

## **EAST AYRSHIRE COUNCIL**

**SOCIAL WORK COMMITTEE : 7 NOVEMBER 2002**

### **YOUTH JUSTICE**

#### **Report by Director of Educational and Social Services**

#### **1. PURPOSE**

- 1.1** To advise Elected Members of the progress made to date in developing youth justice services in East Ayrshire, and to seek approval for the continuation of developments in this area of service provision.

#### **2. BACKGROUND**

- 2.1** The Scottish Executive, in November 1999, commissioned a review into youth crime. A report "It's a Criminal Waste : Stop Youth Crime Now" and the Scottish Executive's response were made public in June 2000 (Social Work Committee 14<sup>th</sup> September, 2000).

- 2.2** The report set out a number of objectives which may be summarised as:

- Improved community safety through a reduction in crime;
- Emphasis on prevention, diversion and effective intervention.

The report also made clear that the avoidance of custody and the prevention (or at least the delay) of entry by young people into the adult criminal justice system was also an objective.

- 2.3** In accepting most of the recommendations contained in the report the Scottish Executive, through the Children's Service Development Fund (Youth Crime), made available increasing funding to March 2005 to enhance existing services and / or develop new services to meet its objectives.
- 2.4** In February 2002, as a further step in this policy initiative, the Scottish Executive published an "Action Programme to Reduce Youth Crime 2002" (Social Work Committee 9<sup>th</sup> April, 2002).
- 2.5** Within this action programme, which set a target of a 10% reduction in referrals to Children's Hearings on offence grounds by 2004, the Scottish

Executive identified five key challenges requiring to be tackled and where they intended to channel both policy and resources. These included:

- Developing a set of national objectives and standards for youth justice;
- Ensuring the availability of community-based programmes that effectively challenge the behaviour of young people who offend;
- Giving victims an appropriate place in the youth justice process;
- Supporting the extension of the restorative justice model of intervention.

**2.6** At the end of June 2002 the Scottish Executive further developed its Action Programme and produced a 10 point action plan to tackle youth crime. Included in this the Scottish Executive signalled its intention to:-

- Pilot Specialist Children's Hearings to fast-track persistent offenders under 16;
- Introduce a feasibility study for Youth Courts for persistent offenders aged 16 and 17 years, with flexibility to deal with 15 year olds;
- Consider the development of a police warning system using a restorative caution approach;
- Re-configure secure accommodation availability, and increase capacity by around 25 places.

**2.7** In October 2002 the Scottish Executive announced three further initiatives aimed at broadening the response to youth crime. Accompanying these new initiatives was additional funding, two of which require bids to be made and one provides the Council with a set amount.

### **3. PROGRESS ON SERVICE DEVELOPMENTS**

**3.1** The additional funding made available through the Children's Service Development Fund (Youth Crime) has enabled East Ayrshire to build on existing services and develop new initiatives which meet many of the objectives set out in the Scottish Executive's action programme.

**3.2** In this initial phase of the Youth Crime Initiative it was decided to develop services on three fronts. These can be summarised as:

- To tackle the more serious and / or persistent offender, aged between 15 and 17 years, through the strengthening of an existing team of specialist social workers whose interventions are offence focused but who also take account of other factors in the young persons life which may be contributing to their offending behaviour;

- In partnership with North and South Ayrshire Councils and SACRO the introduction of a Reparation and Mediation Scheme whose aim is to defer the first time, minor offender from both the Children's Hearing and the Criminal Justice Systems. The Scheme, which is based on a restorative justice model and brings victims closer to the process, is currently being enhanced to allow wider participation of both victims and offenders;
- Part funding with North and South Ayrshire Councils, and in partnership with Ayrshire and Arran Health Board, of a social worker post in an Ayrshire wide initiative for young people with mental health problems some of whom are involved in offending behaviour.

**3.3** The development of these services supplement an existing Diversion from Prosecution Scheme which has 16 and 17 year olds as a priority group.

**3.4** East Ayrshire has established a Multi-Agency Forum, drawing representatives from a number of council departments, the police, procurator fiscals office, children's reporter, children's panel, health services and victim support, which seeks to co-ordinate the development of services that can reduce youth

#### **4. FUTURE DIRECTION**

**4.1** Having consolidated services developed in the initial phase consideration is now focused on how to maintain the momentum generated by the additional Children's Service Development fund (Youth Crime), and meet the objectives which accompanies this new funding.

**4.2** In broad terms, a number of areas are being considered for future development. These include;

- The closer integration of criminal justice and children and families services in the assessment and management of children and young people engaged in sexually aggressive behaviour.
- Services that enable social work to better meet its target of significantly reducing the time taken to turn around reports requested by the Children's Reporter on offence grounds;
- Services that develop and promote employability and other inclusion issues;
- Services that support and enhance the capacity of the Youth Strategy Team to manage school exclusion and truancy.

## **5 NEW INITIATIVES**

**5.1** East Ayrshire Council, in partnership with South Ayrshire and North Ayrshire Councils, has been selected by the Scottish Executive to pilot a specialist fast-track Children's Hearing System for young people engaged in persistent offending. The objective is to manage this particular group of young people in a more speedier manner than is currently the case, and that effective intervention programmes will be put in place, alongside other required support mechanisms, to reduce offending behaviour.

**5.2** Although yet to be finalised, the pilot, which is scheduled to begin in January 2002 for a two year period, will attract considerable additional funding to ensure it's objectives are met. Development meetings have still to be held between the various partners and the Scottish Executive, consequently final proposals cannot be put forward for consideration at this point in time. However, it is anticipated that three additional temporary members of staff will require to be recruited by the Council.

**5.3** In addition to the above the Scottish Executive recently [October 2002] announced three further initiatives aimed at broadening the response to youth crime. Two of these initiatives require bids to be put together to:

- develop alternatives to secure accommodation;
- improve the quality of care in secure accommodation;
- provide improved and tailored after-care services to those returning from secure accommodation;
- explore new ways of preventing youth crime.

**5.4** In response to these initiatives work is currently underway on two bids which:

- targets young people who may find themselves at risk of being accommodated in a residential school as a consequence of their offending behaviour;
- provides diversionary activities to those young people who are on the fringes of criminal behaviour.

**5.5** The third of the initiatives provides the Council with an additional £77,752 distributed under Sec.68 of the Regulation of Care Act 2001. The objectives which accompany this new funding will be met by:

- completion of an "Audit of Youth Crime";
- training for staff in delivering accredited intervention programmes;
- implementation of national standards set by the "Time Intervals Group";

- putting in place measures that respond to those individuals that are placed on voluntary supervision.

**5.6** Two additional Social Work Assistants will require to be recruited on a Temporary basis to meet these objectives.

## **6. POLICY/LEGAL/FINANCIAL IMPLICATIONS**

**6.1** To meet the aims and objectives of the Youth Crime Initiative the Scottish Executive has made available, through the Children's Service Development Fund (Youth Crime), additional funding on an increasing basis to March 2005. For East Ayrshire the additional funding for the current financial year amounts to £131,000, rising to £262,000 in 2003/2004. It is anticipated this will increase further to £393,000, in 2004/2005.

**6.2** Further funding has recently been made available through the Regulation of Care Act 2001, part of which is subject to a bidding process and part has seen the Council receive an additional £77,752.

**6.3** The matching of this particular source of funding to the proposed developments in service provision will ensure no additional costs accrue to the Council.

**6.4** Local Authorities will be asked to identify their use of these additional resources and will be required to report to the Scottish Executive on progress.

## **7. PERSONNEL ISSUES**

**7.1** In response to the new initiatives announced by the Scottish Executive the following additional staff will require to be recruited:

- 3 x Social Workers [or equivalent];
- 2 x Social Work Assistants.

**7.2** To allow recruitment to proceed a referral to the Policy and Resources Committee will be necessary.

## **8. CONCLUSION**

**8.1** East Ayrshire has made solid progress in developing services for young people engaged in offending behaviour and which meet the objectives that

accompanied the additional funding made available by the Scottish Executive. Co-ordinated by a Multi-Agency Forum these include services to serious and / or persistent offenders, those who have a mental disorder, and first-time, minor offenders. Services have also been developed which include victims of crime.

**8.2** Service areas requiring further development have been identified and the additional funding from the Scottish Executive will support their implementation.

## **9 RECOMMENDATION**

**9.1** It is recommended that Elected Members:

- i) endorse the progress made to date in developing youth justice services;
- ii) approve the need to maintain progress in the service areas identified;
- iii) request the Director of Finance to amend the Social Work budget to reflect the additional funding from the Scottish Executive.
- iv) require the Director of Educational and Social Services to report back to Committee on further progress;
- v) refer the issue of recruiting additional staff to the Policy and Resources Committee scheduled for 28 November 2002, and
- vi) otherwise note the content of the report.

**John Mulgrew**  
**Director of Educational and Social Services**  
**17 October 2002**  
**Enc(0)**

### **Background Papers**

**Nil**

For further information please contact Donal Flannery, Service Unit Manager, (Criminal Justice), Council Offices, John Dickie Street, Kilmarnock. Tel 01563 576907 .

**IMPLEMENTATION OFFICER: DONAL FLANNERY**

**AGENDA**