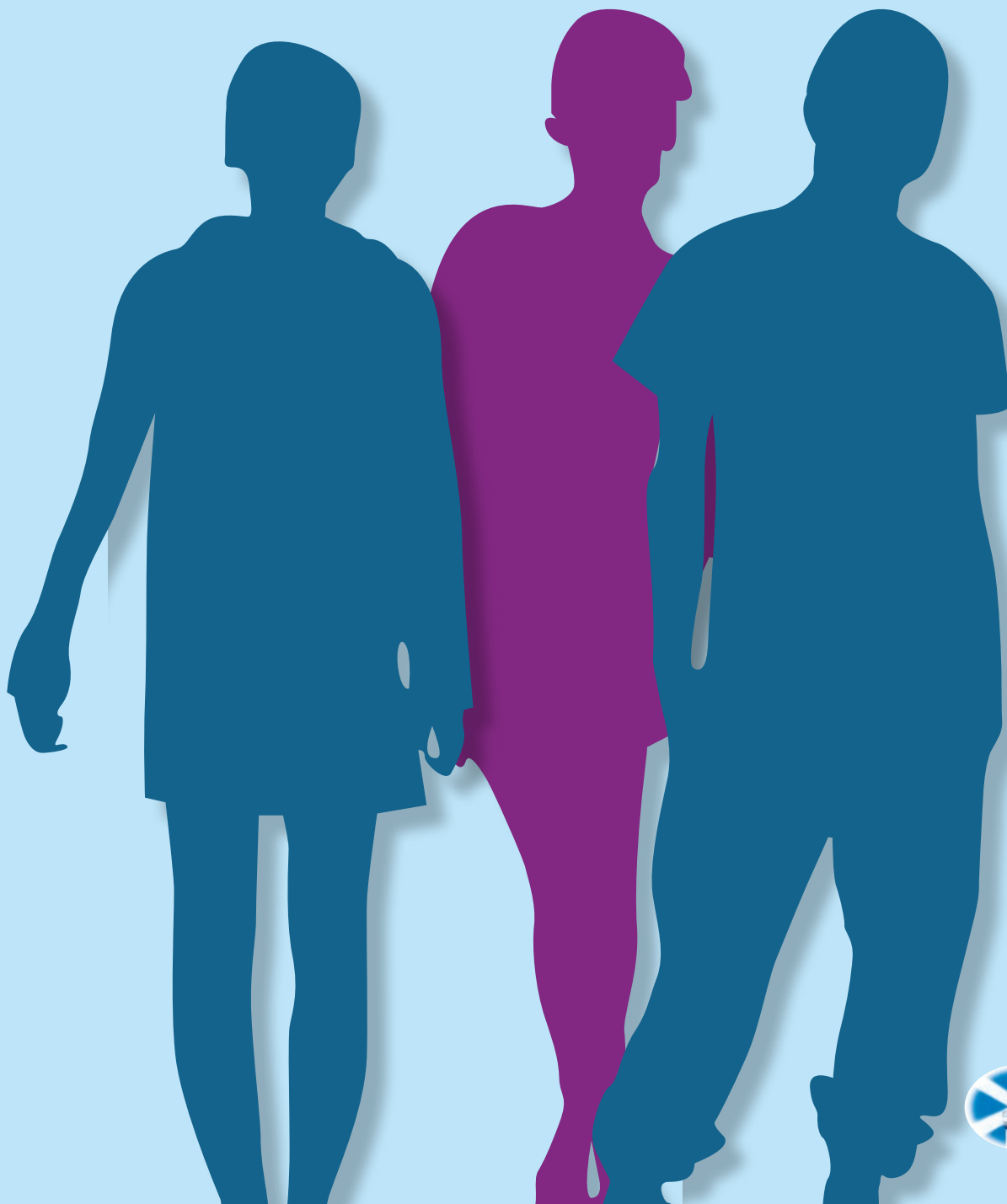




PREVENTING OFFENDING

Getting it right for children
and young people



safer
scotland
SCOTTISH GOVERNMENT

Preventing Offending

**Getting it right for children
and young people**

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Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
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This strategy has been developed with a wide range of partners and has been agreed by the members of the Youth Justice Strategic Group: Police Scotland, Convention of Scottish Local Authorities (COSLA), Crown Office and Procurator Fiscal Service (COPFS), Local Authorities, Scottish Children's Reporter Administration (SCRA) and relevant inspectorates and professional organisations.

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Foreword

Preventing offending is integral to our vision of Scotland as the best place to grow up – Getting it Right for Every Child in Scotland.

The Scottish approach to youth justice builds on the hugely influential Kilbrandon Report (1964) by responding to deeds in the context of needs. We see, understand and deal with offending behaviour in an integrated way to help the child, their family and the community to flourish.

Our 2008 'Preventing Offending by Young People – Framework for Action' document was a significant shift towards prevention and early intervention, combined with interventions to manage high risk and build community confidence.

The past seven years have seen some striking successes – with substantial reductions in offence referrals to the Children's Reporter, numbers of young people committing crimes and offences and the number of 16 and 17 year olds in prison.

Significant challenges do remain however, and we must ensure this work is given the continued priority it needs. A preventative approach has the best chance of reducing crime, improving life chances and making good use of public resources. Timely, appropriate and effective interventions are needed to address offending behaviour and ensure communities and children stay safe from crime. We know also that children involved in offending can be victims themselves.

This document builds on our recent progress and offers a clear set of forward priorities.

I thank all the partners involved in the development of this strategy. Their on-going support and commitment will be critical to delivering even better results for young people, victims and communities.



A handwritten signature in black ink, which appears to read "Michael Matheson". The signature is fluid and cursive.

Michael Matheson MSP
Cabinet Secretary for Justice

Introduction

Our vision of Scotland as the best place to grow up extends to all of our children and young people.

Scotland has a proud record of taking a holistic approach to the needs of children and young people. Where children are involved in or at risk of offending, evidence and experience tells us that we must remain committed to an integrated approach – tackling deeds while taking account of wider needs.

We know that as far as possible children and young people should be kept out of the Criminal Justice System. Where offending does take place, effective and timely interventions are needed to address that behaviour and its causes.

Progress – founded on that consistent Scottish philosophy – has been made over recent years. This has been delivered with the support of national and local partners, through the implementation of both the Preventing Offending by Young People Framework¹ and the national roll-out of the Whole System Approach in all mainland authorities. Positive alternatives, prevention and ensuring that appropriate interventions are in place where children and young people are involved in offending, are part of a broader approach to tackling inequalities and promoting social justice.

We take a child-centred, preventative approach focused on the following outcomes:

- helping ensure communities are safe from crime and disorder
- improving life chances for children and young people involved in or at risk of offending
- enabling all children and young people to be confident individuals, effective contributors, successful learners and responsible citizens

The importance of a child-centred approach to Getting It Right for Every Child (GIRFEC) has been reaffirmed by the Children and Young People (Scotland) Act 2014 (the 2014 Act)². Provisions in the 2014 Act in respect of Children's Services Plans, Named Person and Child's Plan will be critical to future arrangements in support of youth justice.

Priority themes for 2015 to 2020 are:

Advancing the Whole System Approach
Improving Life Chances
Developing Capacity and Improvement

¹ [Preventing Offending by Young People: A Framework for Action, June 2008](#)

² [Children and Young People \(Scotland\) Act 2014](#)

We will continue to place real importance on partnership working, and will help increase capacity to use co-production and asset-based approaches involving children and young people building on their strengths and attributes.

In this document when we talk about a child we are referring to someone under the age of 18. This respects the definitions set out in the 2014 Act and the United Nations Convention on the Rights of the Child. Good practice indicates the principles can also apply to young people over 18, and there is a particular need for various partners and agencies to take account of their corporate parenting responsibilities.

Youth Justice in Scotland – key statistics since the 2008 ‘Preventing Offending by Young People’ framework

Crime is at a 40 year low³, and offending by young people has halved since 2008-09⁴.



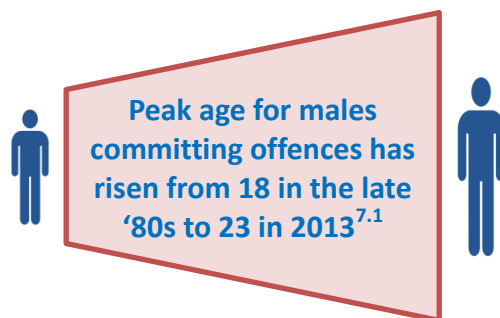
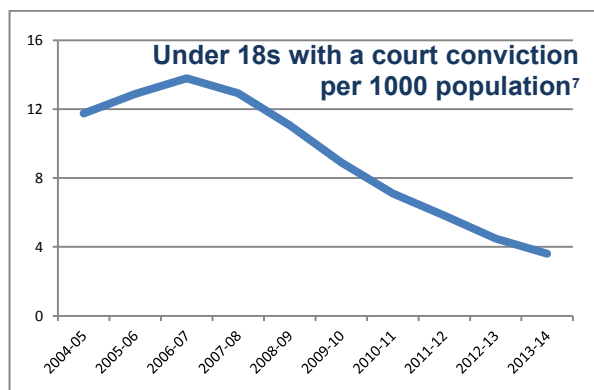
70% reduction in number of under 18s in custody
Down from 222 in 2007 to 66 in 2014⁵



83% reduction in children referred to Children’s Hearings System on offence grounds - from 16,229 in 2006-07 to 2,764 in 2013-14
Care and protection referrals fell by 61% from 44,545 to 17,476⁶



74% reduction in children appearing in court over last seven years⁷
Estimated saving of at least £2.8 million in court costs



The Centre for Youth and Criminal Justice’s paper ‘Youth Justice in Scotland: Fixed in the past or fit for the future?’ sets out useful contextual material and articulates a number of challenges which have informed this strategy⁸.

³ [Scottish Government, Recorded Crime in Scotland 2013-14](#)

⁴ [Scottish Policing Performance Framework annual report 2012/13 – November 2013](#)

⁵ [Scottish Government Justice Analytical Services](#)

⁶ [SCRA online Statistics 2013/14](#)

⁷ [Criminal Proceedings in Scotland, 2013/14 – Scottish Government bulletin 16 December 2014](#)

^{7.1} [Peak age research from Ben Matthews, Applied Quantitative Methods Network \(AQMeN\) \(2014\)](#)

⁸ [Youth Justice in Scotland: Fixed in the past or fit for the future? CYCJ September 2014](#)

Priorities

Advancing the Whole System Approach

There will be a strategic focus on:

- **Integration and sustainability as part of Community Planning**
- **Improving practice aligned with implementation of the 2014 Act**
- **Timely and effective interventions to minimise the number of children in the Criminal Justice System and formal processes**
- **Assessing and managing risk and complexity for the small number of young people posing the greatest risk to themselves and others**

Since 2011 the Whole System Approach (WSA) has provided a clear focus on:

- Early and effective intervention (EEI)
- Opportunities to divert young people from prosecution
- Court support
- Community alternatives to secure care and custody
- Managing high risk, including changing behaviours of those in secure care and custody
- Improving reintegration back into the community

The WSA has been developed and implemented on a voluntary basis, supported by seed funding for local partners. The intention has always been that WSA should be embedded in local planning arrangements and practice. We will maintain and intensify our commitment to sustaining the WSA in the period to 2020.

WSA has made a significant contribution to the progress made in dealing effectively with youth offending - as demonstrated by the recent independent evaluation of WSA by the Scottish Centre for Crime and Justice Research.

Key findings of the evaluation:

- WSA has been a galvanising factor in driving improvements in partnership working, information-sharing and shared learning across agencies and in turn improving outcomes for children and young people.
- Flexibility in implementing WSA across local authority areas may be necessary to adapt to different conditions and local demands, including variations in local authority size, scale and structure.

Areas for improvement:

- Some areas may benefit from greater consistency, including eligibility criteria for services through individual agency criteria (for example in relation to children on supervision).
- Diversion from prosecution is inconsistent across the three areas and may function more effectively if the default position was diversion.
- The long term sustainability of WSA in any given authority is predicated upon staff expertise and their dedication to the WSA ethos, as well as diversifying its sources of influence. 'Buy-in' to WSA policy and practice cannot be assumed; ongoing work is required to sustain WSA values across and within partner agencies at all levels.

The evaluation confirms that the principles of WSA remain the right ones. It is clear that sustained commitment is needed from national and local partners to build on the achievements to date.

While this strategy focuses on the approach for under 18's, aspects of youth justice provision now extend to under 21's in some local authority areas and this is an encouraging trend. The key priority is to ensure that children and young people receive appropriate services which help to address and minimise offending and improve life chances.

WSA is not being formally extended to age 21 at this stage, but as part of Community Planning arrangements local partners should consider the most suitable arrangements for young people involved in offending. A joined up approach involving children's, youth and criminal justice services is particularly important. This includes close alignment with work on looked after children, corporate parenting and community justice as well as other related policies and programmes.

The minimum age of criminal responsibility remains under active consideration and as part of the WSA to youth justice there is a multi-agency commitment to promoting the rights and wellbeing of children and young people.

Integration and sustainability as part of Community Planning

Ensuring effective integration of youth justice as a priority area into children service's planning and wider Community Planning, including community justice, will be a key task for national and local partners to 2020.

WSA has played a significant role in creating the conditions for young people to address most offending behaviour in a direct, focused way. This can be effective in preventing further offending and frees up resources for the Criminal Justice System to deal with the most serious high risk cases.

The Future Model for Community Justice in Scotland will mark a transition from Community Justice Authorities to an integrated planning model as part of Community Planning Partnerships. As part of the next phase of WSA, available resources will be applied on a strategic basis to support partners to develop, sustain and improve WSA.

We will:

- Encourage and support WSA leaders and practitioners to promote good practice and highlight the benefits achieved through this approach
- Support partners to embed preventing offending work in Community Planning following changes in Community Justice
- Ensure that resources are targeted on a strategic basis from 2016 to support the next phase of WSA
- Integrate findings from the WSA evaluation and implement arrangements from the end of 2015

Improving practice

WSA embodies the principles of GIRFEC and represents an example of a preventative, multi-agency approach focussing on improved outcomes for children and young people. However, the implementation of the 2014 Act will require aspects of WSA processes to be updated. Ensuring integration of the role of the Named Person and the Child's Plan are particular priorities before summer 2016.

Some children will need more intensive interventions, which may represent a 'targeted intervention' in terms of the 2014 Act, depending on the services available in a local authority area. A universal service in one area may be a targeted intervention in another area based on the population and the frequency that the service is required. A Child's Plan will always be required if a targeted intervention is involved. Specific youth justice services such as diversion from prosecution and some forms of EEI are likely to be a targeted intervention.

We will:

- Support partners to ensure that the implementation of the 2014 Act will improve local partnership work on youth justice and WSA
- Support partners to integrate EEI with the implementation of the 2014 Act including development of EEI practice to ensure consistency and appropriate involvement of the Named Person in advance of the implementation in 2016
- Continue to support good practice on EEI and promote an improvement culture among national and local partners

Timely and effective interventions

First contact

As the first point of contact Police Scotland play a key role in shaping the perceptions of children, young people and their families about the role of the police. As well as protecting communities, Police Scotland lead important work on risk and concern which helps to ensure an integrated approach to child wellbeing is put in place.

Consensual, or non-statutory, stop and search involving under 12s has been ended by Police Scotland and a presumption against consensual stop and search for all people has been introduced where a statutory alternative exists. An independent advisory group on stop and search has been established to consider the longer term policy and will make recommendations to Scottish Ministers by the end of August 2015.

Police Scotland are also concluding a review of Standard Operating Procedures in respect of youth crime and are committed to supporting the approach outlined in this strategy.

Early and Effective Intervention (EEI)

Many types of offences are now being dealt with through local EEI processes which ensure young people receive proportionate and timely support to tackle and improve their behaviour. EEI support does not result in a criminal conviction though could be considered relevant information as part of an enhanced disclosure to protect vulnerable groups.

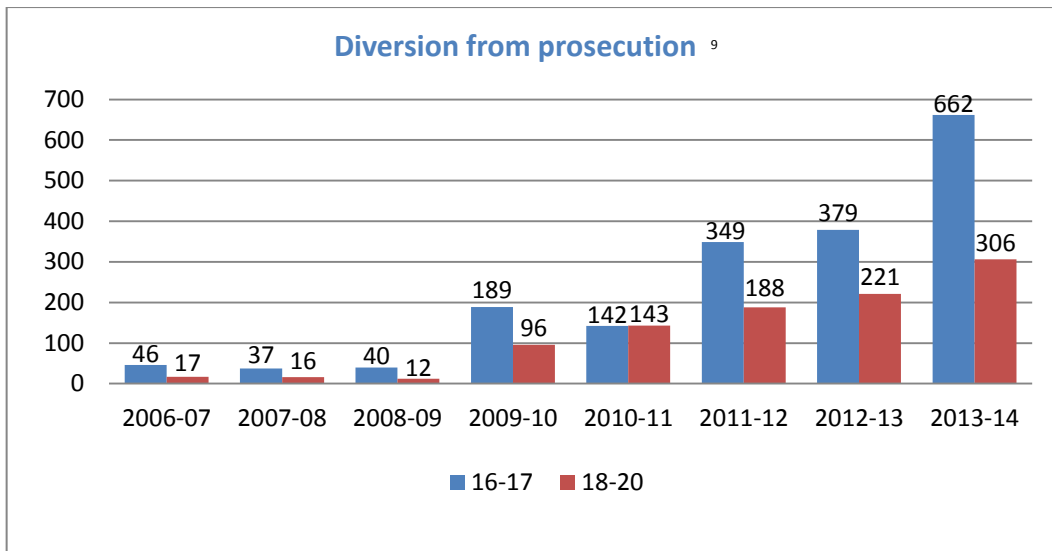
EEI disposals can include police direct measures and a referral to an intervention to change behaviour for example an alcohol or substance misuse project. Wherever possible, children are helped to address their behaviour within their communities.

Diversion

Diversion from prosecution is a national scheme for offenders of all ages, but a central tenet of WSA is the targeting of 16 and 17 year old offenders who have committed a relatively minor crime and whose prosecution is not in the public interest. A young person's eligibility for diversion is at the discretion of the Procurator Fiscal, the rationale being that a diversionary intervention will have a more positive impact in reducing future offending behaviour, hence improving future life chances.

Diversion schemes can be commissioned by a local authority from third sector organisations, or delivered by social work services. Most adopt a deferred prosecution model whereby prosecution is suspended until the young person has completed the diversion programme. There may be individual and group work involved depending on the offence and the needs of the young person, and sessions can cover a range of areas such as addressing the impact of the offending behaviour, alcohol and drug use, education, employability, and social skills.

The WSA evaluation has recommended a presumption in favour of diversion from prosecution for appropriate offences, which is consistent with existing good practice.



Timely and appropriate interventions

Improving how and when justice works for children and young people can also impact on the effectiveness of interventions. When children are involved in offending it is especially important to ensure that any necessary formal proceedings are commenced as soon as possible.

The Council of Europe Guidelines on Child-friendly Justice¹⁰ state that children's cases should be dealt with as speedily as possible to protect the best interests of the child as well as promoting the rights of people harmed. Where possible, cases should also be rolled up to be dealt with at the one time. This helps minimise disruption to the interventions to change behaviour.

We will:

- Maximise the opportunities for diversion from the Criminal Justice System and formal processes to respond swiftly and bring action on offending much closer to the offence and to encourage greater use of diversion across the Criminal Justice System
- Minimise delay in proceedings involving children. Continue to improve the exchange of information between COPFS and SCRA in relation to jointly reported cases involving children
- Explore opportunities with the Judiciary, COPFS, the Scottish Courts and Tribunals Service and SCRA to deliver on the Council of Europe Directive on Child-friendly justice to enable more cases to be remitted from court to Children's Hearings. Options will include joint training sessions and improved access to resources

⁹ [Criminal Justice Social Work Statistics in Scotland 2013-14](#)

¹⁰ [Council for Europe – Child-friendly justice](#)

Assessing and managing risk and complexity

Assessment

To improve outcomes for children involved in offending, the system must deliver in a responsive manner; however EET and diversion are not appropriate for all. High quality assessment is the first step in identifying which children and young people require services and the type and intensity of service provision they require.

Integrated assessment supports a holistic understanding of the events, environment and situations surrounding individual children. In certain cases, that needs to be aided by more specialised assessments of complexity and risk.

A needs-led approach to assessment in response to levels of risk and complexity presented by children is appropriate. Where it is identified that issues are more complex, continue to cause concern or may require a more formal or compulsory approach, then the child should be referred to the Children's Hearings System to consider compulsory supervision.

A focus is required on evidence based practice, national standards and practice guidance to continue to promote the identification, assessment and management of children and young people who offend who have complex needs. The impact of intensive interventions with children, young people and families is being assessed as part of wider work on preventative spend relating to justice. This includes Public Social Partnerships and complements the Reducing Reoffending Programme.

Safe and secure

Secure care continues to be needed for a small number of young people who present the highest risk to themselves or others. The secure care criteria is set out in the Secure Accommodation (Scotland) Regulations 2013¹¹ and relate to the likelihood of absconding and/or risk to welfare, self-harming conduct and/or causing injury to another person. Alternatives to secure can include Movement Restriction Conditions and intensive wraparound family interventions.

We recognise the on-going need for good quality secure care which helps improve outcomes for children with highly complex needs. Consideration should also be given to alternatives to remand, taking account of assessments of risk, wellbeing and the impact of short term use of custody. This may include alternative means of monitoring and supervision while ensuring public safety.

We will:

- Continue to seek to reduce the number of children in secure care and custody including through safe community based alternatives
- Build on good practice to improve outcomes for children in secure care
- Ensure action to divert children and young people from serious organised crime – linking with strategy on serious organised crime
- Encourage alternatives to remand where possible while ensuring community safety

¹¹ [Secure Accommodation \(Scotland\) Regulations 2013](#)

Improving life chances

There will be a strategic focus on:

- **school inclusion**
- **strengthening relationships and engagement**
- **victims and community confidence**
- **improving health and wellbeing**
- **opportunities for all**
- **transitions**

Children and young people who present a high risk of offending and particularly those involved in serious and violent offending are often highly vulnerable, with complex needs. In many cases these young people have themselves been victims of crime, neglect and abuse and a number are looked after children. In order to deal effectively with high risk cases, intensive interventions make it less likely that the young person will cause serious harm and end up in prison, potentially for most of their adult life.

Findings from the Edinburgh Study of Youth Transitions and Crime¹², a longitudinal study of pathways into and out of offending amongst 4000 young people in the city of Edinburgh, tell us that:

- serious offending is linked to a broad range of vulnerabilities and social adversity
- early identification of at-risk children runs the risk of labelling and stigmatising
- pathways out of offending are affected by critical moments in the early teenage years

In particular school inclusion and diversionary strategies facilitate the desistance process. This strategy is founded on a shared commitment to dealing with the issues raised by that evidence.

Our priority is to improve life chances for children and young people involved, or at risk of becoming involved, in offending. That is not to excuse or minimise offending. Dealing with it and supporting young people to move on is the best way of reducing reoffending and minimising the number of future victims. Work to improve joint working for looked after children is a priority area and is included in the Looked After Children strategy.

As part of a preventative, child-centred approach to improving wellbeing and life chances, a particular focus is needed on education, employability and health issues.

The quality of relationships young people experience is a key factor in building on their strengths as well as helping to manage risks.

It is important to recognise the strengths and potential of young people rather than focusing solely on problems to be fixed.

¹² [Edinburgh Study of Youth Transitions and Crime](#)

Supporting work on school inclusion

The total number of exclusions reduced from 44,794 in 2006-07 to 21,955 in 2012-13¹³. Innovative work is taking place in a number of areas and schools are working with a range of partners to support children and their families to maintain positive links between the child, the school and the child's family.

In partnership with Education Scotland, local authorities and other agencies, we have supported the development of a range of approaches which encourage the creation of peaceful learning environments, promote positive behaviour and social and emotional wellbeing.

Curriculum for Excellence places emphasis on establishing and maintaining positive relationships as part of its broader purposes. The Behaviour in Scottish Schools Research 2012¹⁴ demonstrates that investing time and resources into improving relationships and behaviour in establishments leads to positive outcomes around inclusion, engagement and achievement in the short terms, community safety and cohesion in the longer term. Promotion of positive behaviour through whole school ethos and values is recognised as the most helpful approach to improving behaviour.

Included, Engaged and Involved Part 2: a positive approach to managing school exclusions¹⁵ provides advice and guidance for schools and local authorities on how to prevent the need for exclusion as well as the procedures and legislation around exclusion.

We will:

- Work with school professionals to build capacity and awareness about working with young people involved/at risk of involvement in offending by the end of 2016
- Share good practice throughout Scotland in approaches to school inclusion with a focus on preventing offending by the end of 2016
- Ensure that young people at risk of disengaging from education are identified early and supported. This will include support for families and will include collaboration with Education Scotland and local authorities

¹³ [Summary Statistics for Schools in Scotland, No. 4, 2013](#)

¹⁴ [Behaviour in Scottish Schools Research 2012](#)

¹⁵ [Included, Engaged and Involved Part 2: a positive approach to managing school exclusions](#)

Strengthening relationships and engagement

For those who are involved in offending, building and maintaining positive relationships are key to supporting them to face up to offending, make change and develop the skills and confidence to move on with their lives. Without supportive and stable relationships, it can be difficult for young people to break away from a cycle of offending behaviour.

Families have a crucial role in supporting children and young people involved in offending, working with them to make, and to sustain, changes. It is important that families are empowered to recognise their role in children's lives. Families also sometimes need support to help their children and young people move away from offending. Family interventions can play an important role in improving outcomes for children and young people.

In March 2015, the Centre for Youth and Criminal Justice (CYCJ) and Space Unlimited published 'Youth in justice: Young people explore what their role in improving youth justice should be'¹⁶. This highlighted the importance of consistent, high quality relationships. These relationships show a practitioner's belief in the worth and potential of the young person, helping them understand to their choices and demonstrates a level of commitment to the young person and caring about what happens to them. There is also a need to help create the conditions where children and young people can be active participants in change.

Children should be helped to take responsibility for their decisions and actions in line with their stage of development and understanding. Most children and young people who offend will mature into responsible adults. The labelling of children's behaviour as 'criminal' can be harmful, as it has potential to stigmatise and reinforce negative self-image and behaviour.

Children and young people may need help from parents, carers, teachers and other adults to build their personal resilience and so become better able to respond to the trauma, bereavement and the failure which some have experienced.

We will:

- Help create the conditions for children and young people to be active participants in change and improving youth justice
- Promote positive relationships between young people, their families and communities to help develop social networks and build resilience
- Support workers to build quality and consistent relationships
- Enable gender specific approaches where appropriate, recognising strengths and needs in relationships as part of the focus on tackling inequalities. This will include a national training programme to support practitioners working with girls and young women by October 2015

¹⁶ [CYCJ Report - Youth in Justice: Young people explore what their role in improving youth justice should be – Published 12 March 2015](#)

Victims and Community Confidence

Recognising the impact of crime on victims is integral to an ethical and effective response to offending. It is also important for young people who offend to be supported to build the capacity to acknowledge harm caused and make good for the harm done.

Information and support needs to be tailored to the needs of the recipient. Where children are victims of crime committed by other children there is a particular need to ensure that a child-centred, wellbeing approach is taken to their needs. A child who is a victim of crime may present other concerns and changes in behaviour which can put them at risk and appropriate and timely interventions may be required. In addition, young people who are involved in offending are often victims of harm themselves. Today's 'offending' child is often a victim of yesterday's harm – the cycle needs to be broken. Research from Victim Support's 'Hoodie or Goodie? The link between violent victimisation and offending in young people'¹⁷ showed that if a young person is the victim of a violent crime, there is a risk that the person will go on to become an offender themselves.

In 2011, Victim Support Scotland were commissioned by the Victims and Community Confidence Group, a group set up under the Preventing Offending by Young People Framework, to undertake a six month research project, with the objective of scoping an evidence base and national service model for supporting young victims. The findings¹⁸ indicated that young victims of crime require a variety of support methods in order to cater for their broad ranging individual needs.

The Victims and Witnesses (Scotland) Act 2014¹⁹ makes a number of improvements to the information and support available to victims and witnesses. Key measures include giving victims and witnesses new rights to information about their case; raising the age at which individuals are treated as child witnesses to 18; widening access to additional support; and establishing a new support fund for victims, paid for by offenders.

We will:

- Encourage use of restorative approaches where appropriate
- Ensure that victims' rights and needs are systematically reflected in the work undertaken with young people who offend
- Encourage better and more regular engagement with communities about youth justice to build awareness of, and support for, the Scottish approach

¹⁷ [Victim Support Scotland Research Report – Hoodie or Goodie: The link between violent victimisation and offending in young people 2007](#)

¹⁸ [Scottish Government – Young Victims of Crime Project: Scoping a national service model for supporting young victims of crime in Scotland 2011](#)

¹⁹ [Victims and Witnesses \(Scotland\) Act 2014](#)

Improving health and wellbeing

Better health and wellbeing is integral to GIRFEC, Curriculum for Excellence and Health Improvement. This encompasses positive mental, emotional, social and physical wellbeing and helps children and young people to develop positive relationships and make healthy lifestyle choices.

Learning about health and wellbeing includes physical education, food and health, substance misuse, relationships, sexual health, parenthood, social and life skills - dependent on the age, development and maturity of each individual child. As a result, children will be more self-assured and will have more awareness of the effect their actions can have on others.

For children and young people involved in offending there are often associated issues relating to substance misuse, mental health and speech, language and communication issues. There are particular risks and concerns about the impact of New Psychoactive Substances (NPS) or 'legal highs' on children and young people, including in relation to offending.

Child and Adolescent Mental Health is already a priority area in the Mental Health strategy (2012-15)²⁰. Some young people involved in offending who have mental health problems, but perhaps not a mental health condition, may have difficulty accessing appropriate services. The last two years have seen a rise of over 30% in the number of young people starting mental health treatment²¹. There is a need for the health service to be properly equipped to give support and treatment to those vulnerable young people and funding will be provided over the next five years to ensure improvements are made to mental health services for children and young people.

It is important that these issues for children and young people are dealt with in a non-stigmatising way that helps to build their resilience.

We will:

- Support prevention and early intervention to improve health and wellbeing through Curriculum for Excellence, GIRFEC and Health Improvement
- Build on the work already undertaken on substance misuse to include New Psychoactive Substances. This means developing knowledge, skills and information on evidence based practice for those professionals working with children and young people by 2016
- Improve understanding and enhance capacity in relation to mental health and trauma through practice development and supporting services for young people
- Promote dialogue with key partners to ensure needs and methods of working with these children and young people is reflected in Scotland's Mental Health Strategy
- Improve awareness and support of speech, language and communication needs of children involved in offending

²⁰ [Mental Health Strategy 2012-15](#)

²¹ [Information Services Division, Mental Health Waiting Times](#)

Opportunities for All

It is important that young people who have offended can have hope that they will be able to find employment in the future. Opportunities for All provides the framework to support all young people to participate in post-16 learning, training or work.

Employability is a key priority both as part of a preventative approach and as a targeted area of support to ensure that young people who have been involved in offending, including those sentenced, can move on.

Scotland's Youth Employment Strategy – Developing the Young Workforce²² is underpinned by a seven year national programme aiming to reduce youth unemployment by 40% by 2021.

Developing the Young Workforce is about ensuring all young people access the broadest range of opportunities for work related learning. The Scottish Government is working with businesses and other partners to ensure stronger partnership working between education and employers and ensuring that the recruitment of young people is at the centre of workforce planning across the private, public and third sectors.

As part of joint programme working on cross-cutting themes consideration has been given to how we best support particular groups of young people. One of these groups is young offenders and work has been initiated with Her Majesty's Young Offender Institution (HM YOI) Polmont to consider how young offenders can benefit from the new opportunities on offer.

The Community Jobs Scotland (CJS) programme provides support and job training for vulnerable young unemployed people aged 16-24, and is aimed at helping them back into sustainable employment. CJS in Phase 4 (2014-15) included a pilot programme of 100 places for young people with an offending history and this has been further developed for Phase 5 (2015-16) to include a pilot programme of 20 places for young ex-offenders up to age 29.

Employer led 'Invest in Young People' Groups will have an important role and guidance on school and employer partnerships will be available in Autumn 2015.

We will:

- Ensure that low level offending as a child does not negatively affect opportunities for securing education, training or employment as an adult
- Implement changes on disclosure of childhood offences in 2016 to reduce the impact on future life chances
- Ensure that young people who have disengaged from education or have left school are supported to re-engage and participate in learning, training or an Activity Agreement to develop the skills they need
- Build relationships with employers, to help them see the strengths and potential of our children and young people including those who may have a criminal record

²² [Developing the Young Workforce – Youth Employment Strategy](#)

Transitions

Effectively managed transitions can transform lives, protect society and save money. Young people need support to transition effectively from the community to secure care or custody and when returning to communities after periods of being accommodated or sentenced. Evidence from Skills Development Scotland²³ indicates that just 16% of young people leaving HM YOI Polmont move on to positive destinations – that must improve.

Planning for a young person's transition needs to start before the process itself. If accommodated or in custody, planning for their return to community needs to start at the 72 hour review, which is a required part of the process on admission.

Housing support is a priority area particularly for those young people moving on from secure and custody. Homelessness amongst young people has been falling in Scotland due to the development of housing options approaches by local authorities and their partners. This focusses on addressing needs including helping individuals to access mediation, employability and health services.

We will:

- Support reintegration of young people from custody and secure to allow them to move onto and sustain positive destinations
- Support young people and families during all periods of transitions, especially within the cross over between child and adult services
- Improve transitions between children's and adult justice systems, where needed. Transitions must be planned and supported and take account of Corporate Parenting responsibilities, including the extension of rights of previously looked after young people

²³ [Beyond Youth Custody Resettlement of young people leaving custody – lessons from the literature – update: March 2015](#)

Developing Capacity and Improvement

There will be a strategic focus on:

- **Supporting workforce development and encouraging a culture of continuous learning and improvement**
- **Improving systems and making best use of performance information nationally and locally**

Developing capacity and supporting continuous improvement is a key strategic priority both in terms of developing and sustaining a workforce which comprises education, health and justice professionals in statutory and non-statutory roles and in terms of the practices and systems that are used by partners as part of GIRFEC and the WSA.

Improvements which build on knowledge and information from practice, research, policy and those with lived experience are likely to be more successful than those not. There is a need for partners to learn from knowledge generated within their own organisations and elsewhere and to apply this knowledge systematically to improve practice and outcomes.

Learning from a combination of self-evaluation, performance management data, local, national and international good practice, research evidence, practitioner knowledge, and the views and experiences of children and young people, will be critical to developing capacity and ensuring continuous improvement.

Supporting workforce development

Preventing offending and providing the right support and interventions for children and young people involved in offending can involve a wide range of partners and requires committed, high-quality leadership.

Recruiting, retaining, and developing the required workforce is vital to deliver on better outcomes for young people involved in offending. There are particular issues to consider in respect of the 2014 Act, including the role of Named Persons and ensuring that the practice guidance includes children and young people who offend. This is fundamental along with the principles of community focussed services that meet the needs of young people involved in offending behaviour.

A refreshed suite of national practice guidance was published by the Centre for Youth and Criminal Justice in June 2015²⁴.

Further, we also need to better support the sharing of knowledge and skills across geographical and professional boundaries to maximise the ability of the whole workforce to understand this complex area.

²⁴ [National Practice Guidance – Centre for Youth and Criminal Justice – June 2015](#)

We will:

- Support workforce development linked to implementation of the 2014 Act
- Build a more collaborative approach to enhance training and workforce development opportunities founded on common core skills
- Develop appropriate forums for youth justice practitioners, policy makers and others to share knowledge and good practice
- Build the confidence of youth justice practitioners in their skills and abilities to support our children and young people
- Refresh training for Children's Panel Members taking account of the 2014 Act
- Develop leadership development opportunities at all levels but particularly for front line managers

Improving systems

The skills and knowledge of those working with young people who offend is crucial to the continuing progress in preventing offending. To enable the targeting of skills, knowledge and resources in the right areas we need to use evidence of trends, patterns and volume of offending and support partners to use this to learn, reflect and improve. We know for example that overall offending is down and less young people are involved in offending, but sexual offences are increasing.

The capacity of the systems we have available to developing a proportionate, timely approach, focussed on the wellbeing of children and young people involved in offending, remains a challenge. Appreciation of risks presented and the potential long term costs of failing to intervene appropriately at the right time is a key issue, in particular in relation to children and young people with complex needs. This challenge is not solely financial but is about the commitment of the constituent parts of the system to the ethos of Kilbrandon and the implementation of the 2014 Act.

To assist in enabling the appropriate targeting of resources we need to use evidence. There are issues in relation to the availability of reliable, consistent statistical data on young people who offend, partly because of the different systems used. We need to improve systems of information capture to support improvement including national information on EEI and diversion. Collaboration with Police Scotland on the Vulnerable Persons Database and management of information on youth engagement will be a priority.

We will:

- Improve systems of information capture to support improvement including national information on EEI and diversion
- Strengthen the evidence base about the needs of young people at risk of or involved in offending behaviour and complexity
- Ensure that good practice and evidence is shared and that youth justice practice and policy is informed by the best knowledge and evidence
- Develop a shared dataset and performance framework to monitor trends and assist in targeting of resources, workforce development and practice

Implementation – Next steps

As part of the Youth Justice strategy refresh, arrangements to support youth justice at a national level have also been reviewed. The focus has been ensuring that there are strategic arrangements which enable partners to support and drive implementation in the context of wider programme, planning and policy landscape.

A Youth Justice Improvement Board will be established which will comprise 10-15 members, plus associate members as required based on the focus of the work programme and agenda of meetings.

Working groups will be set up as agreed by the Improvement Board and it is anticipated that these will be aligned to the three priority themes:

Advancing the Whole System Approach **Improving Life Chances** **Developing Capacity and Improvement**

The dedicated groups to support priorities will have a chair from the Improvement Board, an agreed life span, with terms of reference, membership, outcomes and expected impact.

It is expected that priorities identified by existing Champions Groups on EEI; Reintegration and Transitions; Vulnerable Girls and Young Women; and Managing High Risk will form part of a framework for action overseen by the Improvement Board, with a strong delivery focus through the themed groups. While there will be flexibility for dedicated groups to be retained, the expectation is that 3 groups will provide a clear focus and ensure that cross-cutting themes are supported on a strategic basis.

Subject to agreement from the Improvement Board, the Advancing Whole System Approach Group will include EEI and Managing High Risk. The Improving Life Chances Working Group will include a focus on reintegration and transitions and vulnerable girls and young women within its remit. The Developing Capacity Group will have oversight of priorities for training and workforce development as well as performance and improvement in youth justice.

As part of the work overseen by the Improvement Board, consideration will be given to arrangements to support national and local partners. Ensuring young people are heard, will also be a priority. The Improvement Board will also have strong links to the Children's Hearings Improvement Partnership (CHIP).

The Centre for Youth and Criminal Justice (CYCJ) has been a key partner in developing this strategy and will support implementation with partners.

Partnership working has been a crucial element of success in preventing offending and will remain integral to the delivery of this strategy. Leadership and sustained commitment from all partners will help achieve our vision for children and young people.



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