



Inspection Criteria for the Referral Order Thematic Inspection

1. Referral orders are restorative.

Quality indicators:

- Youth offender panels operate on restorative principles of responsibility, reparation and reintegration, and are well run.
- Victims, children and young people and their parents/carers are treated fairly.
- The voice of the known victim is clearly heard in the work of youth offender panels.
- There is a range of restorative opportunities available to victims, including restorative conferences. These are used and are of good quality.
- Victims are able to identify positive benefits from their involvement, including the receipt of information, explanations, apology and reparation as they wish.
- Victims are satisfied with their engagement in referral orders.
- Children and young people are given the opportunity to understand the harm they have caused and contribute to a plan to address this.
- Reparation activities take full account of the victim's wishes
- A range of reparation opportunities are available to address the needs and wishes of victims and the child or young person's assessed risk factors.
- The panel determines the reparation project most suitable for use individual cases, in consultation with the victim and the child or young person.

2. Victims are integrated into the operation of referral orders and their views are given sufficient priority.

Quality indicators:

- Youth Offending Teams (YOTs) have clear, timely and effective systems for contacting victims and encouraging them to take part in the process.
- Priority is given to making sure that victim's recognise the potential benefits to themselves of involvement in referral orders, and that their decision whether to become involved is fully informed by all relevant information.
- Priority is given to making sure that victims receive a personal (face-to-face or telephone) contact from the YOT and an opportunity to voice their feelings about the offence and its impact.
- There is evidence of victim involvement throughout the referral order.
- The timing and location of youth offender panels takes full account of the victim's wishes.
- Victims receive information on the progress being made by children and young people subject to referral orders.
- Attention is given to victim safety when making arrangements for panels.
- Support is provided to victims to facilitate their involvement in referral orders, including through links with other victim contact and support services.
- Corporate victims play an effective role in referral orders.

- There is regular monitoring and evaluation of victims' views, experience and satisfaction with their involvement with referral orders. This is used to improve services.
- Barriers to the involvement of victims are identified and plans put in place to overcome them.

3. The local community has a positive impact on, and directly benefits from, the delivery of referral orders.

Quality indicators:

- Reparation placements are of good quality and have a positive impact on the local community.
- Panel members represent the diversity of the local community.
- Youth offender panels take place in community venues which are accessible to panel members, children and young people, their parents/carers and victims.
- Plans include actions to reintegrate children and young people into the community.
- Referral orders are effective in reintegrating children and young people into the community.
- Interventions, including reparation, make full use of community resources.
- Reparation directly benefits the communities most directly affected by crime.
- There is good liaison between the YOT and other community organisations involved with or benefitting from referral orders.

4. Referral Orders are effective in reducing reoffending, protecting the public and safeguarding children and young people.

Quality indicators:

- Priority is given to actions intended to support desistance from offending.
- Referral order outcomes are monitored and evaluated both locally and nationally.
- Sufficient attention is given to protecting the public and particularly known victims, and to safeguarding and improving the well-being of the child or young person.
- Panel members understand their responsibilities for public protection and safeguarding.
- Plans are in place to improve the effectiveness of referral orders.
- There is coherence and consistency between assessments, referral order contracts, risk management plans, vulnerability management plans and other relevant plans such as pathway plans.
- The expectations of contracts and plans are delivered.
- Sufficient attention is given to supporting, motivating and engaging with the child or young person during the period between sentence and the initial panel.
- There are effective arrangements in place to deal with further offending behaviour occurring between sentence and the initial panel.
- Children and young people are less likely to offend following their involvement in referral orders.
- Victims of children and young people are satisfied that they have been protected.

- Panel members have a good understanding of and make good use of the interventions and reparation opportunities available to them.

5. The requirements of statutory and other guidance are understood and followed, and this has a positive impact on practice.

Quality indicators:

- The requirements of statutory guidance are well understood by panel members and all YOT staff involved in their delivery.
- The operation of referral orders is compliant with other relevant guidance, particularly the Victims' Code of Practice, Restorative Justice Council best practice guidance and national standards for youth justice.
- Full use is made of review and final panels.
- The role of youth offender panels in enforcement and supporting compliance is understood and guidance adhered to.
- Panel members and advisers receive required approved training in restorative justice conference facilitation, which is of good quality.
- Panel members receive sufficient training for the role, and continuous support including training and supervision.
- Children and young people, their parents/carers and victims understand why they attend panels and how they contribute to them.
- Practitioners understand and can demonstrate the differences between how they approach referral orders and other statutory work.
- Parents/carers participate in the panels and understand the process.

6. Management arrangements ensure that the requirements of referral orders are delivered effectively.

Quality indicators:

- YOTs have a nominated lead for referral orders.
- Managers monitor and ensure the quality of referral order work, including the quality of reparation placements.
- Managers demonstrate commitment to the development and effectiveness of referral orders, including through improvement plans where appropriate.
- Arrangements are in place to enable the delivery of referral orders with intensive contracts.
- Management and gate-keeping arrangements ensure that referral order reports are of good quality.
- Referral order reports are available to panel members well in advance of meetings.
- Referral order reports are explained to and discussed with children and young people before they are submitted.
- There are effective arrangements in place between the YOT and local victim support organisations.
- There are effective arrangements in place with the Crown Prosecution Service so that the panel understands the full facts of the offence.

- There are effective arrangements in place by which panel members and others may escalate concerns about individual cases.
- Panel members receive sufficient ongoing training and support, including access to wider training opportunities where appropriate.
- Staff working with victims have appropriate specialised training.
- There is regular monitoring and evaluation of the views of children and young people and their parents/carers about the services provided. This is used to improve services.

7. Courts have confidence in the delivery of referral orders.

Quality indicators:

- Courts are made aware of referral order progress and outcomes.
- There are effective liaison arrangements in place between youth offender panel volunteers and sentencers, including opportunities for volunteers and sentencers to meet.
- Panel members understand and have the opportunity to observe the work of youth courts.
- Youth court magistrates are given the opportunity to observe youth offender panels.
- Arrangements for the delivery of referral orders are effective in diverting children and young people from custody.
- Use is made of referral back to court for revocation following good progress, and to deal with non-compliance.
- The court is made aware when parents/carers do not attend the panel when they have been instructed to do so.

8. The delivery of referral orders is of good quality.

Quality indicators:

- Panel meetings are held in a timely manner, to meet the needs of the individual case.
- Reports are clearly written and are understood by panel members and children and young people.
- Referral order contracts are realistic, outcome focused and achievable within the limits of the sentence.
- Enforcement processes are transparent and follow guidance.
- Attention is paid to the option for early revocation and this is clearly recorded.
- Contracts are individualised and respond to the diversity factors of children and young people.
- The contract agreed at the panel meeting has primacy in the delivery of work. It forms the intervention plan for work in the case.
- Reports to panels are fully informed by good quality assessment.
- Children and young people and their parents/carers are seen alone within the assessment process.
- Children and young people and their parents/carers have sufficient opportunity to contribute their own views to the assessment process, including through systematic use of self-assessment tools.
- Contracts clearly follow from the assessment.

- Contracts are focused on prevention of and desistance from offending.
- Contracts include actions to reintegrate the child or young person into the community.
- Delivery is coordinated and sequenced appropriately, according to the needs of the individual case.

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