



**Valuing youth diversion:  
A toolkit for practitioners**



# Executive summary

**This toolkit is for any practitioner who is involved in, or considering creating, a point-of-arrest diversion scheme for young people in contact with the criminal justice system.**

## What is youth diversion?

Point-of-arrest youth diversion schemes are a way of addressing low-level criminal behaviour without putting young people through the formal criminal justice processing (either through out of court disposals or prosecution) that can result in a criminal conviction and other negative consequences. These schemes operate for under-18s in a variety of different models across the country.

## The evidence base

For the majority of young people involved in crime, **formal criminal justice processing makes them *more likely* to commit crime again**. There is a strong evidence base, nationally and internationally, that clearly shows that youth diversion is a better way of addressing low-level criminal behaviour— multiple studies show that **youth diversion can reduce crime, cut costs, and create better outcomes for young people**.

## Effective practice

Our work with practitioners over the past two years has clearly indicated that there is not a settled consensus on which specific youth diversion models and strategies work best. This publication seeks to provide you with as clear a view as possible about what the evidence suggests effective practices are:

## Eligibility criteria

You should set eligibility criteria as broadly as possible. Specifically, **young people should be given more than one shot at succeeding**. In doing so, you should **avoid net-widening by only working with young people who would otherwise receive a formal criminal justice disposal**. You should therefore be empowered to turn down inappropriate police referrals. There are also grounds for believing that **young people should be accepted onto diversion schemes where they “accept responsibility”** rather than specifically having to admit to an offence prior to participation.

## Referral into diversion

**Speed of referral is important**. Effective schemes ensure diversion happens as soon as possible after arrest occurs. Therefore, **you should make referral of young people in a diversion scheme as simple and straightforward for the police as possible**. A good way of doing this could be to formalise referral into a shared protocol with the police. Diversion should be recognised by police as a “positive outcome” in their performance management schemes so that diversion activity does not get recorded as undetected.

## Induction into the diversion programme

**Schemes should assess young peoples’ strengths and needs** on induction, particularly to match them with appropriate interventions. You should also make their expectations of young people clear, and ensure that young people fully understand the consequences of non-compliance.

## Case Work

Where possible, **you should separate youth diversion work from statutory operations**, by holding sessions physically off-site and by avoiding mixing diverted young people with those under statutory supervision. There are reasonable evidence-based grounds for believing that dedicated diversion caseworkers may be preferable to statutory caseworkers. **Diversion staff should also take care with their use of language to help avoid embedding negative perceptions**.

## Programming

Rather than focusing on control or surveillance, the **programmes you offer via youth diversion should be evidence-based and therapeutic. Use of the wrong programme modalities can make re-offending more likely.** For most diverted young people, **interventions should be relatively light touch and informal**, proportionate to the initial offending behaviour. It is vital that you guarantee that **successful engagement means that young people avoid a criminal record.** Protocols should ensure that their participation should not be recorded in a disclosable manner in administrative databases.

## Outcomes and monitoring

You should **regularly report back on youth engagement to the police and to referring officers.** This underlines that the original case requires no further action, and ensure that frontline police are kept updated on the scheme's success. Schemes should also determine whether they are meeting their objectives through evaluation.

## What commissioners of youth diversion want

Youth diversion is not a statutory requirement of Youth Offending Teams (YOTs). A Ministry of Justice-commissioned stocktake of YOTs reported that **practitioners anticipated further budget reductions are leading to YOTs "moving away from preventative work towards just fulfilling statutory commitments."** However, we strongly believe that you have the opportunity to demonstrate the value of diversion both to existing commissioners and potential new audiences. Our consultation with commissioners (and would be commissioners) of youth diversion suggested the following key things that mattered to them:

### **Commissioners want to see evidence of impact but maybe not always in the way you expect**

Commissioners want to know that services are seeing an impact as a result of your good use of their resources. But also **commissioners recognised that being able to demonstrate clear, attributable outcomes is not straightforward. Qualitative information, case studies and stories all help to build up a picture of what you are achieving.** Growing recognition amongst commissioners that intermediate outcomes such as improving young people's wellbeing, or increasing engagement with education, may be easier to demonstrate.

## **The complexity of the commissioning landscape provides opportunities for co-commissioning**

With limited resources, a **key consideration for commissioners is how they can generate or contribute towards achieving a bigger impact than they would be able to gain solely from their own funds.** Demonstrating impact around a variety of local priorities, showing added value or securing matched financial/in-kind contributions from other commissioners would put you in a very positive light.

## **Help shape what is commissioned**

All the commissioners we spoke with indicated that, **when undertaking needs assessments and designing or reviewing strategies and priorities, they were keen to hear from you and your beneficiaries on what works and what is missing from local provision. They wanted to hear from the frontline, so organising regular forums to seek feedback from young people and ensuring it reaches decision makers was seen as helpful.**

## **Making the case for youth diversion**

We believe that you have the opportunity to make a strong case for continued investment. Therefore, in this toolkit, we include **our cost avoidance tool, and guidance on how to use and present the data to commissioners, so you can better demonstrate the cost effectiveness of youth diversion** through its local impact on justice system stakeholders.

The tool is intended to provide a framework for discussion, and to better inform you, your partners, and your funders about the financial implications of your work. It is freely available. We ask in return that you let us know about your findings and how you have used them.

## **How we can help**

This publication is intended to help you make the case for investment in youth diversion, and to inform your thinking as you develop practice in your scheme. If you would like more support, please feel free to get in touch with us.

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# Overview of the toolkit

## Who the toolkit is for

This toolkit is for any practitioner who is involved in, or considering creating, a point-of-arrest diversion scheme for young people in contact with the criminal justice system.

## About this toolkit

This publication is a revised and enlarged edition of Valuing Youth Diversion: Making the case, originally published in the autumn of 2015. In that publication, we laid out the current evidence on youth diversion. Accompanying the toolkit was an offer of one to one support to help you develop funding proposals to local commissioners to continue or commence investment in your point-of-arrest diversion schemes. We worked with more than a dozen youth diversion projects around the country, and have had informal conversations with many more.

As we worked with areas, we encountered an expressed demand for more detailed guidance on the particulars of how schemes should operate to maximise their efficacy. Many people told us that they were interested in learning more about what the research base says about more granular aspects of practice, such as which young people does the evidence suggest should be eligible for diversion, or what sort of programming does the evidence suggest is effective.

This enlarged toolkit aims to fill some of these gaps. In writing it, we are aware that there are many ways to design and run a diversion scheme, and the wide array of projects encompassed by the term “diversion” makes it difficult to disentangle the evidence and to generalise about recommended practice. Although the research base does not allow us to make prescriptive recommendations, we believe that it can help you decide how to develop practice in your schemes.

Sections 1 and 2 lay out the research case – first, for youth diversion generally; second, for specific practice considerations within youth diversion models. Section 3 outlines what commissioners of youth diversion told us they would like to hear from you. Section 4 brings all of this together to help you make the strongest possible case.

Finally, a technical note provides a way of demonstrating the cost effectiveness of youth diversion through immediate cost avoidance – primarily avoided costs to the police and court system. The accompanying tool is available free of charge to appropriate schemes. Over the last year, it has been used by schemes throughout the country to make the case for continued investment, to argue for expansion, and to develop bids for new schemes. It is easy to use, and produces actionable estimates.

## About the Centre for Justice Innovation

The Centre for Justice Innovation works toward a British justice system that reduces crime and in which all of our people can place their trust. We seek to build a justice system based on the values of fairness, accountability and problem-solving. The Centre is an initiative of the New York-based non-profit, the Center for Court Innovation.

Our Youth Justice programme works with practitioners and policymakers who seek to create a youth justice system that works with young people to prevent their future involvement in crime. If you would like to know more, please contact Ben Estep at:

[bestep@justiceinnovation.org](mailto:bestep@justiceinnovation.org)

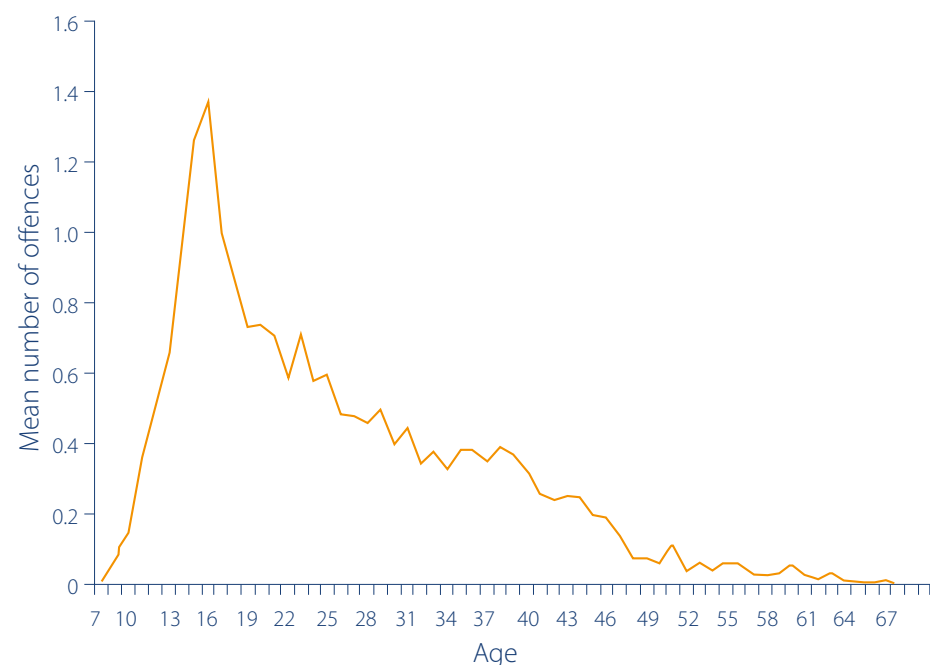
This publication has been developed in collaboration with the Association of Youth Offending Team Managers. It has been made possible by the generous support of the Hadley Trust and the Monument Trust.

# Section 1: The evidence for youth diversion

## Understanding youth offending

Many years of large scale criminological research have determined that there are clear patterns of offending tied to levels of maturity at a population level. This body of research has observed that, across a wide range of jurisdictions, **offending behaviour (both detected and self-reported) peaks in the mid-teens before dropping steeply at the onset of young adulthood, then declines more slowly.**<sup>1</sup> This phenomenon is known in the research literature as the age crime curve (see figure 1).

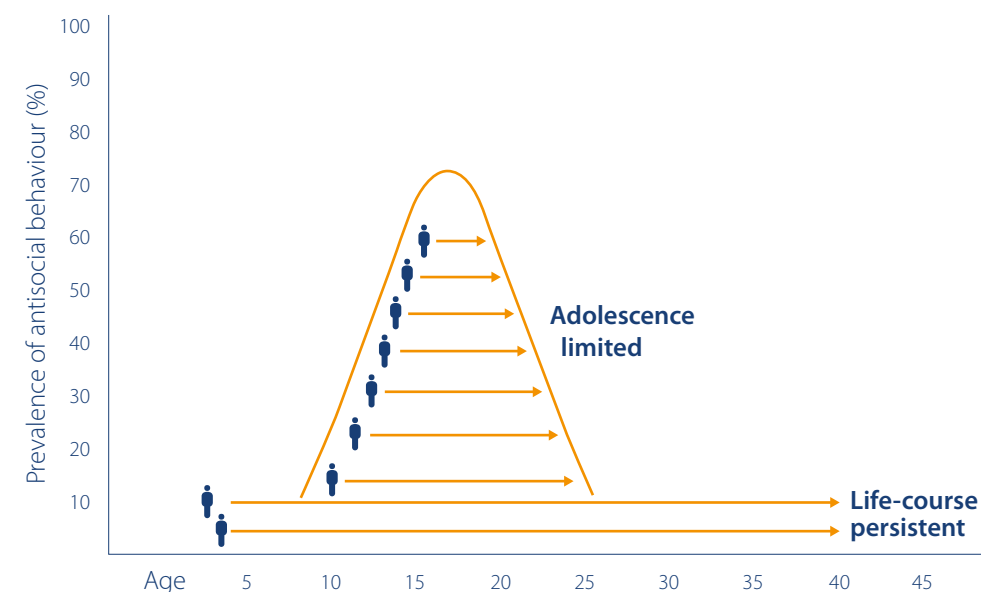
Figure 1: the age-crime curve<sup>2</sup>



The age-crime curve appears to be a durable empirical fact around the world.<sup>3</sup> Perhaps the dominant theoretical explanation of this phenomenon is that the curve masks two

distinct categories: **young people who commit offences can largely be separated into two groups— adolescent-limited offenders and life-course persistent offenders.** This explanation is known as Moffitt's dual developmental taxonomy (figure 2).<sup>4,5</sup> First, there are "adolescent-limited offenders" who exhibit antisocial behaviour only during adolescence. Second, "life-course persistent offenders," a much smaller group that tends to begin antisocial behaviour early (before adolescent-limited offenders start), and to continue into adulthood.

Figure 2: adolescent-limited and life-course persistent offenders<sup>6</sup>



Adolescent-limited offenders are by far the most common category ("ubiquitous," in light of the fact that nearly all young people engage in some form of potentially criminal misbehaviour whether or not this is detected by authorities).<sup>7</sup> Crucially, **adolescent-limited offenders quickly grow out of this phase as developmental maturity proceeds and self-control improves.** They are essentially law-abiding children who are temporarily drawn into adolescent delinquency— the reason the age-crime curve peaks when it does.

In contrast, the second group, “life-course persistent offenders”, though dramatically smaller in volume, is much more problematic. **Life-course persistent offenders tend to begin antisocial behaviour early (before adolescent-limited offenders start), and to continue into adulthood.** While their particular offences change over time, their underlying behaviour appears consistent across time and situations. They are behind a large proportion of total offending.

The **evidence is unclear on how the justice system can predict who the “life-course persistent offenders” of the future will be.** Although life-course persistent offenders do exhibit a range of risk factors (impulsivity, impaired cognitive abilities, low self-control, often amplified by deficient parenting), these factors are not especially predictive of future criminal careers at the individual level – some persistent offenders with these factors desist; others without them do not. Findings of high risk during adolescence may be a strong indication of offending during adolescence, but they are weak predictors of longer-term offending.<sup>8</sup>

In England and Wales, a large-scale Home Office study of offending careers looked at whether debut offences can be predictive of future criminal careers.<sup>9</sup> This study tracked 218,537 individuals who committed their first proven offence in 2001 (37% of this group was aged 10 to 17 at the time of their first offence). Those with a debut offence of robbery, burglary, or vehicle theft were three times more likely to go on to become chronic offenders (committing 15 or more offences) compared to the rest of the cohort. These chronic offenders made up 5% of the total cohort, but were responsible for nearly half of all proven re-offences committed by the cohort. But this is by no means a perfect forecast – in even the most heavily predictive category, robbery committed by boys, fewer than 1 in 5 young people go on to become chronic offenders.<sup>10</sup>

### What is youth diversion?

The Crime and Disorder Act of 1998 makes clear that it “shall be the principal aim of the youth justice system to prevent offending by children and young persons.” Although youth diversion is not a statutory requirement of Youth Offending Teams (YOTs), point-of-arrest diversion schemes (what we will call ‘youth diversion’) for people under the age of 18 are a vital part of that effort.

Point-of-arrest youth diversion schemes are a way of addressing low-level criminal behaviour without putting young people through the formal criminal justice processing (either through out of court disposals or prosecution) that can result in a criminal conviction and other negative consequences. These schemes operate for under-18s in a variety of different models across the country.

### The evidence that diversion works

There are youth diversion schemes across the country. But should there be? Should commissioners fund them? Our answer to both questions is yes. They should exist and be funded because they work. Here is the evidence.

First, we know that criminal justice **processing (either through formal out of court disposals or prosecution) makes young people involved in crime more likely to commit crime again.** Formal criminal justice processing extends and deepens young people’s criminal careers. Outcomes get worse the further young people progress into the system. Of course, the interests of justice may make formal processing necessary for some young people, but when we use it, we should be aware that it does not increase safety for the public.

The evidence strongly points in this direction. An international meta-analysis, based on a major systematic review of 29 outcomes studies involving more than 7,300 young people over 35 years represents the most comprehensive analysis to date of the impact of formal justice system processing on young lives and future offending. This study concluded that formal processing “appears to not have a crime control effect, and across all measures, appears to increase delinquency. This was true across measures of prevalence, incidence, severity, and self-report.”<sup>11</sup>

“Rather than providing a public safety benefit, processing a juvenile through the system appears to have a negative or backfire effect.”<sup>12</sup>

Turning to the British evidence base, *The Edinburgh Study of Youth Transitions and Crime*, an ongoing research programme involving more than 4,000 young people in Scotland, found that young people brought to a court hearing are nearly

twice as likely to admit engaging in serious offending in the following year as young people (with matched backgrounds and comparable prior self-reported offending behaviour) who did not face a court hearing.<sup>13</sup> This is complemented by a research study of youth offending in Northamptonshire which found that prosecution increased the likelihood of reoffending, even when controlling for personal and offence characteristics.<sup>14</sup>

Second, we know that **youth diversion generates a range of positive outcomes for matched groups when compared to formal criminal justice processing.** Some people, on hearing that justice system processing makes young people’s criminal careers longer and worse, may still not see this as evidence that youth diversion works. And they would be right not to. Just because system contact makes outcomes worse does not mean that your youth diversion scheme works.



However, the argument for youth diversion is also compelling. We consistently find in the evidence that when similar groups of young people, comparable in demographics, offences and offending histories, are matched, and one group is formally processed while the other is diverted, the diversion groups do better. The findings from the meta-analysis were that young people who were processed had higher re-offending rates than those who were diverted, even after controlling for differences between these populations.<sup>15</sup> This finding is replicated in the UK evidence base. The Edinburgh study states that the best approach to reducing re-offending by young people is a policy of “maximum diversion” – an approach featuring the minimum possible formal intervention coupled with diversion to programming outside the justice system.<sup>16</sup>

“For the vast majority of young people who become involved in offending, maximum diversion... is the most effective course of action.”<sup>17</sup>

In England and Wales, though data are limited, available evidence suggests positive re-offending outcomes associated with pilot youth triage areas.<sup>18</sup> An evaluation of youth justice liaison and diversion schemes, though

also hampered by available data, additionally found significant increases in elapsed time to re-offending, a key measure of desistance.<sup>19</sup> The Youth Restorative Intervention, a diversion scheme operating in Surrey, was found to produce lower reoffending than a historical control group.<sup>20</sup> A Welsh diversion programme, Bureau, also reported lower re-arrest and re-conviction rates for young people receiving a non-criminalising disposal rather than a formal disposal.<sup>21</sup>

“A growing body of evidence suggests that diverting children from formal criminal justice processes is ‘a protective factor against serious and prolonged offending’; therefore diversion should have a long-term impact on youth crime levels.” – House of Commons Justice Committee<sup>22</sup>

Third, **youth diversion is more cost effective than standard system processing.** There are at least three ways in which schemes can produce economic benefits.

First, through “immediate” cost avoidance: Youth diversion schemes that avert formal justice system contact – whether it be an out of court disposal or a court case – avoid the costs associated with formal processing such as police, prosecution and court time. For much more on this, and support with generating estimates specific to your scheme, see *Technical note: Using the Centre for Justice Innovation Cost Avoidance Tool.*

Second, through reducing re-offending as compared to standard processing: Youth diversion has been shown to produce better long-term outcomes than standard justice system processing, including comparative reductions in recidivism. The Campbell Collaboration systematic review concluded that “the crime reduction benefit associated with the diversion programme would likely persuade any cost-benefit analysis to favour the implementation of diversion programmes.”<sup>23</sup>

“Informality in responding to youth offending seems well placed to reduce subsequent offending by young people who come into contact with local youth justice officials, and to keep associated intervention costs down.”<sup>24</sup>

Third, through facilitating earlier access to support for health, mental health, or other social service needs: Many youth diversion schemes include an assessment which may lead to earlier referrals to services to address unmet needs, including physical, emotional, and mental health needs known to be both over-represented and under-addressed in youth justice-involved children.<sup>25</sup> Addressing these emergent needs earlier, before they develop further, is self-evidently preferable and also more cost-effective.<sup>26</sup>

### Why diversion works

Labelling theory has been central to the rationale for youth diversion for decades.<sup>27</sup> This holds that young people who come into contact with the criminal justice system can adopt and internalise a “deviant” identity. This identity is not generated by an initial act of offending, but rather from the justice system’s response to it, and, in turn, the young person’s response to the system. Externally, police and other authorities tend to focus their attentions on this labelled subset.<sup>28</sup> Evaluation evidence has demonstrated that the further a young person is processed, the greater the likelihood of reoffending, especially for lower-risk young people, where the detrimental effect of additional system contact is possibly more influential.<sup>29</sup>

This is compounded by contagion effect when formal processing puts young people in close contact with negative peers.<sup>30</sup> These contacts may imprint impressionable young people with new negative attitudes and behaviours, and may increase the risk of continued offending.<sup>31</sup>

Additionally, youth diversion avoids the collateral consequences of formal processing, such as interference with education, training and employment (including school exclusion, and future labour market consequences of carrying a criminal record). These collateral consequences can impede rehabilitation well beyond the end of the direct punishment imposed.

## What we don't know

The four most clichéd words in academic literature are “more research is needed.” Unfortunately this doesn't mean that it's untrue. There are a number of important unanswered questions and caveats to keep in mind.

First, **we don't currently know at what point the benefits of diversion diminish.** From what we know of the age-crime curve and the propensity of most young people to grow out of offending behaviour on their own, coupled with what we also know about the damaging effects of formal processing, one-time-only policies are likely to be too narrow. But it is unclear how far beyond this the benefits of diversion hold. A research study of youth offending in Northamptonshire found that diversion continued to outperform formal processing through at least a young person's fourth involvement with authorities,<sup>32</sup> but more research is needed.

Second, while we know that labelling and the collateral consequences of justice system involvement help explain why diversion outperforms formal processing, we are not certain how these mechanisms interact, or what other factors might be at play. To take full advantage of the benefits of diversion, **we need a better understanding of how the process is experienced by young people.** More research is needed.

Third, while research strongly suggests that diversionary approaches generate better outcomes for young people and their communities, **there is not a settled consensus on which specific models and strategies work best.** More research is necessary to determine which arrangements work best for whom, how to minimise the labelling effect, and to avoid the potential for net-widening. British research has been hampered both by large differences in how schemes have been implemented in response to local contexts and by limited quantitative information – even the total number of young people diverted nationally is currently unknown.<sup>33</sup> In addition to recording throughput, schemes should also make an effort to track the progress of young people following engagement and seek to contribute to what we know about effectiveness. More research is needed. In the following section, we attempt to begin filling part of this gap through a review of what the evidence base suggests about effective diversion practice.

The caveats we have made are important but it is our judgement that they do not significantly detract from the overall message. While we need to know more, this should not be a barrier to implementing an approach with a strong overall evidence base. Diversion of young offenders away from formal criminal justice processing works. Youth diversion is therefore in an enviable position compared to many other criminal justice interventions.

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## Section 2: Principles of effective practice

The evidence-based case for youth diversion – keeping people under the age of 18 away from formal processing through the criminal justice system where possible – is strong. But our work with practitioners over the past two years has clearly indicated that there is not a settled consensus on which specific youth diversion models and strategies work best. This section seeks to provide as clear a view as possible about what the evidence suggests effective practices are.

Here, we outline a set of effective practice principles based on our reading of research literature and our work with schemes. It is not exhaustive, and is not meant to be prescriptive. It reflects our interpretation of what research and practical experience suggest good diversion practice looks like. We hope that it may help to inform your thinking as you develop practice in your schemes.

### Core principles of youth diversion

- *Minimise labelling:* Youth diversion schemes should take all reasonable steps to avoid stigmatising the young people they work with, and to prevent them from forming deviant or delinquent identities that may interfere with their development.
- *Avoid net-widening:* Ensure that the scheme operates as an alternative to the formal justice system, rather than as a supplement to it. Diversion should only be for young people who would otherwise be dealt with formally in the criminal justice system.
- *Do not overdose young people:* Programming offered through diversion should be therapeutic and targeted. For most diverted young people, this will generally be light touch and informal.

### Effective practice principles

#### Eligibility criteria

**1** You should set eligibility criteria for your scheme as broad as possible. Young people should be given more than one shot at succeeding.

In our experience, diversion schemes often have specified eligibility criteria to allow practitioners to determine which young people are appropriate for diversion. These are usually based on gravity scores – offence seriousness, taking into account aggravating and mitigating factors, and with consideration to criminal history. Given the evidence on adolescent-limited offenders, these criteria should be broad. As we have seen, the vast majority of 10 to 17 year olds will not go on to become chronic offenders.

We recognise that many schemes specifically exclude young people suspected of committing certain crime types (for example, those involving a weapon or suspected to be gang related), based on considerations around public safety and the interests of justice. We recognise the reality of this but suggest that where assessment has otherwise determined a low risk of future re-offending, you should exercise some degree of professional discretion.

We also know that some schemes use eligibility criteria to screen out the persistent offenders of the future. However, at present, research in England and Wales has shown that while certain debut offence types are associated with future chronic offending, there are “limitations with predicting future criminality from past events.”<sup>34</sup> For example, even in the offence category most heavily associated with future chronic offenders - robbery – only 19 per cent of young men with this debut offence went on to a chronic criminal career; other future chronic offenders, of course, had different (and non-predictive) debut offences.<sup>35</sup> If you wish to avoid diverting young people who are at risk of future persistent criminal careers, this suggests that setting eligibility criteria solely on the basis of offence type may be of limited validity.

Moving to the issue of how many times a young person gets a shot at diversion, we know there is a diversity of practice. Some schemes are strictly first-time only, while others allow second chances under limited circumstances (after a prescribed period of time has passed, or if a second offence is considerably less severe). Others seem to make this decision on the basis of professional judgement.

The evidence on this is broadly clear. A research study of youth offending in Northamptonshire found that diversion continued to outperform formal processing through at least a young person's fourth involvement with authorities.<sup>36</sup> Research into recidivism probability – the likelihood of committing further offences based on the number of previous offences – has likewise found that after a fourth offence this probability becomes stable, signalling a small group of persistent offenders.<sup>37</sup> In contrast, many first time young offenders never repeat this behaviour. A large cohort study found that more than half of male juvenile first timers, and 70% of female juvenile first timers, had no further police-recorded offending.<sup>38</sup> It would seem that a strict one-time-only policy is likely to be too narrow.

However, the evidence is not clear on exactly how many chances to give an individual. And, in practice, we know eligibility for repeat offenders is likely to be set by your comfort levels, the comfort levels of your partner agencies and what you think would be acceptable publicly. While research does not prescribe a tipping point regarding the number of chances at diversion a young person should have, the evidence base suggests that strict “one and done” policies are likely to be unnecessarily restrictive.

**2 There are grounds for believing that young people should be accepted onto your scheme when they “accept responsibility,” rather than specifically having to admit to an offence prior to participation.**

Most schemes require young people to admit an offence prior to participation (this is required under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 before a young person can be cautioned).<sup>39</sup> Young people (especially first time and low-level offenders) should not be drawn into the justice system solely because they failed to make a mandatory admission. From what we know of the age-crime curve, and the propensity of most young people to grow out of offending behaviour on their own, coupled with what we also know about the damaging effects of formal processing, there may be grounds to make this requirement somewhat more flexible. Some schemes have a lesser requirement of “accepts responsibility” that we suggest you might consider as an alternative.<sup>40</sup>

**3 You should avoid net-widening by only working with young people who would otherwise receive a formal criminal justice disposal. You should be therefore empowered to turn down inappropriate police referrals.**

It is a priority for youth diversion schemes to avoid net-widening – inadvertently expanding the number of young people involved in the justice system. Net-widening occurs when justice system initiatives are treated as supplements to existing practice rather than as true alternatives to system involvement. Specific to eligibility for diversion, this is a long-acknowledged risk: the mere existence of diversion may change practitioner behaviour and lead to young people becoming involved with the scheme who otherwise might have avoided the system altogether.<sup>41</sup>

In response to this, we believe that diversion schemes of this type should only operate following arrest. While some schemes accept referrals prior to an arrest, this may represent a net-widening hazard. Requiring that a young person be arrested has the virtue of limiting scheme participation to young people whose behaviour has convinced police that there are reasonable grounds for deciding that an arrest is necessary.

Even with this safeguard, it is possible that the existence of a diversion scheme itself may change police behaviour toward low-level offending, especially if officers felt that the scheme may offer a route to support services. To minimise this risk, we believe that you should be able to turn down inappropriate police referrals, and should also maintain close connections to community-based service providers to help ensure that an arrest is never the only pathway to help for young people. Further, as part of their monitoring processes, you should closely monitor data on arrest patterns to ensure that the existence of the scheme is not leading to more youth arrests, especially for low-level behaviour.

**Referral into diversion**

**4 Speed of referral is important. Effective schemes ensure diversion happens as soon as possible after arrest occurs.**

Evaluation evidence has demonstrated that the further a youth is processed, the greater the likelihood of reoffending, especially for lower-risk youth, where the detrimental effect of additional system contact is possibly more influential.<sup>42</sup> This is consistent with what labelling theory would suggest and points toward a policy of initiating diversion as early as possible once it is established that a case is appropriate.

In our field work, police officers have told us that responding to low-level youth behaviour can be frustrating – it takes officers off the streets and away from patrol, often for several hours as they assemble a case file, conduct interviews, check and update data systems, etc. This can be especially frustrating when police have limited access to services or ability to connect young people to community-based support. Therefore, a speedy process seems to be important on the grounds of avoiding unnecessary costs. As suggested by the evidence around the cost effectiveness of diversion, having a speedy process immediately following arrest has the ancillary benefit of saving police and CPS time by shortening processing and accelerating turnaround time.

**5 Referral of young people in a diversion scheme should be made as simple and straightforward for the police as possible.**

As we have seen, one of the advantages of having a youth diversion scheme is that it can make the job of criminal justice agencies easier, especially the police. It can lower their turnaround time, it can represent a better response to low-level offending, and it is very possibly more meaningful than delivery of a simple youth caution. But, to work effectively, it needs to be easy for hard pressed frontline officers to make a referral. Without that, diversion schemes can suffer from a lack of referrals, even in areas where there are eligible young people.

**6 You should formalise referral into a shared protocol with the police, and make this known to all involved officers.**

Maintaining an embedded protocol takes work. Several schemes have reported success with developing a simple visual representation of how schemes operate. This is shared with police, posted in offices, and refreshed via occasional sessions led by diversion staff (important as officers frequently rotate through posts in many areas).

**7 Diversion should be recognised by police as a “positive outcome” so that diversion activity does not get recorded as undetected.**

Implementing a diversion protocol can pose a challenge to police culture, especially where it may be in tension with sanctioned detection targets. Several forces now recognise diversion as a “positive outcome” such that it does not get recorded as undetected. It is worth taking the time to get this right with your police partners.

## Induction into the diversion programme

**8 Schemes should assess young peoples’ strengths and needs, particularly to match them with appropriate interventions.**

Major systematic reviews have found strong support for calibrating interventions on the basis of assessed risk and especially for addressing criminogenic need (what is known in the literature as risk need responsiveness).<sup>43,44</sup> These three principles provide both a theoretical and an empirical basis for *who* should be treated (based on assessed risk level), *what* should be addressed (criminogenic need) and *how* treatment should be administered (in response to individuals’ attributes and learning styles). In relation to assessment, risk need responsiveness underlines the importance of assessment in linking young people to appropriate interventions.<sup>45</sup> In England and Wales, incorporating risk need responsiveness into assessment has been reflected in the use of the youth offending team assessment system, Asset (and now Asset Plus).<sup>46</sup> Although predominantly intended for use with statutory cases, some projects also use this tool to inform their work with diversion cases. While we are not implying that a full Asset Plus assessment is necessarily always called for, in cases where programming will be used to address young peoples’ needs, there is a strong case for using assessment to match participants to appropriate interventions (discussed further below).<sup>47</sup>

**9 Where possible, youth diversion work should be physically separated from statutory operations by holding sessions off-site and avoiding mixing diverted young people with those under statutory supervision.**

In the interest of avoiding stigmatisation, you should try and ensure that all diversion work, including induction, takes place away from the police station or other locations associated with the formal justice system. Maintaining physical separation from statutory operations (holding sessions off-site, avoidance of mixing diverted youth with those under statutory supervision) is justified where practical.

**10 Schemes should make their expectations of young people clear, and ensure that young people fully understand the consequences of non-compliance.**

Many schemes require young people to agree to further conditions prior to acceptance. In some schemes, these are encompassed in a diversion agreement to be signed by the young person. In other justice system settings, a clear and understood set of expectations with known consequences for non-compliance has been shown to improve compliance.<sup>48</sup> Expectations are likely to include no new arrests, attendance at and participation with programming, and appropriate behaviour with diversion staff.



## Case Work

### **11 There are reasonable evidence-based grounds for believing that dedicated diversion caseworkers may be preferable to statutory caseworkers.**

Staff, particularly those in close contact with involved young people, are clearly important to the success of diversion schemes. A major evidence review listed experienced caseworkers as important to the success of diversion projects.<sup>49</sup> More recently, a report from HM Inspectorate of Probation highlighted the importance of the working relationship between young people and professional staff in moving young people away from offending.<sup>50</sup> Young people who had desisted from offending “consistently identified having a trusted, open, and collaborative working relationship” with a professional staff member as “the most important factor in helping them move away from offending.”<sup>51</sup> We recognise this is not always possible given current resources but it may be an aspect of practice which you can seek investment on.

### **12 Diversion casework should reflect the voluntary nature of engagement with diversion schemes and diversion staff should also take care with their use of language to help avoid embedding negative perceptions.**

The voluntary nature of engagement with diversion schemes – unlike statutory supervision, young people choose to be involved – makes casework qualitatively different. Diversion staff should also take care with their use of language to help avoid embedding negative perceptions.<sup>52</sup> Where possible, it may make sense to use dedicated diversion caseworkers for these reasons. This has the further benefit of underlying diversion’s separation from statutory services.

## Programming

As previously mentioned, the dominant research-based model for matching offenders to treatment programmes is Risk Need Responsivity (RNR) and it should inform how your scheme conducts assessments.<sup>53</sup> These assessments should lead directly to devising appropriate responses to the risks, needs and assets of a young person. RNR counsels that interventions should be attuned to the individual characteristics of participants (specific strengths, motivations, personality, demographic characteristics).<sup>54</sup>

### **13 Programmes offered via youth diversion should be evidence-based and therapeutic (rather than focusing on control or surveillance). Use of the wrong programme modalities can make re-offending more likely.**

A landmark international review of 548 studies of youth crime interventions delivered between 1958 and 2002 classified programmes into broad categories and weighed evidence of their effectiveness.<sup>55</sup> The overwhelming message is that “therapeutic” interventions are more effective at reducing recidivism than interventions focused on punishment or control. This has been reiterated by subsequent meta-analyses.<sup>56</sup>

Lipsey (2010) identifies three broad categories of “control” programmes:<sup>57</sup>

- Programmes oriented toward *discipline* (e.g. boot camps);
- Programmes aimed at *deterrence through fear* (e.g. Scared Straight); and
- Programmes emphasising *surveillance* (e.g. intensive supervision).

Across the available evidence, discipline and deterrence programmes had negative effects (they actively increased recidivism among participating young people). Surveillance programmes showed positive results, but smaller than those found in therapeutic programmes (and many included surveillance programmes also contain therapeutic elements).

Therapeutic programming includes the following categories:

- *Restorative* programmes (e.g. restitution, victim-offender mediation);
- *Skill building* programmes (e.g. cognitive-behavioural techniques, social skills, academic and vocational skill building);
- *Counselling* programmes (e.g. individual, family, group; mentoring); and
- *Multiple coordinated services* (e.g. case management and connection to services).

Programme implementation is also independently important. Even for RNR-compliant interventions, incomplete service delivery, poor training, staff turnover, and high dropout rates are all associated with lower impact.<sup>58</sup>

### **14 Youth diversion programmes for first time and low-level offenders with interventions including personal skills training, counselling (related to anger management, personal responsibility and decision making), some form of reparation to either the victim of the crime or the community at large, and family involvement have consistently led to less re-offending than “standard” diversion without these features.**

It is important to note that much of the evidence on programme effectiveness is predicated on the feasibility of relatively lengthy interventions. For many diverted young people, the principle of proportionality precludes use of protracted interventions – their behaviour is too low-level to justify extended engagement (perhaps even if their assessed risk level would suggest that this is otherwise appropriate).

For low-risk offenders, this is not likely to be a problem (as the evidence suggests that only minimum intervention is warranted). But for low-level offenders with medium to high assessed risk, there is a gap in evidence-based approaches. Research has suggested that some risk factors are capable of change more quickly than others (for example, acute anger reactions can change quickly, while stable “characterological” anger seems to be much more persistent).<sup>59</sup>

There is some positive evidence for short-term programming. A systematic evidence review found that youth diversion programmes for first time and low-level offenders with interventions including personal skills training, counselling (related to anger management, personal responsibility and decision making), some form of reparation to either the victim of the crime or the community at large, and family involvement have consistently led to less re-offending than “standard” diversion without these features.<sup>60</sup>

It’s also worth noting that researchers have not, and never will, establish a complete menu of model programmes that work to keep young people out of the justice system.<sup>61</sup> You should not look to researchers for the last word on practice— improving the effectiveness of youth diversion also requires local innovation.

**15 For most diverted young people, interventions should be relatively light touch and informal. Participation requirements should not be disproportionate to the initial offending behaviour.**

The majority of diverted young people are likely to be involved with the scheme for relatively low-level offending. In accordance with the principle of proportionality, the requirements of their participation should reflect this. In addition to the short-term programming listed above, a further short-term approach with promising evaluation evidence outside the context of diversion is use of motivational interviewing.<sup>62,63</sup> This approach, which can typically be implemented in a small number of sessions, is used to support behaviour modification among individuals who are ambivalent about change by helping them to confront the consequences of their behaviour while guiding them toward change.<sup>64</sup> This approach is held in common with many of the therapeutic modalities mentioned above (and indeed is used as a component of some of these).

**16 Successful engagement should mean that young people avoid a criminal record. Protocols should ensure that their participation is not be recorded in a disclosable manner in administrative databases.**

Operational protocols should ensure that successfully engaged young people are not recorded in a disclosable manner in any administrative databases (including the Police National Computer). As this is a major incentive for participation, you should clearly communicate this benefit, and use it to encourage engagement. For those young people without a pre-existing criminal record, you may also wish to communicate the collateral consequences of carrying one, e.g. on employment and immigration status. This should be framed as a benefit and used to motivate compliance, rather than communicated as a threat.

### Outcomes and monitoring

**17 Youth diversion schemes should formalise a process whereby scheme managers regularly report back on youth engagement to the police and to referring officers. This underlines that the original case requires no further action, and ensures that frontline police are kept updated on the scheme’s success.**

Continued police cooperation depends on maintaining police confidence in the scheme. For this reason, a formalised process whereby scheme managers regularly report back on youth engagement is a good idea – both to underline that the original case requires no further action, and so that police are kept updated on the scheme’s success. Some areas also include short narrative case studies as part of these updates.

**18 For purposes of quality assurance, diversion schemes need both internal and external monitoring processes.**

Internally, this includes the development of a data collection system capable of measuring project activities as well as informing evaluation. Externally, this may include the development of an advisory panel to scrutinise operations.

**19 Projects should be alert to what they are learning through their operation, and should consider how they might develop further.**

As they become embedded, and as stakeholders develop confidence in their operation, they should consider the potential for expanding their eligibility (especially if initial criteria are conservative). They should also, of course, learn from evaluation.

## 20 Diversion schemes should be able to determine whether they are meeting their objectives. Evaluate.

In order to justify their continued existence, they need to be able to show that they are generating better outcomes for young people, for justice system agencies, and for the public. While recidivism will always be an outcome of interest, schemes should additionally consider other measures of success, including improvements to young peoples' well-being, educational attainment, and changes in attitudes and values.

We recognise that evaluation is not easy. Schemes might explore the possibility of partnering with an experienced research organisation or academic institution to help develop and carry out an evaluation plan.

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## Section 3: What commissioners of youth diversion want

**Despite the evidence behind it, youth diversion is not a statutory requirement of Youth Offending Teams (YOTs). Practitioners have told us that, due to mounting budget pressures, youth diversion risks losing investment as statutory agencies focus only on what they are required by law to do.<sup>65</sup> This is echoed in the Ministry of Justice-commissioned stocktake of YOTs, which reported that practitioners anticipated further reductions leading to YOTs “moving away from preventative work towards just fulfilling statutory commitments.”<sup>66</sup>**

However, we strongly believe that YOTs, and other operators of youth diversion schemes, have the opportunity to demonstrate the value of diversion both to existing commissioners and potential new audiences. In this regard, youth diversion is in a good position, with a strong evidence base, a compelling financial case, and, in many areas, years of successful operation.

We recognise that funding for youth crime prevention has changed considerably over the last five years and is spread across several different sources.<sup>67</sup> Some are local sources of funding and some are national. We are also aware there are a large number of guides on the commissioning process out there.<sup>68</sup> We don't seek to replicate them. Rather, we have conducted some in-depth interviews with commissioners (and would-be commissioners) of youth diversion. Of course, there will always be variation in local commissioners' requirements with which schemes need to be familiar, but our consultation suggested the following key things mattered to them.

### **Commissioners want to see evidence of impact but maybe not always in the way you expect**

Commissioners want to know that services are evidence-based. Commissioners also want to know that they are seeing an impact as a result of your good use of their resources, especially if it also is generating a saving. Commissioners want evidence of impact on outcomes rather than just evidence of activity. So far, nothing new.

However, our interviews with commissioners did suggest a degree of nuance. First, **commissioners recognise that being able to demonstrate clear, attributable outcomes is not straightforward.** Commissioners suggest they are often willing to work with you to develop outcome frameworks that are appropriate to the specific work they are doing. Second, **statistics are necessary, but commissioners are not open only to this kind of evidence.** Qualitative information, case studies and stories all help to build up a picture of what you are achieving (some schemes have additionally found that the process of regularly sharing case studies with key partners has helped to build and sustain local support). Commissioners – like most people – can be influenced about this in many different ways, so be creative. Written reports and statistics may work for some, but others will be more convinced by human stories and interactions or a combination of the two.

Third, there was **growing recognition amongst commissioners that intermediate outcomes such as improving young people's wellbeing, or increasing engagement with education, may be easier to demonstrate** – and can be strongly indicative that the overall outcome is being achieved. Where demonstrating direct causation with these overall outcomes is difficult, be clear about what impact you are able to demonstrate and what evidence exists to support any assumptions you make that this will contribute to broader aims.

Fourth, **commissioners do not want you to be spending all your time monitoring your work** – in fact, commissioners we spoke to reported that while they do need to know about impact, they are keen for data collection to detract as little as possible from the main delivery of the service. In short, it is about demonstrating the right thing, not everything.

### **The complexity of the commissioning landscape provides opportunities for co-commissioning**

With limited resources, a key consideration for commissioners is how they can generate or contribute towards achieving a bigger impact than they would be able to gain solely from their own funds. This means they seek to work actively with other strategic partners locally and in wider geographical areas both in designing and paying for services to ensure best value for money. And they saw this as a key opportunity for you. Demonstrating impact around a variety of local priorities, showing added value or securing matched financial/in-kind contributions from other commissioners would put you in a very positive light.

Commissioners saw that the clearest outcome to which youth diversion contributes is a reduction in first time entrants to the system, but other key priorities for local authorities and police and crime commissioners include the prevention of offending, reducing reoffending, responding to issues around vulnerabilities, addressing health inequalities and improving the experience of crime victims. Think about how you might demonstrate your scheme's impact in these areas, particularly in conjunction with other partners.

### Help shape what is commissioned

We realise we run the risk of teaching your grandmother to suck eggs, but engaging with commissioners is not just a question of placing a bid when invited to or when you spot it. In practice, commissioners provide many opportunities for you to influence the design of future provision. If you wait until you are invited to tender, many services will often already have a set specification which may unnecessarily constrain not just how you bid, but what you ultimately deliver.

All the commissioners we spoke with indicated that, **when undertaking needs assessments and designing or reviewing strategies and priorities, they were keen to hear from you and your beneficiaries on what works** and what is missing from local provision. This can be done by attending and contributing to commissioner-led events and consultations, but you can also be much more proactive. Commissioners stated they welcomed you seeking opportunities to contribute to key documents such as the local Joint Strategic Needs Assessment, Police and Crime Plans, and Joint Health and Wellbeing Strategy. **They wanted to hear from the frontline, so organising regular forums to seek feedback from young people and ensuring it reaches decision makers was seen as helpful.** They also said that providing monitoring information that is honest about challenges as well as reflecting your successes was also useful in shaping their decisions on what needs to be delivered and where resources can be deployed most effectively.

### Conclusion

As we said at the start, some of this will not be new to you, maybe none of it. But now we know what commissioners want, we can turn to some practical support about how we can help you make the best possible arguments to ensure youth diversion is valued.

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## Section 4: Making the case for youth diversion

Now that we have reviewed the evidence, distilled a set of effective practice principles, and have discussed what commissioners want – how can we persuade them to invest? In this section, we provide a simple guide to what we recommend you communicate to them. On our website, you may also download template PowerPoint slides to adapt for this purpose.

### 1 Orientate the audience

Depending on the audience, some of whom will have only a general awareness of youth justice and youth diversion, it can be important to frame your case with a few contextual points they can relate to:

- Most young people engage in risky or illegal behaviour at some point.
- Most young people are not apprehended following every poor decision. But for some, risky behaviour leads to contact with the police.
- The vast majority of these young people will not go on to become escalating or prolific offenders. A first offence is not a reliable signal of a future criminal career.<sup>69</sup>

### 2 Explain the evidence against formal processing

For some in your audience, you will need to persuade them that deepening a young person's contact with the system is unproductive:

- The evidence is clear. Formal justice system processing for young people involved in low-level and first time offending makes them more likely to commit crime again. The 'short, sharp shock' of prosecution causes more crime, not less.
- An international meta-analysis (a study of multiple outcome studies) shows that prosecution of young people appears to not have a crime control effect, and across all measures appears to increase offending.
- These international findings have further, British-based evidence behind them as well.
- Justice system processing for the wrong population is counter-productive – increasing the probability of further offending, and weakening the system's capacity to effectively respond to the much smaller number of young people who may actually pose a threat to public safety.

### 3 Talk about the cost of formal processing

For some in your audience, the only messages that resonate are ones with £ signs in them. The following national figures may help to inform discussions with existing and potential funders:

- **£3,620:** Estimated average cost of a first time entrant (under 18) to the criminal justice system in the first year following the offence<sup>70</sup>
- **£22,995:** Estimated average cost of a first time entrant (under 18) to the criminal justice system, nine years following the offence<sup>71</sup>
- **£113,000,000:** Estimated savings if one in ten young offenders were diverted toward effective support<sup>72</sup>

### 4 Explain the evidence for youth diversion in terms of outcomes

Make the point that youth diversion itself has positive evidence behind it, rather than just saying processing is bad:

- Youth diversion generates a range of positive outcomes for matched groups when compared to formal criminal justice processing.
- We consistently find in the evidence that when similar groups of young people, comparable in demographics, offences and offending histories, are matched, and one group processed and one group diverted, the diversion groups do better.
- The findings from the meta-analysis found that young people who were prosecuted had higher re-offending rates than those who were diverted, even after controlling for differences between these populations.
- This finding is replicated in the UK evidence base.

### 5 Explain the evidence for youth diversion in terms of cost saving

Having made the point that youth diversion works, it is worth then pointing out that it is cheaper:

- Youth diversion is more cost effective than standard system processing. There are at least three ways in which schemes can produce economic benefits through:
- "Immediate" cost avoidance: Youth diversion schemes that avert formal justice system contact – whether it be an out of court disposal or a court case – avoid the costs associated with formal processing such as police, prosecution and court time.

- Reducing re-offending as compared to standard processing: Youth diversion has been shown to produce better long-term outcomes than standard justice system processing, including comparative reductions in recidivism.
- Facilitating earlier access to support for health, mental health, or other social service needs: Where diversion offers an opportunity to identify and make referrals for unmet needs, addressing these before they develop further saves money.

#### **6 Talk about your work locally, and how it fits with the evidence base**

Messages specific to your scheme may be especially important to local audiences. Some basic ideas are included below:

- [Scheme name] worked with [n] young people in the last 12 months, holding them accountable for their conduct while connecting them to supportive services.
- Our engagement rate was [%]. Through successfully participating in the scheme, these young people also avoided a criminal record.
- In the past year, we have worked with the following partners: [referral destinations]
- Consider developing short, anonymised narrative case studies to illustrate recent work.

To the extent that your scheme's operating model adheres to what the evidence suggests effective practices are, it is worth pointing this out.

#### **7 Monetise the cost avoidance contribution your scheme makes**

In order to demonstrate cost effectiveness, we suggest that "Immediate" cost avoidance is easier to conceptualise and discuss with local partners, quicker to generate, and less abstract than claimed future benefits. See *Technical note*.

#### **8 Monetise longer term benefits**

It is more difficult to monetise longer term benefits. A compelling case for an individual scheme would require an outcome evaluation with a comparison group. This might involve tracking recidivism data on each young person during a defined time period following programme completion, and comparing the results to recidivism data for similar non-diverted young people. In order to confidently detect impact, a substantial sample size would be required. Depending on your scheme's scale, this could amount to throughput over several years, plus additional time necessary to allow for follow-up. We anticipate that the administrative and resource burden entailed is likely to place this out of reach for many or most existing schemes.

This is not to suggest that longer term benefits don't exist (see the evidence above) - only that getting the proof is difficult. Published unit cost estimates related to youth (and adult) offending may help you to estimate the scale of the impact you might realistically achieve through reductions in future offending.<sup>73</sup> Schemes should also record identified needs and track referrals to services.

Again, we encourage you to begin thinking about your scheme's financial impacts using the tool described in the next section.

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72. Audit Commission (2009). Tired of hanging around.
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# Technical note: Using the Centre for Justice Innovation cost avoidance tool

## Overview

- The accompanying tool is intended to help point-of-arrest diversion schemes estimate some of the financial impacts of their work with young people.
- The tool draws on two information sources: first, data from the Unit Cost Database, a set of government-reviewed cost information including component costs of average youth first-time justice system entrants; second, professional estimation of how the operation of the diversion scheme impacts the workload of the scheme's partners.
- The tool is intended to provide a framework for discussion, and to better inform youth diversion schemes, their partners, and funders about the financial implications of their work. It is freely available to interested point-of-arrest diversion schemes. We ask in return that you let us know about your findings and how you have used them.

## About the Tool

### What is the tool?

The Cost Avoidance Tool is an Excel spreadsheet containing a simple cost avoidance model for use by administrators of point-of-arrest diversion schemes (known as 'diversion schemes' for the purpose of this guidance). Users enter a small amount of information pertaining to the scheme, and the model returns a set of cost avoidance estimates.

### Who is it for?

The tool should be used for Youth Triage, Youth Justice Liaison & Diversion (YJLD), or other locally-devised schemes that:

- operate following a young person's arrest, but prior to the delivery of a formal disposal (either an out of court disposal or a prosecution), and;
- where a young person's successful engagement with the scheme leads to no further action being taken on the case.

### Aims

#### The aims of the tool are:

1. To help support practitioners in making a stronger financial case for point-of-arrest diversion schemes, including to new potential funding sources.
2. To encourage criminal justice system partner agencies to consider the value accruing to their own work through the operation of these schemes.
3. To encourage practitioners to think more about developing the evidence base for these schemes, including by setting up improved data collection and impact monitoring systems.

### Principles

#### The tool is based on the following principles:

1. **Collaboration.** The tool relies in part on professional estimation of the scheme's effect on the workload of partners. We intend for this to be arrived at cooperatively.
2. **Conservatism.** The tool is intended to produce reasonable estimates that do not over-claim, and to help schemes communicate these results accurately.
3. **Transparency.** The tool makes all data and assumptions visible.

## Using the Tool

### What do I need?

The tool requires three data points and three estimates. All of this is entered into the blue shaded area in the first tab of the spreadsheet (see figure 3). Each is described further below.

#### Data Points

- 1 **Scheme referrals:** This is the overall number of referrals to the scheme, generally over a one-year period.
- 2 **Engaged referrals:** This is the number of “successful” referrals, where young people have cooperated with the scheme and their case has been discontinued by the police. The model assumes that non-engagement results in a young person’s case proceeding as usual.
- 3 **Programme Cost:** This is the total budget line (or best estimate) for the programme, generally for one year.

#### Estimates

- 4 **Police Burden:** An engaged referral to a diversion scheme represents saved police time and effort. Had the referral not been possible, and therefore the engagement not possible, the police would have to carry out work to formally process a young person (either via an out of court disposal or court case). In order to calculate the cost avoidance of a diversion scheme, it is therefore necessary to estimate the amount, as a percentage, by which the police burden is reduced as a result of the scheme’s engaged referrals. The amount of time and effort saved depends in part on schemes’ referral pathways. It is also likely to be variable on a case by case basis. We suggest that scheme managers discuss this with police partners toward arriving at a conservative estimate generalising across all cases. For more on this, see “Speaking with Police to generate an estimate,” below.
- 5 **YOT Burden:** By having schemes which divert young people away from formal disposals, diversion schemes may also save Youth Offending Teams (YOTs) time and effort. This is because, where there is an engaged referral, the YOT may have less work than they otherwise would have if there was a formal disposal. This is likely to make a relatively small difference where successful engagements are replacing cautions, but could make a larger difference where engagements replace disposals requiring more YOT staff time.

Figure 3: Data Entry

1	<b>Scheme referrals</b>	200
2	Engaged	180
3	<b>Programme Cost</b>	£ 50,000
	<b>Assumptions</b>	
4	Police Burden	25% <input type="text" value="25"/>
5	YOT Burden	2% <input type="text" value="2"/>
6	<b>Counterfactual Split</b>	
	Cautions	97% <input type="text" value="97"/>
	Court	3% <input type="text" value="3"/>

- 6 **Counterfactual Split:** In calculating cost avoidance, it is vital to estimate what would have happened had there been no diversion scheme in which to refer a young person. For simplicity, this is broken down between cautions and court. In general, we assume that the split should be heavily weighted toward cautions (i.e., the vast majority of successful scheme referrals are averting cautions rather than a court appearance). The tool is initially set at 97% cautions and 3% court appearances; if you have data suggesting that this split is different in your area, adjust this assumption accordingly. These percentages should sum to 100%.

## Speaking with Police to generate an estimate

The Police Burden estimate is a central component of the tool, so arriving at an agreed estimate is particularly important. We suggest that, if possible, you convene a discussion with your scheme's main point of contact with the police and to additionally include other involved officers. At this meeting, we suggest the following:

**Explain the purpose of the meeting.** The narrow purpose is to arrive at a mutually agreeable, quantifiable estimate of how the operation of the scheme impacts police work for diversion-eligible cases. In order to accomplish this, we would like to talk through the police process from the point of arrest, comparing the diversion scheme pathway to what would otherwise be the standard pathway.

**Explain the tool.** Our results will help to inform a tool that we are using to estimate some of the financial impacts of the scheme's work. The tool estimates avoided costs – what isn't spent as a result of successfully avoiding formal justice system processing through engagement with the scheme.

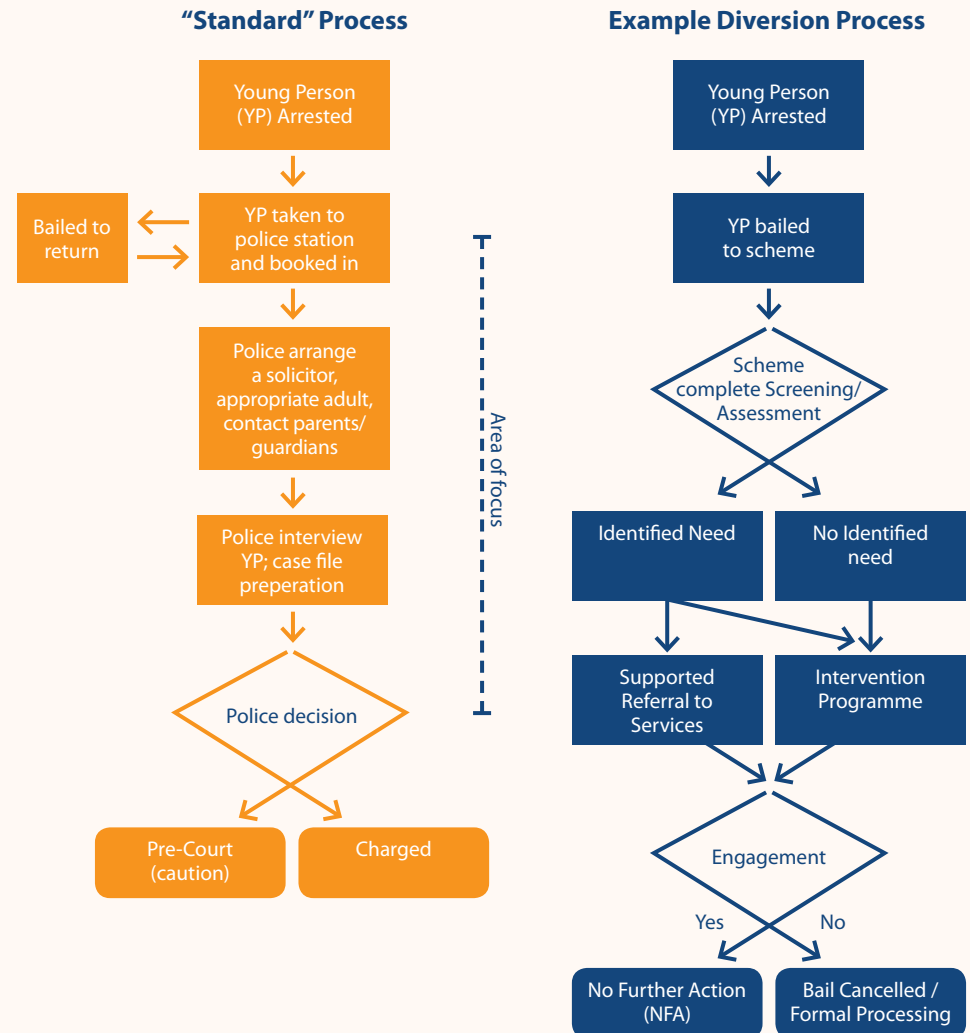
**Discuss the scheme's impact on police work – focusing on process.** To frame the discussion, we suggest that you compare your scheme's police referral pathway to what would otherwise be the standard pathway for scheme-eligible cases. Figure 4, is a simplified example comparison – replace the example diversion process with your scheme's agreed protocol, and adapt the "standard" process as locally applicable.

Concentrating on the stages following the arrest of a young person, but prior to the police decision regarding the case, we suggest focusing on what the police process would be like without a scheme (or perhaps how it operated prior to the scheme's launch). Our assumption, to be confirmed locally, is that most schemes allow police to make a referral and to "hand over" cases earlier than they would under a standard process. Through this, they may be able to avoid some or all of the workload associated with this stage, potentially including but not limited to booking a young person in at the police station, arranging and conducting an interview, conducting welfare checks, and preparing a case file.

**Getting to a Percentage.** In order to collaboratively arrive at an estimate, we suggest the following steps:

- First, as above, identify the component parts of the standard youth arrest process that the scheme obviates for the police.

Figure 4: Outline Pathways Compared





- Second, estimate what each of these components mean, on average, in terms of time. Because the unit cost figures used in the tool are based on staff direct time spent on crime incidents, we equate time and money. For example, if time spent arranging and conducting an interview represents, on average, 10% of the total youth arrest process, and this burden is alleviated by the scheme, then the tool claims an equivalent portion of avoided cost.
- Third, combine these estimates for each component to arrive at a total deduction. For example, if the scheme means that the police no longer need to book a young person in at the police station (2%), arrange and conduct an interview (10%), or develop a case file (3%), then we are claiming that the scheme averts 15% of the time that otherwise would have been expended in a youth arrest without the scheme. This is the Police Burden percentage to enter into the tool.

### Key messages for Police

- Our goals are to help quantify the impacts of the scheme, to develop the scheme's evidence base, and to increase understanding between the scheme's partners and funders.
- We recognise that arriving at a single number is difficult, and that in practice your workload might vary substantially from case to case. The figure we wish to agree on represents an assumption across all eligible cases. It is subject to change as practice changes. We wish to involve you to help verify our thinking and do not wish to over-claim on behalf of the scheme.
- This is not about us eyeing up the police budget! It is about us protecting a service that we believe benefits both of us and, more importantly, leads to better outcomes for young people.
- We value your input and thank you for your consideration and continued support of the scheme.

### Costs

The tool uses four costs terms, outlined in the table below. Three are drawn from the Unit Cost Database, a set of government-reviewed cost information; the fourth is from a National Audit Office report (references for both sources are in the *Technical note*).

These are indicative national estimates, and may not reflect local cost variation; if schemes have local cost estimates, these can be used instead by substituting them in the corresponding cells of the second tab in the worksheet. We plan to update these figures as new data become available.

Description	Cost	Notes	Source
Arrest – detained	£719	Not a youth-specific estimate	Unit Cost Database (v1.4)
Caution	£345	Not a youth-specific estimate	Unit Cost Database (v1.4)
Court event (under 18, drug offences)	£1,608	Chosen as a representative case type (less expensive); other case types available in unit cost database	Unit Cost Database (v1.4)
YOT supervision, average first time entrant	£1,687	Drawn from NAO study; replace with representative local YOT costs if available.	NAO Cost of a Cohort of Young Offenders, Fig. 8, updated to 2015/16



## Understanding Results

The tool's output is displayed in Figure 5

The output table displays the estimated costs avoided:

- By the police, as the result of avoided cautions or avoided court action;
- By the YOTs as the result of less YOT work; and
- a grand total.

Next, it calculates:

- Break-even point: the number of engaged young people at which the scheme pays for itself under all of the current assumptions;
- The cost per engaged young person; and
- The net benefit – the avoided cost estimate compared to the diversion scheme's programme cost (green if positive, red if negative).

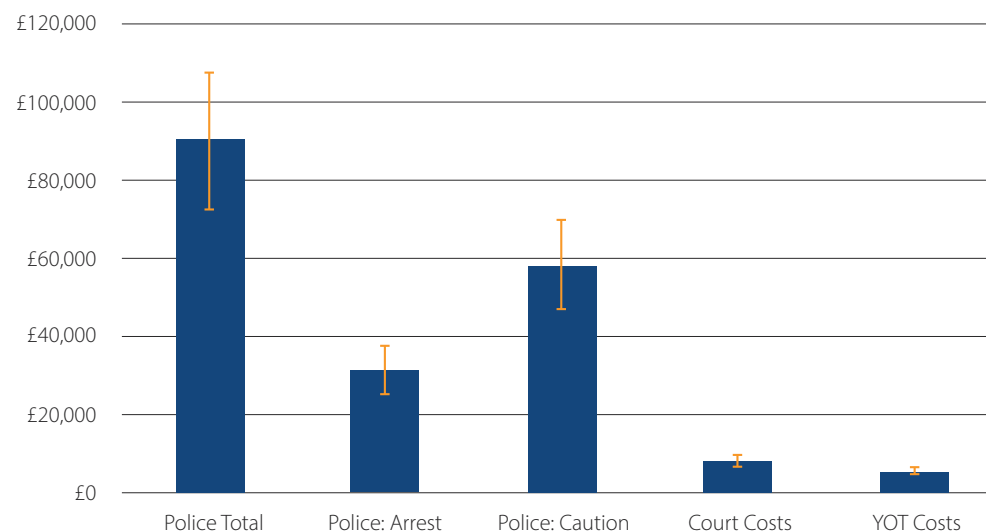
### Figure 5: Example Output Table

Estimated Costs Avoided	
Police: Arrest	£ 32,355
Disposal	
Police Caution	£ 60,237
Court	£ 8,683
YOT	£ 6,073
<b>TOTAL</b>	<b>£ 107,348</b>

Break-even point	84
Cost per diversion	£ 278
Net benefit	£ 57,348

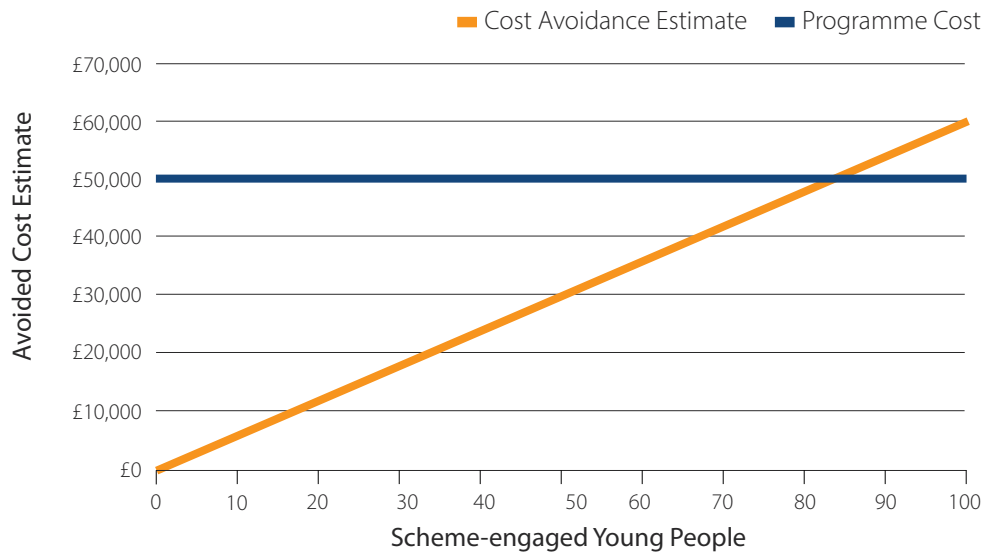
This information is summarised in the two charts (figures 6 and 7), which respectively show estimated avoided costs by source and a break-even function for the scheme under the current set of assumptions.

### Figure 6: Example Cost Avoidance Estimates Chart



The cost avoidance estimates chart breaks down cost avoidance estimates by source, and includes error bars based on Treasury guidance around incorporating uncertainty due to the age of cost estimates.

**Figure 7: Example Break-Even Estimate Chart**



The break-even estimate chart displays a break-even function – the orange line shows how the cost avoidance estimate grows per engaged young person. Where it crosses the blue line (representing the overall programme cost), the project “pays for itself.” Everything above the blue line is the net benefit.

Both charts auto-update when assumptions or data are adjusted.

## Communicating Results

### What it says

We hope that schemes can use the results to build a defensible picture of costs avoided (broken down by partner agencies) through the operation of the scheme, based on a set of mutually agreed assumptions. (Please see accompanying guidance for more on communicating the value of point-of-arrest diversion schemes).

### What it does not say

Because the output represents avoided costs, it is important not to refer to results as “savings”. You may justifiably claim that the operation of the scheme means that police are required to expend fewer resources on the young people the scheme successfully works with, but this does not mean “cashable savings” from the perspective of the police (i.e., the operation of the scheme does not directly equate to more money in the police budget). However, it could mean that police are able to redeploy freed-up resources elsewhere.

The results are specific only to “immediate” outcomes related to successful programme engagement. They do not include any estimates based on medium or longer term outcomes (including, for example, reductions in recidivism, or better health or education outcomes).

**Figure 8: Example Talking Points**

Estimated Costs Avoided		
Police: Arrest	£ 32,355	We estimate the scheme’s work with young people over the last year led to [£32,000] in costs avoided by the police.
Disposal		
Police Caution	£ 60,237	The scheme successfully engaged young people who avoided formal criminal disposals and their associated costs.
Court	£ 8,683	
YOT	£ 6,073	
<b>TOTAL</b>	<b>£ 107,348</b>	In total, we estimate that the scheme averted approximately [£100,000] in avoided justice system processing costs.
Break-even point	84	
Cost per diversion	£ 278	Taking into account the cost of running the scheme, we estimate it produced a net benefit of around [£57,000] over the last year.
Net benefit	£ 57,348	

## Resources

- Unit Cost Database: [http://data.gov.uk/sib\\_knowledge\\_box/toolkit](http://data.gov.uk/sib_knowledge_box/toolkit)
- National Audit Office (2011). The cost of a cohort of young offenders to the criminal justice system: Technical Paper: [http://www.nao.org.uk/wp-content/uploads/2010/12/1011663\\_technical\\_paper.pdf](http://www.nao.org.uk/wp-content/uploads/2010/12/1011663_technical_paper.pdf)
- Unit Costs of Health and Social Care: <http://www.pssru.ac.uk/project-pages/unit-costs/2015/>
- Cost Benefit Analysis Guidance for Local Partnerships: <https://www.gov.uk/government/publications/supporting-public-service-transformation-cost-benefit-analysis-guidance-for-local-partnerships>
- Cost-Benefit Knowledge Bank: <http://cbkb.org/>

