



The Scaled Approach and the Youth Rehabilitation Order



Youth Justice Board
Bwrdd Cyfiawnder Ieuencid

A new approach to youth justice

In November 2009, the Government's new youth community sentencing structure comes into force. The Youth Rehabilitation Order (YRO) will offer sentencers greater flexibility, giving them a range of requirements that address a child or young person's offending and aim to respond to victims' needs as well.

To support the YRO, the Youth Justice Board for England and Wales (YJB), in partnership with youth offending teams (YOTs), has developed a new model of working for youth justice practitioners. Known as the Scaled Approach, this will match the intensity of a YOT's work to a young person's assessed likelihood of reoffending and risk of serious harm to others.

These major changes will impact on everyone working in youth justice or wider services for young people. They offer a significant opportunity to tackle reoffending and also represent a chance to improve partnership working and public confidence in effective community sentencing.

A YJB team is delivering information, practical support and a range of briefing materials and events to YOTs and secure estate colleagues. This is helping practitioners prepare for implementation and work with local partners to understand the changes.



**a chance to improve
public confidence in
effective community
sentencing**

The Scaled Approach: how it will make a difference

The Scaled Approach will be used when a young person is on a Referral Order, a YRO or during the community element of a custodial sentence.

Currently YOTs can spend significant amounts of time working with young people who commit very low-level offending. The Scaled Approach will use quality assessment to determine the likelihood of reoffending and risk of serious harm to others. This, alongside professional judgement, will help establish which intervention level a young person needs: standard, enhanced, or intensive. The intervention level determines the minimum statutory contact a young person will have with the YOT or other assigned professionals.

maximises the
impact of YOT
resources

You can learn more at www.yjb.gov.uk/scaledapproach

The Youth Rehabilitation Order and sentencing flexibility

The YRO will be the new generic community sentence for children and young people who offend. Replacing nine existing sentences, it will combine 18 requirements into one generic sentence. Having 18 requirements within one Order will simplify sentencing, providing clarity and coherence while improving the flexibility of interventions.

The YRO also allows plenty of opportunity for reparation to be included, giving scope for victims' needs to be addressed.

Additionally, the YRO will put Intensive Supervision and Surveillance and Intensive Fostering on a statutory footing. This will help encourage sentencers to use these robust alternatives to custody where they are available. To promote community sentencing, sentencers must now provide a reason if they do not use an alternative to custody for those young people who are on the custody threshold.

If used effectively, the YRO should not only help reduce reoffending, but should also contribute to a reduction in the number of young people in custody.

reparation will help
victims' voices
to be heard

Working together

The success of the Scaled Approach will depend on quality assessment of young people. Rigorous assessment will help inform YOTs' reports to courts and youth offender panels. These reports provide additional information for the judiciary even as sentencer focus remains on the seriousness of the offence and the purposes of sentencing.

Using YOT recommendations and experience, sentencers can select from the 18 requirements available under the YRO. This will enable the young person to engage with interventions most likely to address their offending behaviour. The emphasis on reparation within the YRO underpins a commitment to ensuring young people make amends for their behaviour.

For the Scaled Approach to be effective for young people on the community element of a Detention and Training Order, practitioners in custody and the community will need to work closely to determine the appropriate level and type of contact a young person will receive.

Information shared between courts, youth offender panels, YOTs and custodial establishments will help determine the type of contact best suited to the offence and the ability of this to reduce a young person's likelihood of reoffending.

**success will depend on
quality assessment of
young people**

How it came about and what's next

The Scaled Approach was devised in response to many YOTs wanting to move towards using assessments of risk as a basis for their work. The YJB developed the model in partnership with four YOTs that piloted a risk-based approach and also through external consultation. The Magistrates' Association provided valuable input to help refine the model and have it complement sentencers' priorities, especially around offence seriousness.

The YJB has revised the *National Standards for Youth Justice Services* and developed new *Case Management Guidance* and practice guidance for YOTs on the youth justice provisions within the Criminal Justice and Immigration Act 2008. These, alongside revised core documents for YOTs (the *Key Elements of Effective Practice*), will provide a new suite of materials to underpin the Scaled Approach and the YRO.

Two Open University courses have been developed for YOT practitioners and managers. Focusing on theoretical and practical approaches to the Scaled Approach and the YRO, they will help understand assessment, intervention planning, and the legislative framework.

After implementation, the YJB will monitor the impact of the Scaled Approach and listen to feedback to refine the model further where necessary.

**developed in partnership
with YOTs and through
external consultation**

A positive result

Mike Goldman, strategic manager at Neath Port Talbot YOT, led a pilot risk-based approach to help develop the Scaled Approach:

“We thought that if we could work intensively with young people who were reoffending after custody, we could improve their outcomes. The risk-based pilot freed our resources to dedicate to high-risk young people and reduce those for lower risk. The Scaled Approach has evolved by listening to YOTs.

“High-risk young people are often the most difficult to work with as they can be unreceptive and occasionally aggressive, so the work can be very demanding. Success depends on high-quality assessment, a dedicated workforce, and senior level support – internal and external.

“Partner agencies wanted to understand the model and how their work was affected. It’s improved the joint work around high-risk cases, including housing and children’s services. This is also a chance for each YOT to reappraise how they work with their courts. They should be involved – it’s vital to be open and transparent.

“For my team, the model has improved the way we work with young people, our partners and our courts – that’s a positive result by anyone’s standard.”

**improved joint
work around
high-risk cases**

You can learn more at www.yjb.gov.uk/scaledapproach

The Scaled Approach and YRO represent the biggest change to youth justice in over ten years. Anyone interested in youth sentencing or working with young people who offend should prepare for their implementation in November 2009.

Learn more:

For information on the Scaled Approach, visit:
www.yjb.gov.uk/scaledapproach

For information on the YRO, visit: **www.yjb.gov.uk/YRO**

For questions not answered on our website, contact the team: **scaled.approach@yjb.gov.uk**

Ask to be kept up-to-date with the implementation of the Scaled Approach and the YRO by emailing: **comms.dept@yjb.gov.uk**

Copies of this leaflet can be ordered from:
www.yjb.gov.uk/publications or by calling **0870 120 7400**