Youth Justice and workforce development in Scotland: Practice makes better!

Abstract

The youth justice workforce includes everyone who comes into contact with, or more broadly whose work affects, children and young people who are, have been or are at risk of being perpetrators or victims of offending (young people tend to be both) (Drake & Henley, 2014).

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Introduction

During any meaningful conversation about youth justice in Scotland, it is all but inevitable that *The Kilbrandon Report* will be mentioned given that it continues to act as a touchstone for practitioners, policymakers, researchers and politicians. As noted by Professor Stewart Asquith in the Preface to the reprinted version of the report:

> The Kilbrandon Report was, and still remains, one of the most influential policy statements on how a society should deal with 'children in trouble'. (Asquith, 1995, p. vi)

A commitment to Kilbrandon's vision seems to encompass recognition that an understanding of developmental and maturational processes is fundamental to the interpretation of the behaviour of children and young people. They are not adults. It recognises that s.12 of the *Social Work (Scotland) Act* 1968 and s.22 of the *Children (Scotland) Act* 1995 continue to have relevance. The duty to promote 'social welfare' by making available 'advice, guidance and assistance' and to 'promote the welfare of children in need' are at the core of the social work task, irrespective of whether or not an individual is in conflict with the law. Meanwhile, it is only through 'looking to the whole background' (Asquith, 1995, p.8) of a child or young person that one can come to an

appreciation of the individual, environmental and social factors influencing their thoughts, behaviours and actions. It is easy though to talk about a commitment to the Kilbrandon philosophy, but harder to ensure that our practice and policies bring such a philosophy to life. This paper focuses on workforce development and youth justice, and the essential role this has on ensuring practice is continually improving. The paper specifically focuses on explaining the role of the Centre for Youth and Criminal Justice (CYCJ) and the support we offer to those working with young people who are currently, or are at risk of becoming, involved in offending.

Youth justice workforce

The youth justice workforce includes everyone who comes into contact with, or more broadly whose work affects, children and young people who are, have been or are at risk of being perpetrators or victims of offending (young people tend to be both) (Drake & Henley, 2014). The workforce therefore includes residential child care workers, social workers, health professionals, teachers, the police, judiciary, youth workers, researchers and policy makers. It might even be argued that in light of their influence and capacity to shape the environment in which youth justice work takes place, that politicians and the press are *de facto* members of the youth justice workforce. Specifically, those politicians with a portfolio pertaining to justice, young people and communities, and those correspondents with a crime and/or social affairs remit. There is a clear and specific role for residential child care workers in preventing the young people they support from becoming involved in offending, as well as supporting those who are involved in offending. Moreover, given the increasingly recognised need for people to shape their own lives and be partners in rather than recipients of support, we would argue that we need to think more broadly than the paid workforce to a youth justice community also comprising parents, carers, families, friends, and of course young people themselves. This represents a shift in thinking about who the workforce is, and therefore, what workforce development is and how it can be approached and supported.

In addition to a wide definition of workforce, it's worth reflecting on what we mean by youth: a contested concept (Lee, 2014). Traditionally, when thinking about children and young people the age range of the formal youth justice services has focused primarily on those aged 12-18 years old. However, there is a case for extending the upper age range to better support the transition between youth and adult justice systems and other services. For instance, the Dumfries & Galloway youth justice partnership now focuses its attention on those up to 21 years old. There appears to be developing a more nuanced understanding about the needs of our most vulnerable young people, particularly that the early 20s constitute a transition phase, and extending youth services may be of value. For example, the age up until which young people leaving care are entitled to support has recently been extended from 21 until 26 years-of-age (s. 60 of the Children and Young People (Scotland) Act, 2014). The acknowledged need for early and effective intervention, which is a core component of a Scottish Government led cultural change programme in youth justice known as the Whole System Approach (WSA), further highlights the need to be fluid about the lower age of youth justice. There is now more emphasis on putting in supports at an early stage which (crucially) divert young people towards education, health or universal services rather than label them as offenders and bring them in contact with

the formal youth justice system. This approach chimes directly with findings from a major Scottish research study: the Edinburgh Study of Youth Transitions and Crime (ESYTC), which identified that contact with the youth justice system was often detrimental, particularly with regards to reducing reoffending (McAra & McVie, 2011).

It is in this context that the Centre for Youth and Criminal Justice (CYCJ) operates and works to help ensure the youth justice workforce in Scotland (defined in the broadest terms as discussed above) is the best it can possibly be at ensuring all individuals and communities are safe and flourish. The Centre's primary focus is on young people under 18 while supporting improved transitions and the direction of the *Children and Young People (Scotland) Act* 2014.

Workforce development issues

Many of the challenges associated with youth justice workforce development are common with other areas of the social services workforce. It is therefore of value to reflect on the work of the Social Work Services Strategic Forum (SWSSF) which was set up in 2013. The SWSSF conceptualises social work as all the work done to enhance social wellbeing, not just the work done by professional social workers. The work of the Forum is ongoing but in June 2014 five key areas for development were identified, with plans on each of these currently under development:

- Partnership / Collaboration

- People / Workforce Development

- Performance / Quality

- Research / Evidence

- Public Image / Promotion

(Social Work Strategic Forum, 2014)

Alain Baird, the Chief Social Work Advisor, who coordinates the Forum, explains that a range of recent and significant policy changes have influenced these five identified areas such as: the integration of health and social care, public sector reform, proposed changes to community justice structures and the introduction of Self-Directed Support (Baird, 2013). Interestingly, when reflecting back on *Changing Lives: The report of the 21st Century Social Work Review* published in 2006, reference was made to many of the same issues, though they were not necessarily given the same emphasis or described in the same way (Scottish Executive, 2006). There are clear echoes, nevertheless, across initiatives of a changing workforce profile, the need for partnership working, a desire to strengthen evidence use and analytical skills, the necessity of a stronger improvement culture and discussion around public perceptions.

Informed by this work, our own stakeholder research (Vaswani, 2014) and engagement with youth justice practitioners, the CYCJ has identified a range of features of a successful youth justice workforce. This thinking is still at an early stage, and will be

developing in parallel with the work of the SWSSF Forum, as well as a proposed redraft of the Youth Justice in Scotland strategy (planned for early 2015), community justice reform developments and a range of practice improvement initiatives (including the WSA, Early Years Collaborative (EYC), and Getting It Right For Every Child (GIRFEC)).

So, to be as successful as possible we need a youth justice workforce that:

- Understands that 'what works' and 'who works' are two sides of the same coin;

- Continually shares learning - across sectors, boundaries and geographies (local and international);

- Captures, records and shares what it does and what it learns;

- Integrates forms of knowledge [this includes: practice, policy, research, organisational and lived experience knowledge (Pawson, Boaz, Grayson, Long, & Barnes, 2003); or theoretical, empirical and experiential knowledge (Nutley, Powell, & Davies, 2013)];

- Tries out new ways of doing things, based on best available knowledge and is not afraid to fail, review and try again;

- Evaluates what it does and makes changes based on leaning;

- Reflects, and creates spaces and time for reflection;

- Accesses advice and support;

- Continuously develops skills and competencies and retains curiosity about the value and applicability of different approaches;

- Advances practice and understanding of values and ethics; and,

- Is humble in relation to its strengths and weaknesses, neither over-claiming nor underplaying positive or negative outcomes.

Each of these sets out in broad terms the higher-level characteristics that might define a successful youth justice workforce, but, in addition, there are separate knowledge and skills gaps, and workforce challenges. For instance, at the current juncture there are challenges in relation to: ensuring the workforce has a strong and up-to-date understanding of the complexity of young people's lives; supporting the next generation of youth justice leaders to emerge; continuing to ensure practitioners have the skills to balance children's rights against public protection priorities; and, developing skills and confidence among practitioners supporting young people who are a risk to others to remain within communities.

Supporting youth justice workforce development

In order to ensure children and young people flourish, the CYCJ focuses on supporting improvements across practice and policy, with our main attention focused on the practice environment. For us, practice refers to the direct care work with children and young people, and policy refers to the high-level statements or commitments made by the range of youth justice organisations and networks. CYCJ is the key organisation in Scotland

established specifically to support workforce development in relation to youth justice, though other organisations also make significant contributions to this, such as SSSC, IRISS, CELCIS, STRADA, SCCJR, and others.

In order to secure practice and policy improvements we focus on three areas of activity which form three work streams within CYCJ: Practice Development, Research and Knowledge Exchange.

Practice development involves working in partnership with those engaged in youth justice practice to provide peer support and advice from experienced practitioners; providing consultancy advice for organisations and teams; helping practitioners try out new or different ways of doing things; producing guidance, toolkits and other resources designed to support practice; offering training and development opportunities; providing a space for reflection and the sharing of knowledge and experiences.

Research includes the production of new knowledge; synthesising existing knowledge to articulate clearly what the research evidence says; evaluating initiatives and new ways of doing things (where no evidence base exists) and supporting others to evaluate; and encouraging, promoting and supporting the use of research evidence.

Knowledge exchange focuses on capturing and disseminating knowledge of different types (for instance, knowledge from children and young people themselves, from practitioners, research and policy); promoting the sharing of knowledge, particularly around mistakes and what does not work; improving access to and the accessibility of different forms of knowledge (particularly for practitioners); and integrating these different forms of knowledge to create a more robust picture.

Case studies: The interplay of practice development, research and knowledge exchange.

How practice development, research and knowledge exchange combine at CYCJ: Supporting Safer Lives

Practice
In the late 2000s it became clear that youth justice practitioners were often under-equipped to deal with sexually harmful behaviour in young people, mainly because the low prevalence of such problems meant that practitioners did not get the opportunity to develop skills and expertise in this area. The Scottish Government decided to roll out a new approach, Safer Lives, through a training-for-trainers and cascade model throughout Scotland. CYCJ supported the Scottish Government in this work by facilitating some of the training, and providing advice and consultancy to practitioners throughout their learning and implementation.

Research
Despite a seemingly successful roll-out, by 2013 it became clear that little was known about the nature and extent of Safer Lives implementation in Scotland. To broaden our knowledge in this area CYCJ undertook a mapping and consultation exercise to help develop a clearer picture of Safer Lives use in Scotland. Further research looking at profiles and outcomes is ongoing.

Knowledge Exchange
As part of the recent research, CYCJ brought a group of Safer Lives trainers together to discuss the research findings and to share knowledge, experiences, and hopes for the future of Safer Lives.

…and so the cycle begins. In response to the research and feedback from practitioners CYCJ is developing practice by creating a resource bank for trainers; the final research findings will be disseminated, and in order to foster learning, development and continued connections, CYCJ is considering the merits of facilitating a peer network or forum among Safer Lives Trainers.

How practice development, research and knowledge exchange combine at CYCJ: Loss, grief and bereavement

Practice
Working with some of the most vulnerable young men in Scotland, it concerned staff at Polmont when they began to recognise a pattern of bereavement and loss in the backgrounds of the young men entering custody.

Research
A research study was designed in order to support Polmont to identify and document more clearly the extent of these needs in young people, the impact on their mental health and, most importantly, to hear directly from young people about their experiences.
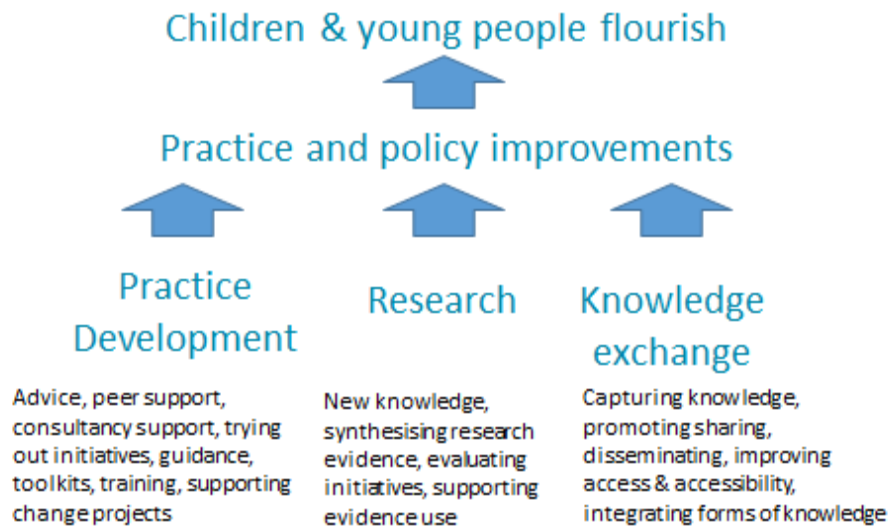
Knowledge Exchange
The research findings from this study have been shared with a range of audiences to publicise our learning in this area, using various formats from journal articles to factsheets and conference presentations. In addition CYCJ has been working with Polmont to help them interpret and utilise this information.

…and so the cycle begins. After considering the research and their own strategic development plans, Polmont decided to implement an education programme to help their young people learn strategies to cope with loss and grief. The first programme has just been delivered with a small group of young men and future programmes have been planned. CYCJ is now working collaboratively with staff at Polmont to evaluate the programme and to draw lessons that can be shared with the youth justice workforce about the implementation of such a programme in a YOI and about effectiveness, in order to inform future practice. Young people's voices will, of course, be a key part of that research, ensuring that all perspectives are included in practice development.

Our working assumption underpinning this approach is that by securing improvements across practice development, research and knowledge exchange we will contribute to improvements in practice and policy, and by improving practice and policy we help to

ensure that children and young people are safe and flourish. These assumptions are sometimes called a theory of change (see Diagram One below).

Diagram One: CYCJ's theory of change

Children & young people flourish

Practice and policy improvements

Practice Development

Advice, peer support, consultancy support, trying out initiatives, guidance, toolkits, training, supporting change projects

Research

New knowledge, synthesising research evidence, evaluating initiatives, supporting evidence use

Knowledge exchange

Capturing knowledge, promoting sharing, disseminating, improving access & accessibility, integrating forms of knowledge

Positioned to improve workforce development

In order to be effective in our role, CYCJ aims to be positioned at the centre of policy, practice, research and lived experience (particularly the experiences of children and young people, though also their families and communities); see Diagram Two below.

Diagram Two: Bringing the worlds together

Policy

Practice

Research

Experience
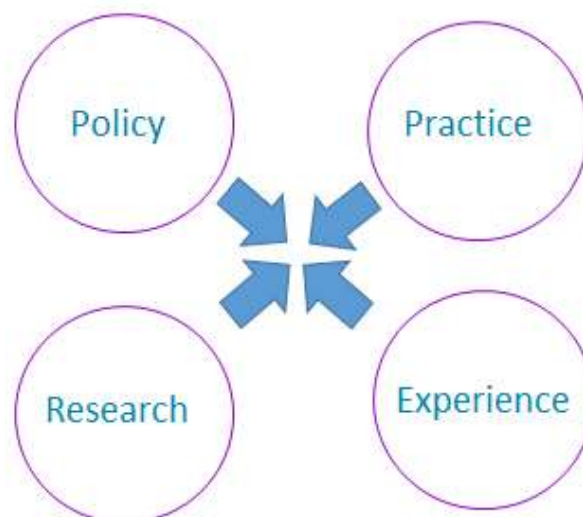
This positioning allows us to support workforce development by facilitating an exchange of knowledge from these different perspectives, bringing the worlds of young people, research, policy and practice closer together. By integrating the different knowledge held by these four perspectives the youth justice workforce can benefit from a knowledge that is more robust than from any one single perspective. Further, as a neutral facilitator

(while acknowledging that no individual or organisation is truly neutral), deliberately sitting in between the range of interests spanning youth justice, the youth justice workforce can more effectively be supported to come together and achieve tangible change. Our working theory is that bringing together the knowledge and activities spanning practice, policy, research and lived experience is an effective way of collectively identifying the changes needed and supporting the youth justice workforce to secure significant and sustainable change.

It is worth noting that our positioning as an organisation helps us to operate in between these worlds. Established as an independent organisation, CYCJ is accountable to an Executive Governance Group (akin to a board but not legally constituted) whose membership spans policy, practice and research. We are funded almost entirely by the Scottish Government, from the Youth Justice Team, which helps ensure we have a close connection with policy. Over a third of the CYCJ staff members have recent practice experience, and we look to support our practice development staff to return to the practice environment following a maximum of three years within the CYCJ. This helps to ensure a close connection with practice while contributing to the development of youth justice practice capacity, as opposed to removing it from the sector, something we are seeking to develop through an associate scheme. Our practice connections are further enhanced by having a specific remit in the youth justice practice landscape to coordinate and support the work of four youth justice practice champions groups, each of which is tasked with developing practice in relation to early and effective intervention: girls and young women; reintegration and transitions; and managing high risk. CYCJ is hosted by the University of Strathclyde, which helps to support our connections to the research community and gives us access to research resources and contacts (including access to the University's research ethics committee, research council funding and academic journals). Meanwhile, the Interventions for Vulnerable Youth (IVY) project ensures that a very tangible link between practitioners and the CYCJ is maintained. The IVY clinic, staffed by both psychology and social work practitioners and founded on the principles of Structured Clinical Judgement (SCJ) offers support with both assessment and intervention tasks in relation to young people whose behaviour is placing or has the real potential to place them or others at risk of serious harm. The CYCJ also supports practitioners to meet specific professional development needs not least training on the defensible use of specific risk assessment tools (e.g. ASSET) and careful application of structured approaches and interventions (e.g. Safer Lives).

This organisational position means we are well placed to operate in the middle of the research, policy and practice worlds. However, we recognise that we need to do more to ensure we also have the strong connections with those with lived experience of youth justice, particularly children and young people themselves. With this in mind we have been working with Space Unlimited, a third-sector organisation based in Glasgow, to support young people who have been involved in offending to conduct an inquiry about what they think their role in shaping youth justice should and could be. We are awaiting the findings from this work, and plan to take steps to address this obvious gap following its conclusion. We have also been working with a volunteer intern who is currently on supervision to support her to share her journey from offending. This will allow others to

learn from her experiences and potentially inform improvements to policy and practice. We will be looking to see whether similar roles could be supported in the longer term.

Conclusion

The youth justice workforce is strong, but can be stronger and better. The CYCJ has a role to play in realising such a goal and we are here to support colleagues across the residential child care sector and beyond; see www.cycj.org.uk for resources and guidance. Here you can also find the contact details for the team who are here to provide advice and guidance across youth justice matters.

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