

Probation
Service



Prevention and Diversion Project – final report

February 2023

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We would also like to express our gratitude to all the stakeholders who were consulted and provided feedback on the project's definitions and project recommendations, and the members of the Youth Advisory Network who gave their time to create a leaflet for youth justice service practitioners.

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Introduction

About the project

The Prevention and Diversion Project was a two-year review of youth justice services' (YJSs) prevention and diversion work. It operated from October 2020 until January 2023 and was jointly commissioned by the Probation Service, Youth Justice Board (YJB) and the Association of YOT Managers (AYM), with funding from the Probation Service. It was established to support the Probation Service to consider a review of its future YJS funding formula and how prevention and diversion work might be accounted for in their allocations to YJSs.

Currently as part of the Probation Service's statutory contribution towards forming a YJS, under section 39 of the Crime and Disorder Act 1998, each YJS is allocated a seconded Probation Officer and Probation Service Officer. This resource is currently allocated based on a combination of statutory caseload and complexity factors (deprivation and serious violence - HM Prison and Probation Service, 2020). The current funding formula does not take account of the 'non-statutory' prevention and diversion work delivered by YJSs and the project was initiated in recognition of this and the deficit this left for some services. For the YJB the project presented an opportunity to increase oversight of YJS prevention and diversion work as it is recognised that a gap exists in the evidence base surrounding current practice.

The terminology we use in this report, specifically having prevention and diversion as distinct approaches, follows the definitions created via this project. These definitions can be read on the [Youth Justice Resource Hub](#).

Project aims

1. Increase the YJB and the Probation Service's understanding of prevention and diversion work taking place in YJSs across England and Wales.
2. Develop a shared definition of prevention and diversion to increase the use of a common language and understanding across YJSs.
3. Identify, build on, share and promote prevention and diversion practice across YJSs.
4. Help the YJB identify and engage with the different agencies running prevention and diversion initiatives and share information across the youth justice sector to enhance oversight.
5. Make recommendations to improve the monitoring and recording of YJS prevention and diversion activity.
6. Develop the evidence base for effective prevention and diversion practice by incorporating, influencing and disseminating the work and

research of the Youth Endowment Fund, Centre for Justice Innovation, Ministry of Justice's Youth Justice Policy Unit, HM Inspectorate of Probation, Welsh Youth Justice Blueprint and YJB pathfinder projects.

The following were considered out of scope of the project:

- evaluations of practice
- developing practice resources to support workforce development
- funding new data recording systems or case management system changes
- undertaking a review of the Probation Service funding formula.

Methodology

Approach

The project took an iterative approach towards setting and achieving its objectives. This process involved scoping current prevention and diversion practice and developing the project's outcomes through extensive consultation and engagement with:

- a broad range of frontline practitioners from YJSs across England and Wales
- external agencies (e.g. police, HMI Probation, NHS)
- stakeholders in local and central government
- Youth Advisory Network (YAN) organisations
- representatives from voluntary and charitable sector organisations and academic researchers.

Methods

The project used the followings methods to facilitate consultation and engagement with stakeholders:

- a scoping survey
- prevention and diversion practice focused workshops
- face-to-face meetings
- online discussions via YJB basecamp (a virtual space exclusive to YJB stakeholder groups)
- workshops undertaken by young ambassadors from the YAN.

Implementation

Using these methods prevention and diversion practice was scoped in stages and the findings were analysed thematically. Key themes surrounding effective practice and practice challenges were identified and then used to inform the project's aims and outcomes.

February 2021

The scoping survey was developed and issued to all YJSs across England and Wales. It covered funding, delivery, caseloads, assessments and evaluations. The survey was closed in April 2021 and received responses from 128 out of the 154 YJSs in England and Wales, including 15 of the 17 YJSs in Wales.

Spring-Summer 2021

To build further understanding of YJSs prevention and diversion practice 8 (virtual) prevention and diversion themed workshops were facilitated at regional Development Practice Forums across England, attended by YJS operational managers and practitioners. The workshops included presentations from 22 YJSs and reflective discussions of practice. These presentations detailed local prevention and diversion practice and some included the context of current practice, implementation methods, relevant evaluations and planned next steps.

Summer-Autumn 2021

Definitions of prevention and diversion were scoped with the stakeholders noted and developed through consultation undertaken through virtual workshops and basecamp.

Spring-Summer 2022

Prevention and diversion workshops were held with 6 YAN ambassador groups. The participants of the workshops were children and young adults who are experts by experience. YAN Ambassadors were asked to share their views and experience on prevention and diversion.

Summer 2022

Consultation workshops were undertaken with the stakeholders noted regarding the recommendations they would like to see made by the project to support prevention and diversion practice. The consultation was conducted through virtual and physical workshops.

Winter-Autumn 2022

A prevention and diversion data task and finish group was created to focus on improving the data reporting systems available and the quality of YJS prevention and diversion data. The group involved colleagues representing the YJB, Ministry of Justice Youth Justice Policy Unit and Welsh Youth Justice Blueprint.

Findings and outcomes

Current practice

The project has begun to impact on understanding of current prevention and diversion work taking place across England and Wales and helped to identify key practice challenges. This report makes recommendations for the Youth Justice Board (YJB) to test and further develop understanding.

The project was able to engage and consult with a wide range of stakeholders involved in the delivery of prevention and diversion work to develop a valuable overview of current practice in the absence of an existing national evidence base. A detailed overview of the survey's findings can be found in the ['Summary of Prevention and Diversion Scoping Survey' report](#) published in June 2021 on the Youth Justice Resource Hub. The youth justice service (YJS) presentations from the developing practice workshops and a national themes overview are also available to view on the [Youth Justice Resource Hub](#).

Key findings

Positives

1. YJSs report to be delivering a significant amount of prevention and diversion work that is not formally captured in any standardised way. The survey responses showed that the average prevention and diversion caseload in 2020/21 was 52% (for Wales, where there is dedicated funding for targeted prevention and diversion work from the Welsh Government it was 72%). There was substantial variation between YJSs, with the highest reporting 85% and the lowest 6%. Overall, the project found evidence of significant commitment to this work from the sector, despite it not being formally or consistently recognised/funded.
2. The benefits of partnerships and shared visions with other services, including police, health, education, children's services, courts and wider partners were consistently highlighted by YJSs and wider justice stakeholders as being essential for effective prevention and diversion. We saw evidence of partnerships working together positively in some areas to support a Child First, rights-based response to children linked to offences.
3. YJSs are meeting children's complex needs by providing holistic and bespoke support at this early level of intervention. YJSs noted that the work requires skilled practitioners to engage children and families with these voluntary services and strong multi-agency partnerships to effectively support and address their complex needs.
4. The work is leading to positive outcomes for children. The most common data source to measure prevention and diversion is first time entrants. YJSs provided local data that the work is supporting reductions in first time entrant rates and leading to improvements in children's lives.

5. Some YJSs are seeking to minimise stigmatisation by collaborating with wider children, youth, early help, education, and/or health services some are also integrating the YJS into wider services. There was no collective view on where responsibility for this work should sit. Some noted prevention is more appropriate outside YJSs. Yet YJSs are often the only agency available to adequately support children and their families, reportedly due to cuts to youth services (in England) and high thresholds of other agencies.

Challenges

1. Funding is inconsistent. Often funding is provided year on year and demand outweighs resources available (in Wales the Welsh Government changed its targeted prevention funding to a 3-year commitment under the Children and Communities Grant in 2022). Some YJSs reported that commitment from Youth Justice Management Boards gave more assurance to the work.
2. Diversion practice is varied and inconsistent. YJSs feel that children are in some cases being unnecessarily criminalised due to differing eligibility criteria for access to services, and differing responses to offences, including varied application of the use of No Further Action Outcome 22¹.
3. There were missed opportunities to intervene and support children who are coming to the attention of police due to poor information sharing between agencies. Although we saw positive evidence of some YJSs developing targeted prevention pilot schemes with police to address this.
4. Guidance is outdated and does not reflect or support current practice, this includes YJB case management guidance, YJS police guidance, police gravity matrix, police Outcome 22 guidance.
5. There is opportunity for greater partnership working in some areas, (including legal practitioners) to increase children's access to early intervention and enhance the support on offer to children with complex needs.
6. Data difficulties impacted by no consistent definitions, assessment tool or data recording standards. Over 60% of respondents to the survey reported using other YJS assessment tools for both prevention and diversion cases and not AssetPlus². YJSs also noted challenges around recording prevention and diversion work on their case management systems.
7. National and local oversight and governance of prevention and diversion work is both limited and varied and needs to be enhanced to improve the evidence-base surrounding current practice.

¹ A diversionary police outcome that can be used when diversionary, educational or intervention activity has taken place and it is not in the public interest to take any further action. An admission of guilt or acceptance of responsibility is not required for this outcome to be used. For more information see the National Police Chiefs' Council (2022) Outcome 22 (O22) Guidance 2022

² AssetPlus is an assessment and planning interventions framework developed by the YJB for use with children subject to statutory Court imposed youth justice interventions. For more information visit: [AssetPlus: assessment and planning in the youth justice system](#)

8. YJSs reported concerns over the imposition of civil orders on children for anti-social behaviour escalating their criminalisation and poor information sharing resulting in missed opportunities for early intervention with these children.

By increasing understanding of current practice, the project was able to develop definitions of prevention and diversion, generate a range of prevention and diversion practice resources for the Youth Justice Resource Hub and improve data recording and reporting systems. The outcomes of this work will be discussed in more detail in the following sections of this report.

Definitions

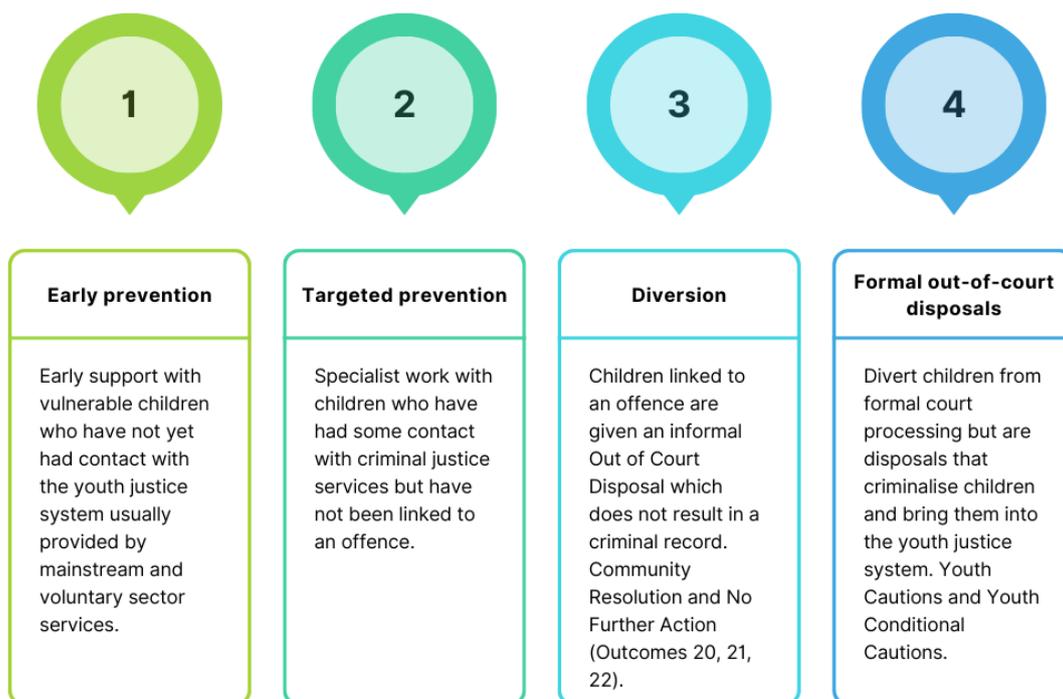
Inconsistent definitions of prevention and diversion were contributing to misunderstanding and variation in practice. In responding to this the project developed definitions of prevention and diversion, establishing a shared understanding and a common language for use across the sector. The definitions were developed through consultation with stakeholders and aligned with existing definitions where suitable. Previous key work that fed into the development of this project's definitions is detailed in [Annex A](#).

The definitions published in November 2021 are for early prevention, targeted prevention and diversion and are available on the [Youth Justice Resource Hub](#). They were written to support YJSs, YJS Management Boards and strategic partners in understanding, identifying and planning support for children and aim to improve understanding and evaluation of YJSs prevention and diversion work.

The definitions were shared with all YJB stakeholders at the time of their publication and feedback indicated they were well received. Between April 2022 to November 2022 the definitions were downloaded from the Youth Justice Resource Hub around 200 times. To support wider adoption of the definitions by YJSs and wider justice partners they have been incorporated into, the [Youth Justice Plan Guidance](#), the [Data Recording Requirements 2022/23](#) (where relevant) as well as YJB oversight work. Moving forward they will also be incorporated in the revised out-of-court disposal section of the case management guidance, which is due for publication in 2023. The pending guidance will be broken down into four distinct areas:

- early prevention
- targeted prevention
- diversion
- formal out-of-court disposals.

The revised case management guidance will cover the distinctions between prevention and diversion in greater detail as per the diagram below.



Developing practice

The project conducted extensive engagement with YJSs across England and Wales and as a result it was able to identify and support YJSs to provide detailed practice examples to help share and promote prevention and diversion practice across the sector. Practice examples were provided by a cross-section of YJSs. A description of each practice example with the links to the Youth Justice Resource Hub are provided in [Annex B](#).

Key themes surrounding best prevention and diversion practice could be identified from the practice examples and are shown in the diagram below. These will be incorporated into the revised out-of-court disposal section of case management guidance due for publication in 2023. The aim is to build, promote and support more consistent prevention and diversion practice across the sector and improve outcomes for children.

Key themes

Surrounding prevention and diversion practice

<div style="text-align: center; font-size: 2em; font-weight: bold; background-color: white; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">S</div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Services</p> <ul style="list-style-type: none"> • alignment with universal and early help services • a range of terms used by YJSs for schemes to be more child appropriate and reduce labelling and stigmatisation • key partners include: <ul style="list-style-type: none"> ◦ health ◦ education ◦ the police ◦ children's services ◦ early help ◦ community and voluntary sector • universal/mainstream • schemes developed in partnership to reduce net widening, support children's complex needs and improve integration. 	<div style="text-align: center; font-size: 2em; font-weight: bold; background-color: white; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">I</div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Intervention</p> <ul style="list-style-type: none"> • trauma informed, strengths-based • light touch 6-12 weeks of support (often extended due to the complex needs of children) • flexible, holistic support and treatment pathways (through partnerships). 	<div style="text-align: center; font-size: 2em; font-weight: bold; background-color: white; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">O</div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Oversight and scrutiny</p> <ul style="list-style-type: none"> • qualitative feedback and case studies • data tracking (FTEs and reoffending rates) • regular youth justice management board oversight and scrutiny in collaboration with other agencies (e.g. scrutiny panels).
<div style="text-align: center; font-size: 2em; font-weight: bold; background-color: #4a4a9a; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">S</div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Screening and assessment</p> <ul style="list-style-type: none"> • focussed on identifying strengths and vulnerabilities i.e. unmet health, educational needs, trauma • multi-agency decision making • undertaken collaboratively with the child and their parents/carers. 	<div style="text-align: center; font-size: 2em; font-weight: bold; background-color: white; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">A</div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Accessibility</p> <ul style="list-style-type: none"> • promotion of schemes to a wide range of agencies • clear eligibility criteria and simple streamlined pathways • Outcome 22 used as deferred caution/prosecution to divert more children from the youth justice system. 	<div style="text-align: center; font-size: 2em; font-weight: bold; background-color: white; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">W</div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Workforce</p> <ul style="list-style-type: none"> • Child First • trauma informed/ECM • SEND (or ALN in Wales) SLCN.

Children's perspectives

Youth Advisory Network Ambassadors (YAN)³ were asked to share their views and experience on prevention and diversion at a workshop. Their feedback provides useful considerations for practitioners who are engaging and supporting children through early intervention. Discussions also took place around the importance of identify and utilising the child's support networks and providing community-based support services. The full feedback from the YAN,

³ The YJB Youth Advisory Network is a group made up of members from organisations who are experts in youth participation and children and young people who are experts by experience of the youth justice system.

along with a 'by children for practitioners' leaflet to support practitioners delivering prevention and diversion services is available on the [Youth Justice Resource Hub](#).

Gathering practice resources

The project's work included engaging with stakeholders to support effective practice through gathering and disseminating guidance and resources related to prevention and diversion. A range of practice toolkits and resources are now accessible on Youth Justice Resource Hub and Youth Justice Institute including:

- [The Centre for Justice Innovation Valuing Youth Diversion Toolkit](#)
- [The Youth Endowment Fund Pre-Court Diversion Toolkit](#)
- [The Early Intervention Foundation Guidebook](#)
- [Youth Diversion Effective Practice Award](#)
- [The Centre for Justice Innovation Diversion Video \(for children\)](#)

Data recording and reporting

The project established and co-ordinated a prevention and diversion data task and finish group to focus on improving the data reporting systems available and the quality of YJS prevention and diversion data. The group involved representatives from the YJB, Ministry of Justice's Youth Justice Policy Unit and the Welsh Youth Justice Blueprint.

Prior to the project, diversion data recording requirements were established in April 2020 by the YJB to develop a more complete picture of YJSs caseloads and a better idea of the diversionary work undertaken by YJSs. In 2021 the project undertook work to ensure that the [diversion data recording requirements for 2022/23](#) were aligned with the definitions generated by this project. As it takes time for YJS case management suppliers to make the changes requested within any new data recording requirements and for YJSs to upgrade their systems, it was only from 2021/22 that a more complete diversionary dataset was collected by the YJB. The provisional data showed a big variation in the delivery of diversion work across YJSs due to YJS data recording and compliance issues in some areas. YJB diversionary data does not currently pass the data quality threshold for inclusion within the annual youth justice statistics.

In 2022 the project undertook further work to revise and extend the diversion data recording requirements for 2023/24. These have now been agreed and will be published in March 2023. They aim to provide further clarity and guidance to YJSs on the recording of diversion data and will capture the use of No Further

Action (NFA), Outcome 22 as diversion⁴ and NFA Outcome 22 as deferred prosecution or caution with YJS intervention⁵.

Informed by its findings and definitions, the task and finish group was able to consider ways to improve YJS prevention and diversion data recording and reporting. Other activity that is underway to support prevention and diversion includes:

- the YJB's development of a standardised assessment tool for out-of-court, diversion and prevention cases that will be housed on YJS case management systems, to enhance data reporting and support the development of a national evidence base surrounding YJSs prevention and diversion work
- the Ministry of Justice's out-of-court disposal key performance indicator which has been aligned with the YJB diversion data recording requirements for 2023/24 to ensure consistency.

The evidence-base

Conducting research and evaluations of practice was not in the scope of the project but work was undertaken to incorporate, influence and disseminate the work and research of other stakeholders to support and develop evidence-based prevention and diversion practice.

The project's survey findings were shared with the Ministry of Justice's Youth Justice Policy Unit to support its work on the 2021 Spending Review. It was positive to see announcements following the Spending Review in relation to new funding initiatives that suggest that the government has an interest and commitment to reinvest in prevention and diversion. In May 2022, the government announced its commitment to invest £300 million over the next 3 years to support local authorities across England and Wales to preventing offending earlier. As part of this investment a new early intervention scheme

⁴ No Further Action Outcome 22 is a diversionary police outcome that can be used when diversionary, educational or intervention activity has taken place and it is not in the public interest to take any further action. An admission of guilt or acceptance of responsibility is not required for this outcome to be used. Outcome 22 can be used to address a lack of trust of the police and the criminal justice system, by some ethnic minorities. This distrust, along with potential biases within the system has been shown to lead to a greater number of ethnic minority children receiving formal criminal justice outcomes, where an informal diversionary outcome may have been more appropriate and would have done more to divert them away from criminality and change the offending behaviour.

⁵ Deferred Prosecution Schemes (DPS) are a non-statutory disposal, whereby the police have the option to put on hold a formal prosecution or formal caution until a diversionary activity is undertaken with the child, within a specified period of time. If the child fails to engage with diversionary activity, then the joint decision-making panel may decide to issue a formal caution or charge as an alternative. This disposal option is currently not employed by all forces across England and Wales and the decision to employ is one that is left to forces to make. All DPS cases should be recorded as Outcome 22.

referred to as ‘Turnaround’ will provide [£60 million to local YJSs](#) as extra funding to improve outcomes for children at risk of offending and/or reoffending, who do not currently meet the threshold for statutory support, or for whom no other obvious pathway to support exists. The Turnaround programme will include an evaluation of practice which is positive as difficulties surrounding the funding, resourcing and sustainability of prevention and diversion work were reported to limit individual YJS’s ability to evaluate practice.

The project’s findings were also shared with the Youth Endowment Fund (YEF) to develop knowledge and understanding of YJSs prevention and diversion work during its development of the YEF’s [pre-court diversion toolkit](#) and its [‘another chance diversion grant funding’](#). More recently the YEF has committed to publishing a guidance report focused on diversion in Autumn 2023 and the project worked to support and influence the YEF’s diversion research agenda.

The YJB has funded diversion pathfinders to support the development of evidence-base practice. The project was able to support these pathfinders to disseminate their learning and effective practice across the sector through the developing practice workshops which were well represented by YJS practitioners across England. The resources and evaluations produced by YJB diversion pathfinder projects are available on the Youth Justice Resource Hub. These include the [Lancashire Child First Diversion Pathfinder](#) and the [Cheshire Diversion Pathfinder](#).

There are also a range of practice evaluations and research papers in relation to prevention and diversion conducted by YJSs and others available on the Youth Justice Resource Hub to support evidence-based practice. These relate mainly to diversion practice as limited evaluation has been undertaken around YJS prevention work. See [Annex C](#) for further information and links to the Youth Justice Resource Hub.

A review of the projects aims and outcomes

Aim	Outcomes
<p>Increase the YJB and the Probation Service’s understanding of prevention and diversion work taking place in YJSs across England and Wales.</p>	<p>The project’s scoping of YJSs prevention and diversion work has provided a valuable overview of current practice in the absence of an existing national evidence base. As a result, the project was able to develop definitions of prevention and diversion, generate a range of prevention and diversion practice resources for the Youth Justice Resource Hub and improve data recording and reporting systems.</p>
<p>Develop a shared definition of prevention and diversion to increase the use of a common language and understanding across YJSs.</p>	<p>Definitions were published in November 2021, establishing a shared understanding and a common language for use across the sector. The definitions are for early prevention, targeted prevention and diversion and</p>

	<p>are available on the Youth Justice Resource Hub.</p>
<p>Identify, build on, share and promote prevention and diversion practice across YJSs.</p>	<p>Practice examples were provided by a cross-section of youth justice services see Annex B. Key themes surrounding best prevention and diversion practice could be identified from the practice examples. To build, promote and support more consistent prevention and diversion practice across the sector and improve outcomes for children these will be incorporated into the revised out-of-court disposal section of case management guidance due for publication in 2023.</p> <p>A ‘by children, for practitioners’ leaflet was created by ambassadors from the Youth Advisory Network to support practitioners in delivering prevention and diversion services to children. This is available on the Youth Justice Resource Hub.</p> <p>Practice guidance and resources related to prevention and diversion were gathered and are on the Youth Justice Resource Hub and the Youth Justice Institute to support YJSs in delivering prevention and diversion work.</p>
<p>Help the YJB identify and engage with the different agencies running prevention and diversion initiatives and share information across the youth justice sector to enhance oversight.</p>	<p>Prevention and diversion were incorporated into the youth justice plan guidance and will improve and increase YJSs’ information sharing in relation to prevention and diversion work.</p>
<p>Make recommendations to improve the monitoring and recording of YJS prevention and diversion activity.</p>	<p>The diversion data recording requirements for 2022/23 were aligned with the definitions generated by this project and will support improvements to YJS data recording.</p> <p>The diversion data recording requirements for 2023/24 were further revised and extended and will be published in March 2023. They will provide further clarity and guidance to YJSs on the recording of diversion data.</p>

<p>Develop the evidence base for effective prevention and diversion practice by incorporating, influencing and disseminating the work and research of the Youth Endowment Fund, Centre for Justice Innovation, Ministry of Justice's Youth Justice Policy Unit, HMI Probation, Welsh Youth Justice Blueprint and YJB pathfinder projects.</p>	<p>The project worked to support and influence the Youth Endowment Fund's (YEF) diversion research agenda, a guidance report focused on diversion will be published by the YEF in Autumn 2023.</p> <p>A range of practice evaluations and research papers in relation to prevention and diversion conducted by YJSs and others are now available on the Youth Justice Resource Hub (see also Annex C) and will support the sector to deliver evidence-based practice.</p>
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Conclusion and recommendations

The outcomes of the project are that definitions of prevention and diversion have been published and will establish shared understanding across the sector. A range of prevention and diversion practice resources have been generated for the Youth Justice Resource Hub to support youth justice services (YJSs) in delivering prevention and diversion work, and improvements have been made to YJB diversion data recording requirements to improve the standardisation and consistency of YJS diversion data recording and reporting. This has contributed to the development of a growing body of evidence that shows the scale of the work being delivered by YJSs and the benefits of the work both in terms of outcomes for children and public protection.

YJS responses to the project's survey indicate that prevention and diversion make up an average of 52% of YJSs caseloads across England and Wales. A number of the practice examples provided in [Annex B](#) (i.e. Gloucestershire, Milton Keynes, North Somerset and Nottinghamshire) contain local qualitative and quantitative data, this provides assurance in the absence of a national evidence base that the delivery of YJSs' prevention and diversion work is achieving positive outcomes for children and reducing the number of children becoming first time entrants to the youth justice system.

In principle, it can be concluded that YJS prevention and diversion work is likely to be of value to the Probation Service given the potential contribution this work can make towards reducing the numbers of children that progress into the adult justice system and transfer into the supervision of the Probation Service. Furthermore, The Crime and Disorder Act 1998 stipulates that the principle aim of the youth justice system is to prevent offending and this informs the remit of statutory Youth Justice Management Board members, of which the Probation Service is one, in delivering preventative work together.

Given the scale of prevention and diversion work being undertaken by YJSs, the evidenced benefits of the work, and the Probation Service's statutory duty to support all work aimed at preventing offending, the project has shown that the Probation funding formula needs to be reviewed to take account of YJS prevention and diversion work and support more equitable allocation of resource. The Probation Service is open to considering how to revise its funding formula and the project has revealed potential options for the Probation Service to consider for the review. The options are as follows:

Option 1

Use the project survey findings to provide a weighting within the funding formula to reflect the prevention and diversion work undertaken by YJSs. The survey showed that the average prevention and diversion caseload in 2020/21 for YJS across England and Wales was 52%.

Rationale

The survey findings regarding YJS prevention and diversion caseloads are representative of a cross-section of YJSs, with 128 out of the 154 YJSs in England and Wales, including 15 of the 17 YJSs in Wales providing a response. A caveat is that the survey was conducted during the COVID-19 pandemic and asked for data in the same year (2020/21) which will have affected the findings. It is likely to have impacted the time staff had to complete the survey and respondents highlighted the pandemic's impact on the work (e.g., limited referrals from schools during school closure and capacity to deliver services).

Option 2

Use YJS diversion data gathered from the YJB data recording requirements to provide a weighting within the funding formula to reflect the diversion work undertaken by YJSs.

Rationale

YJS diversion data is subject to quality assurance but it does not currently pass the data quality threshold for inclusion within the annual youth justice statistics, and this is not expected to be the case until 2026. This data only encompasses YJS diversion work, it does not include or account for the prevention work YJSs are delivering.

Option 3

Look to utilise or develop a funding formula that is not exclusively based on YJS caseloads and is instead based upon known drivers of offending by children such as population and deprivation rates to allocate resource to YJSs.

Rationale

This will provide more equitable allocation of funding to YJSs. Such a formula could be applied each year to amend funding as the data sources are updated.

Recommendation

The project would recommend that the Probation Service take forward option 3 and commit to utilise or develop a funding formula that is based upon the known drivers of offending by children such as population and deprivation rates.

For the YJB the project provided an opportunity to increase oversight of YJS prevention and diversion work, as it was recognised that a gap exists in the evidence base surrounding current practice. The project's work has contributed to the development of a growing body of evidence surrounding current practice but there is more that can be done to develop YJB's oversight and increase the evidence base. It is recommended that the YJB commits to the following:

Commitment 1

By April 2024 conduct a review to assess YJS's implementation of the definitions and diversion data recording requirements for 2023/24 to determine whether they need to be further revised to improve the consistency of practice. As part of the review the YJB should also take forward work to develop targeted prevention data recording requirements.

Rationale

This would enable the establishment of a more complete picture of YJS caseloads to form a better understanding of the targeted prevention work been undertaken by YJSs. This will also enable the YJB to identify whether any further actions are needed to support the delivery of YJS targeted prevention work.

Commitment 2

Publish the diversion data reporting statistics within youth justice annual statistics by 2026 to support wider analysis and oversight of YJS diversion work.

Commitment 3

Continue to consider targeted pathfinder funding towards YJS prevention and diversion projects that grow the effective practice evidence base.

Wider considerations

The importance of understanding and responding to prevention and diversion as a shared priority for all agencies was a consistent theme raised by stakeholders. The Crime and Disorder Act 1998 states the principal aim of the youth justice system is 'to prevent offending by children'. This includes both early prevention before any offending takes place as well as preventing reoffending. YJSs and wider justice partners all share this responsibility. This work requires collaboration and collective ownership to support the needs of vulnerable children. The focus on preventing children offending, avoiding their criminalisation, and providing support earlier should be a priority for all agencies.

Children should not have to enter the youth justice system to have their needs met. Evidence shows that such contact is likely to stigmatise children which can in turn lead to offending, create future victims and limit opportunities for children to develop into positive, law-abiding adults (McAra, L. and McVie, S., 2005, McAra, L. and McVie, S., 2010, McAra, L. and McVie, S., 2012).

The YJB's Child First vision is for all services to promote a childhood removed from the justice system and all work should minimise criminogenic stigma. The collective recommendation of stakeholders consulted with through this project was for a sustained cross government commitment and investment to prevent children from entering the justice system. Where departmental strategies, policies, resources, performance measures and outcomes are aligned to focus on early intervention and support with vulnerable children, to prevent and divert

them from entering the youth justice system and to ensure equal access to diversion opportunities for all children. Therefore, work should continue beyond this project to take forward the prevention and diversion agenda nationally and locally across agencies, at strategic and operational levels.

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Appendices

Annex A – history of definitions

The following work fed into the development of this project's definitions (this is not an exhaustive list of work around definitions):

- Case and Browning's (2021) 'Child First Justice: The research evidence-base' report describing pre-emptive prevention, diversion and minimal intervention as key components of the Child First principle and vital tools to prevent offending
- The Welsh Assembly Government and YJB (2008; 2014) guidance that splits terms into three tiers of early intervention, targeted prevention and diversionary intervention
- Penal Reform International (2013) presents three levels named primary prevention, secondary prevention and tertiary prevention
- Public Health England (2019) splits definitions into upstream (related to actions to prevent the occurrence of offending) and downstream prevention (related to reducing the impact of offending and prevent re-offending)
- Within Liaison and Diversion services, NHS England and NHS Improvement (2019) refer to diversion in its broadest sense, both within and out of the criminal justice system.

There has been a complex history of terminology, but there appears to be general agreement on three tiers as per the definitions generated from this project.

Annex B – YJS practice examples

Barnsley YJS

Barnsley Youth Justice Service (YJS) has provided information on its Triage diversion process. The Liaison and Diversion Service and YJS established a learning and development needs support assessment and planning tool to inform the triage panel decision making process. Since the implementation the service have seen a significant reduction in the number of children becoming first time entrants. The practice example with supporting resources is available on the [Youth Justice Resource Hub](#).

Cwm Taf YJS

Cwm Taf YJS has provided information on its prevention service and its Youth Bureau diversion process. The service adopts a trauma informed model and reports a reduction in first-time entrant rates since implementation of its prevention and early intervention service. The practice example with supporting resources is available on the [Youth Justice Resource Hub](#).

Darlington YJS

Darlington YJS provided information on its targeted prevention provision as a provider of the Duke of Edinburgh Award (DofE). The initiative has successfully supported children into employment. The practice example is available on the [Youth Justice Resource Hub](#).

Gloucestershire YJS

Gloucestershire YJS provided information on its Children First diversion scheme which uses a deferred prosecution model. The service provides evidence of positive outcomes for children who have received support. The practice example, with supporting resources, is available on the [Youth Justice Resource Hub](#).

Hackney YJS

Hackney YJS provided information on its prevention and diversion assessment tool. HMI Probation inspectors have noted it as an 'exceptional' tool. The practice example is available on the [Youth Justice Resource Hub](#).

Milton Keynes YJS

Milton Keynes YJS provided information on its prevention and diversion service which has a strong health and education focus and a strengths-based approach. The service reports positive reoffending rates and reduced first time entrant rates and received positive inspection outcomes. The practice example is available on the [Youth Justice Resource Hub](#).

Newport YJS

Newport YJS provided information on its Tintern Weed Project a reparation alternative for children on statutory orders and a constructive pursuits opportunity for children receiving prevention support. The practice is available on the [Youth Justice Resource Hub](#).

North Somerset YJS

North Somerset YJS provided information on its range of prevention and diversion initiatives and provide evidence to show reduced first time entrants since implementation. The practice example is available on the [Youth Justice Resource Hub](#).

Nottinghamshire YJS

Nottinghamshire YJS provided information on its 'My Future: Youth Intervention Programme' prevention initiative. The service has seen a reduction in first time entrants since implementation. The practice example with supporting resources is available on the [Youth Justice Resource Hub](#).

Annex C – prevention and diversion evaluations and research

Author	Date	Review Focus	Summary of Findings
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(HM Inspectorate of Probation, 2020)	2020	Annual report on its inspection of youth justice services in the year 2019-2020.	YJSs non-statutory out-of-court work had grown but was delivered in a vacuum of national guidance, data and evaluation. This resulted in significant variation in practice and a 'postcode lottery' in the use of out-of-court disposals, with wide variation in the policies and processes that govern local schemes. Recommended a need for training on assessing and managing risk in relation to out-of-court disposals.
(HM Inspectorate of Probation, 2021)	2021	Researched and analysed the quality and delivery of out-of-court disposals in youth justice.	The briefing noted that effective delivery included; robust practice frameworks, early assessment to inform panel decisions and flexible delivery involving multiple techniques to connect with and engage children.
(Centre for Justice Innovation, 2021)	2021	The report children and young people's voices on youth diversion and disparity explored the unequal playing field that exists for children in the youth justice system, and their participation in diversion schemes.	It was found that the access to, and engagement with diversion for children with Black and Asian ethnicities, as well as those from other ethnic minorities, was likely to be negatively impacted by; a climate of mistrust of 'the system', formal eligibility criteria, a lack of knowledge about the benefits of youth diversion and practitioner perceptions of family engagement.
(HM Inspectorate of Probation, 2021)	2021	A thematic inspection around the experiences of Black and Mixed Heritage Boys in the Youth Justice System.	In relation to out-of-court disposals key concerns centred around; limited data recording and analysis, limited assessment and collaboration, poor planning, gaps between the level of service delivered and assessed needs. Good practice points were noted around; collaborative strength-based assessments, planning that takes account of diversity, strengths, protective factors, vulnerability, safety and wellbeing and tailored

			interventions that support community integration.
(Case & Browning, 2021)	2021	A Child First evidence review.	The report presents the research evidence-base for adopting the child first strategic objective to guide the work of the youth justice system of England and Wales. Refers to prevention and diversion as vital tools to prevent offending and improve outcomes for children.
(HM Inspectorate of Probation, 2022)	2022	Annual Report on its inspection of youth justice services in the year 2020-2021.	Inspections showed there was continued variation in the quality of practice relating to out-of-court disposals but overall, the quality of case management for children subject to out-of-court disposals was better. Recommendations for improvements to out of court work generally focussed on safety and wellbeing, and risk of harm to others.
(Alliance for Youth Justice, 2022)	2022	Policy Briefing 'A perfect storm for children at risk? Preventing a post-pandemic surge in the criminalisation of children'.	Calls for a drive for maximum diversion and concerted efforts to divert children to positive pathways. Options for diversion from the formal justice system should be available, accessible, understood and prioritised by police, Crown Prosecution Service, lawyers, YJSs and partners. Investment in and commitment to diversionary work is needed to improve consistency. Consideration needs to be paid to supporting the diversion of children with care experience and special educational needs and disability.
(Centre for Justice Innovation, 2022)	2022	Children and young people's voices on youth diversion and disparity. Follows on from their previous project 'Equal diversion?	Explores the experiences of children who have received diversionary interventions or out-of-court disposals, with a particular focus on how they perceived their ethnicity to have impacted the youth justice process and outcome.

		Racial disproportionality in youth diversion’.	Provides recommendations for practice.
(Centre for Justice Innovation, 2022)	2022	Evidence and practice briefing: Best practice in pre-court disposals for possession of drugs.	The briefing sets out a best practice framework for police forces to guide their use of pre-court disposals in drug possession cases for children and adults.