

legally binding, if breached they can lead to an eviction order or even an application for a full ASBO.

2. The insertion of restorative justice

The second key area is the introduction of restorative principles into the youth justice system. Restorative justice is the term used for describing approaches which seek to resolve conflicts between offenders and victims through confrontation, mediation, reconciliation and reparation. Victims may be individuals, groups or even whole communities. The notion of responsibility is again central to restoration. Victims take on some of the responsibility for reintegrating young offenders, who in turn will be required to face up to the consequences of their actions by seeing and putting right the harm they have caused. The two main ways in which restorative principles are being introduced are through a new penalty, the reparation order, and the introduction of Youth Offender Panels.

The Reparation Order requires young offenders to make specific reparation either to the individual victim of his crime, where the victim desires this, or to the community that he has harmed. The new order is for a maximum of three months and requires the full consent of the victim.

Youth Offender Panels extend the principles of reparation and restoration to the pre-court stage. All young offenders who come before the court for the first time and plead guilty **can** be referred to a panel, unless a custodial sentence is required. The panels are based on the Family Group Conferences model, which originates from New Zealand. The aim of the new panels **is** for the offender, his family and the victim to come together and produce a plan or contract which addresses the needs of the victim and ensures the offender faces up to the consequences of his behaviour. Plans or contracts last for up to a year and if broken, the young offender **is** referred back to the youth court, where he could be sentenced for the original offence.

Magistrates, not surprisingly, have welcomed the new Youth Offender Panels, which they perceive as a threat

to their powers and responsibilities. They represent a considerable philosophical shift in foregoing legal representation and moving away from an adversarial approach and towards a more informal, community-based approach. If applied more widely to, say, more serious offences or repeat offenders, one might see the Youth Justice System in England and Wales moving closer towards the more inquisitorial systems of its European neighbours.

3. The development of a strategic approach to managing youth justice

The third key objective which the new legislation aims to achieve, is the development of a more strategic approach to managing youth justice. Reducing costs and improving performance are the driving forces behind this new approach and to achieve this local authorities are now obliged by statute to provide youth justice services through new, multi-agency Youth Offending Teams, **of which there are now 155 across the country.**

Youth Offending Teams comprise representatives from education, social services, and other agencies, which work in partnership with the police, the probation service and the health authority to tackle young people's offending behaviour. The new approach is based on the premise that several aspects of their lives usually need to be changed, which requires the involvement of several agencies.

A two-tier system operates with an upper tier of Chief Officers being responsible for drawing up annual youth justice plans and a lower tier of practitioners being responsible for delivering services. Youth offending teams work with young offenders in the community from point of arrest to completion of a community sentence or post-release supervision. The functions of the Youth Offending Teams include:

- assessment and intervention work with offenders who receive a Final Warning;
- supervision of community based sentences;