



# Assessing the current practice of a Greater Manchester Youth Justice Service in the delivery of Referral Orders



## EXECUTIVE SUMMARY

### Context

The Greater Manchester Youth Justice Services (GMYJS) work with young people who have offended or are at risk of offending aged between 10-18. This assessment was conducted in one of the GMYJS, where the caseload primarily consists of young people who have received a Referral Order by the courts. The current research was conducted in the context of a placement with this GMYJS, with an aim to assess the practice of Referral Orders delivered to the young people of Greater Manchester. Recommendations are provided with the aim of assisting to improve the service.

### Research Methods

A mix of semi-structured interviews, a questionnaire and personal observation was used to gather the data to assess the practice of Referral Orders.

### Key literature

The literature referred to most throughout the research was the Ministry of Justice's, (2015). Referral Order Guidance, which demonstrates how the government state the practice of Referral Orders should be delivered by Youth Justice Services in the UK. The Referral Order Guidance is the most current document that explains good practice. When searching for current literature on the subject there was a lack of up-to-date research. The reason for this is unknown.

### Findings

- YJ officers held varying opinions about the Referral Order process.
- The volunteer panel members had a positive view of the majority of officers from the service. However, it was stated that some officers do not allow panel members to express their opinions regarding the interventions young people should receive to tackle their offending behaviour.
- The inclusion of the young person in the drawing up of the contract was recognised as positive by all panel members. However, it was suggested that on occasion, young people did not want to engage with the Referral Order process and therefore it was difficult to create the contract with them.

- The research highlighted the lack of restorative approaches that have been witnessed by the panel members. This is justified by the many issues which restorative justice practitioners are faced with such as timing restraints and the lack of involvement from victims. However, the research suggested that other restorative approaches should be encouraged such as victim impact statements. This restorative method allows for victims to express to the young person how the crime has affected their every-day life but without coming face-to-face with the offender. This was found to be an effective way of allowing victims of crime to have a voice within the system. However, many panel members said that they have not witnessed the use of a victim impact statement.

## Recommendations

Research has shown that this GMYJS deliver their practice effectively. However, there are some recommendations that could be made to improve the Referral Order practice and to make it more beneficial to all parties involved. These are as follows:

- Referral panels are made up of volunteers and additional steps should be taken to ensure all those involved in the process, particularly young people, are aware of this. It is important for young people to know that the panel members are volunteers from their local community and not professionals such as YJ officers.
- Training should be provided to YJ officers who attend the Referral Order panels to encourage them to give advice and support the volunteers. However, YJ officers should not have full control of the panel, as it is important that the sense of community is not lost.
- Volunteer training should take steps to ensure they feel more comfortable in their role to contribute towards the creation of the contract. It is important that volunteers have the confidence to challenge YJ officers' recommendations when appropriate.
- It would be beneficial to provide panel members with training on communicating with young people who do not want to take responsibility for the offence they have committed. If panel members struggle to communicate with young people who have complex needs, it is less likely that the young person will make an active contribution to their contract.
- Victim impact statements should be used more frequently within the Referral Order process, this would allow for more victims to have a voice in the process when they do not wish, or it is not possible for them to meet the perpetrator face-to-face.
- A lack of the use of restorative language used amongst panel members when delivering panels was also noted; this suggests there is a need for more up-to-date restorative justice training amongst the panel members to ensure Referral Orders are governed by the principles of restorative justice as much as possible.
- Two of her interviewees commented that they found it 'proper annoying' that they have to go through what they did every time because it's never the same panel members. While practicalities will very likely get in the way of this, there is an argument here for building in continuity where possible.