 1- Participants

| Participants                                      |
|--------------------------------------------------|
| 18 members of SYOS-interviews and focus groups   |
| 19 police officers-interviews and focus groups   |
| 73 police officers-online survey                  |
| 16 young offenders-interviews                     |
| 16 parent/carers-interviews                       |

Source: (Manning, 2015)

Profile of Offenders

According to data provided by SYOS, \(n=109\) young people were referred to SYOS for assessment during the ET pilot. This represented an increase of 109% from \(n=52\) during the same period in 2014.

1. The average age of young offenders triaged to a level 1 intervention was 14.5 years and for level 2, 14.71 years.
2. The average age of all young people receiving a youth caution 1, youth caution 2 or a conditional caution was 15 years.
3. Of those referred to the pilot, \(n=13\) males and \(n=9\) females were triaged onto level 1 and \(n=33\) males and \(n=13\) females triaged to level 2.
4. For all categories of caution, \(n=27\) were males and \(n=14\) were females.

Economic Evaluation

In order to determine potential cost and efficiency savings to the commissioners, a process model of a typical intervention (level 1 and 2) was compiled and costed against all the essential criteria of these interventions. This included the time spent taking the initial report of a crime and all the processes of gathering evidence and processing the offenders. This costing included all the on-costs of setting up the project with additional resources as well as potential savings by diverting young people away from the formal YJS.

This data was shared with the Centre for Justice Innovation in London who had developed a costing model to estimate the cost avoidance by diverting young people away from the formal YJS.

3. Enhanced Triage-The findings

Evaluation of the qualitative data gathered during the evaluation indicated a number of positive outcomes. There was outstanding support from police officers and YOT practitioners but for different reasons. Police officers readily identified with the considerable time saving and improved resource management by reduced investigations, consistency in decision making but also, perceived better outcomes for young people.

YOS practitioners welcomed the opportunity to gain early access to young people to aide them through the problems which led to their offending behaviour but also, to help them understand the consequences of their actions through supportive interventions and the RJ
process. There was outstanding support for diversion strategies through ET rather than statutory interventions. YOS practitioners also reported an increased satisfaction from victims of crime and this may have been associated by the utilisation of a police officer as a single point of contact with victims of crime. This appeared to have provided some legitimacy to the RJ practice in the eyes of the victims.

Young offenders reported positively concerning their opportunity to engage in the ET process rather than the formal YJS. There were some issues identified by young people and their families in terms of the explanations given to them by the police about what ET was seeking to achieve, but generally, the participants were appreciative of the considerable time and effort exercised by the police and SYOS on their behalf.

In terms of economic impact, on conclusion of the pilot, n=68 (62%) of the 109 participants referred to SYOS, were dealt with by a level 1 intervention and at that time none of them had reoffended. The pilot was too short in duration to make any long-term conclusion but it is likely that the quality of the intervention through ET was more supportive of their welfare needs and aided a greater understanding of their offending behaviour, rather than the alternative police administered Community Resolution. This represents a potential significant reduction in terms of first time entrants to the formal YJS with the all the concomitant costs. There was some evidence of re-offending by those young offenders who were triaged at level 2, but the reoffending rate was lower than the national average published by the YJB, therefore also reducing entrants to the formal YJS.

**Conclusion**

The evaluation demonstrated considerable support for the use of ET as an effective means of dealing with young offenders at a much earlier stage of their displaying signs of deviant behaviour. Many benefits were identified such as; consistency in decision making; a closer and improved working relationship between Suffolk Constabulary and SYOS in the pilot area; disposal decisions being made far more quickly; victims of crime being consulted much earlier and informing the decision making process; more effective delivery of restorative justice and a strong perception that the process is far more time efficient and it delivers better outcomes for young offenders. Improved joint decision also made it likely that less young offenders were being arrested and taken into custody. In the long-term, this would result in a considerable cost saving to the commissioners.

Early indications from data provided by SYOS indicated that the ET process had an impact on reoffending rates and reducing demand on the police and other resources. None of the 22 young offenders dealt with by level 1 of triage reoffended. In respect of offenders dealt with by way of level 2 triage or a caution, there was evidence of reoffending but at a rate lower than the national average in statistics provided by the Youth Justice Board. However, this was a short-term analysis.

The evaluation demonstrated that ET is on most occasions, far more effective than the police use of Community Resolutions. From interviews and survey data, both police officers and YOS practitioners were able to identify beneficial outcomes for young people in terms of consistent decision making and decisions being made earlier. Police officers identified significant savings in police time, increased victim involvement in restorative
justice and increased victim satisfaction. Practitioners from SYOS also articulated strong support for ET-citing a number of improved outcomes for young offenders when compared with inappropriate or over use of community resolutions.

Finally, as stated earlier, 62% (n=68) of the 109 referrals to SYOS during the pilot were dealt with by a non-statutory triage disposal option. None of those young offenders dealt with at level 1 of triage reoffended. This represents a potentially, significant reduction in the number of FTEs into the Youth Justice system when considering those young offenders may have been dealt with instead by a youth caution. However, the low levels of reoffending also assist with demand reduction for all agencies involved in youth justice system, and the wider community by making less citizens a victim of crime.

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