

## **Police involvement in residential child care**

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### **Introduction**

The criminalisation of young people in residential care is a matter of concern for everyone. Young people who are looked after away from home are three times more likely to be charged with offences than those in the general population (NACRO, 2003; Taylor, 2006). In the last five years, figures in relation to youth offending indicate an increased likelihood of reaching Persistent Young Offender (PYO) status if you are accommodated in a residential unit (Evans, 2007). The definition of PYO is five offending episodes in a six-month period. Figures in Scotland appear to suggest an association between residential child care and the criminalisation of young people.

- In 2003-2004, nine of 11 female PYO in Edinburgh were in residential care. The suggestion from the report is that most offences were committed in residential units (Evans, 2007);
- In 2004-2005, 25 per cent of all PYO were in residential care. Once again the suggestion is that most offences were committed in residential units. This profile stays the same for 2005-2006 (Evans, 2007);
- Thirteen per cent of all PYO offences are committed in residential child care settings (Bradshaw, 2005).

The existence of such figures is very worrying. While discussion with residential child care staff reveals evidence of informal arrangements with police, the lack of a coherent approach or common understanding has meant that pockets of good practice have not had a great impact on the statistics relating to young people offending in residential units. The purpose of this paper is to highlight the need to respond to concerns about offending by young people while they are in residential care. The paper provides an exploration of the approach of one local authority to tackling this issue. It describes the authority's analysis of what may have been happening in its units and makes some suggestions for developing good practice.

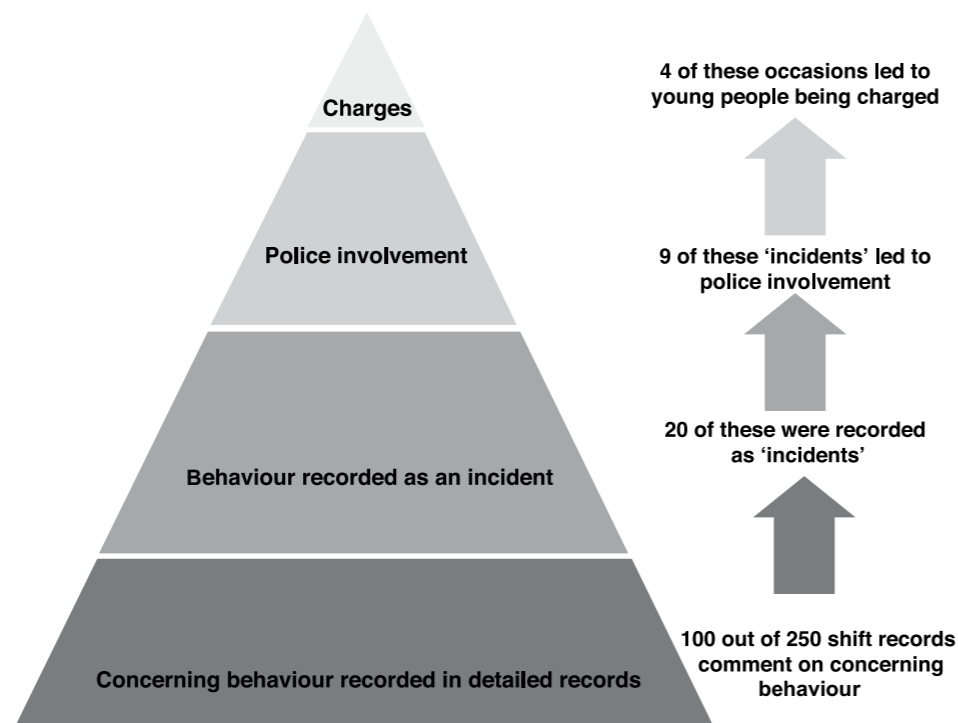
### **A response from City of Edinburgh Council**

In 2005, representatives from youth justice, police, residential child care and

the Children’s Reporter agreed to meet and work out what to do about the high offending figures in residential care. For some of us within the Edinburgh inter-agency group, the tone of these early meetings was at times accusatory, as police representatives felt they were over-used by residential staff to manage the behaviour of the young people in units. Those of us coming from the residential sector felt quite defensive in the early meetings.

The figures quoted in the introduction were presented along with anecdotal evidence from referrals to the Children’s Reporter indicating an inappropriate use of police in children’s homes. Anecdotal evidence also suggested that young people had been charged inappropriately with offences for behaviour such as ‘kicking a tree’ or ‘ringing a door bell’. It was important for us to recognise where we could do better. As the inter-agency group developed, each of the stakeholders developed a better understanding of the roles and agendas of the agencies represented. The representatives not involved in children’s homes also gained a greater understanding of the reality of residential child care. In order to generate more substantive data, the authority agreed that information from the recordings in one of the children’s homes would be collated over a six-month period. The results are represented in Figure One.

**Figure One**  
**What’s going on?**



From the detailed records, police involvement was a consequence of the following combinations of behaviours and actions in the four incidents which led to charges being brought against young people:

1. Verbal abuse to staff, followed by damage to property, leading to the young person being physically restrained by staff (young person charged with *breach of the peace*);
2. Assault on staff, followed by verbal abuse of staff, leading to the young person being physically restrained by staff (young person charged with *assault* and *breach of the peace*);
3. Verbal abuse of staff and young people, followed by threats and then an assault on staff, spitting on a visitor, leading to the young person being physically restrained by staff (young person charged with *assault* and *breach of the peace*);
4. Verbal abuse of staff, followed by threats and an assault on staff, throwing food around the unit, and spitting on the floor and furniture (young person charged with *assault* and *breach of the peace*).

The records also seemed to suggest a general threshold for residential staff beyond which the police become more involved (i.e. incidents involving three or more of the concerning behaviours outlined above). The information also demonstrated the extent to which the behaviour of young people is managed without recourse to the police. Another aspect which became apparent from the study was that there was a tendency for the same staff members to be involved in incidents which led to police involvement.

In discussion with police officers, it was clear that they have been uncomfortable in charging young people. They felt that the majority of breach of the peace charges were unnecessary responses to tantrum-like behaviour that might be expected from young people who were under stress. They also reported that some assault charges were for seemingly minor and relatively benign physical contacts (for example, grabbing an arm). It was also apparent in discussion with police officers that there were some concerns about young people being charged with assault during restraints.

**Developing good practice in police involvement: Philosophy, culture and guidance**

*Philosophy*

In Edinburgh all units are involved in developing models of practice consistent with an understanding of the importance of attachment experiences of young people, using these understandings to explore the reasons for behaviours and

not responding in punitive ways. If changing behaviour is desirable then we accept that this demands patience and perseverance. It is not always achieved in a single moment. We can also help young people to be responsible for their behaviour, and to develop skills to deal with anxiety and stress. Where there has been conflict, priority is given to the reparation of relationships. The following quote puts this well:

*Attachment is not just something inside a child; it is something between the two people involved – you and the child – it is in the relationship. Caregivers and children each bring things to the relationship – strengths and weaknesses. Together, they develop a pattern of relating to each other. The pattern of their interactions, particularly around issues of conflict and closeness, is something they shape together. This pattern of relating to each other affects both you and the child; because you are partners in changing it* (Maples Adolescent Treatment Centre, 2007).

Good practice in any aspect of residential child care should begin with agreeing a philosophy. It is quite easy for a manager to decide on a philosophy and offer guidance on this. Bringing a staff team together on a philosophy, which in some cases may challenge personal values and perspectives, is more challenging. When agreeing an approach to the involvement of the police, it is important that staff are given the opportunity to reflect on their views on punishment or consequences for behaviour, individual experiences of contact with the police and how their behaviour was dealt with when they were adolescents. Discussion around these issues within teams is essential.

I have experienced negotiating approaches to dealing with challenging behaviour and police involvement in a number of homes. I have become aware that staff might feel as if they are relinquishing control during this process. This can lead to a sense of helplessness, evidenced by comments like 'the kids are getting away with everything'. During a period of aggressive behaviour in one home, for example, a member of staff posted a notice stating that the home had a 'zero tolerance' philosophy to violence against staff and affirming the rights of staff to work in a safe environment. This poster went up because some of the staff were exhausted and were not feeling safe. While this was not helpful in relation to the message given out to young people, it created the opportunity to explore what we mean by 'zero tolerance' and the effects of aggressive behaviour on staff.

*It's extremely difficult not to get bowled over by behaviour. When a teen is oppositional or aggressive we fear that if we even considered what the needs might be behind the behaviour we are implicitly condoning the behaviour and inviting more of the same. It is important to understand that we are not suggesting that anyone accept or condone behaviour which puts anyone at risk.*

(Maples Adolescent Treatment Centre, 2007).

There are moments which reaffirm the importance of an attachment-promoting philosophy, where the young person's trust in you affects their responses to anxiety or stress. When a young person comes to staff to say they are feeling like running away, getting angry or they are going to do something they should not do, staff can talk them through these feelings. The young person's experience of being listened to and held emotionally and their faith in the ability of staff to keep them safe is much more effective than the threat of being sanctioned.

The attachment-promoting model tells us that we should try to understand the behaviours of young people, both in the context of their life and in their relationship experiences. A philosophy based on attachment helps our homes to develop guidance which is consistent with the idea of attempting to understand and to rely less on punitive responses. It also helps us to develop a shared understanding within teams and establish cultures of practice which reflect this philosophical commitment. This, in turn, will have an effect on police involvement.

### *Culture*

When I first started working in a children's home, we had a local policeman who popped in every so often for a cup of tea and a chat with staff. We would, however, also deal regularly with a range of different officers which was not helpful. In my current work place, we have a local beat officer popping in and we also had members of the police Youth Action Team (YAT).

The YAT was set up in 2003 to work in a different way with young people in a strategy aimed at reducing the youth offending statistics. At that time, the involvement of the police in residential units indicated that offences by young people in residential child care units were playing a part in the rising numbers of persistent young offenders. We established a link which meant that the predominant involvement of the police in the home would be carried out by two or three key officers. They would follow up on absconders as well as deal with any other issues in the unit, and they were often available at moments of crisis. The YAT officers were clearly skilled in communicating with young people and this had an unquestionable impact on the young people's perception of the police.

The development of the YAT teams in Edinburgh allowed us to create a strong relationship with a core team of officers. They became involved in the majority of call-outs to our unit and relationships between the officers, staff and residents in the unit have grown through informal contacts as well as formal interventions. The involvement of this core group of officers is predictable and there is a good mutual awareness of roles. It is noted that there are some who do not like the informal presence of police in children's homes as this is not a

practice you would find elsewhere in the community. The police recognise that units are homes for the young people. We have found however, that informal visits, as has been the practice in some homes, have helped police to develop relationships with both staff and young people.

Establishing good practice is helped by the development of positive staff and young people cultures which complement each other (Brown et al., 1998). In some units, cultural responses specific to difficult behaviour have developed. Where staff responses are consistent with a philosophy which aims to understand difficult behaviour (for example verbal abuse, property destruction or self-harm) as a way of reacting to anxiety and stress, this can help to ensure that any police involvement is appropriate and not reactionary. When considering phoning the police there is a discussion between staff. When reflecting on the 'incident', we sit down and talk about the situation and we try and learn from experience.

In my view, staff meetings are a valuable forum for thinking creatively both about how we manage behaviour and develop a positive culture in police involvement. It is in a forum such as this where we establish a shared understanding of our philosophy as well as how this is applied in working with the group and specific young people. Incident evaluation and debriefing are also essential elements of developing good practice and are desired cultural responses to significant events. Informal opportunities for discussion are helpful but formal recognition of the significance of an event is somewhat more powerful. What we actually do, what happens in reality, before during and after significant events like involving the police, will either reinforce or undermine any cultures of practice. Hence a philosophy and a culture which is congruent with this, remains key to the involvement of police in children's homes.

### *Guidance*

An underlying philosophy based on attachment and a culture which places the needs of young people at the centre of practice is important when it comes to understanding police involvement. This should also be backed up by clear practice guidance. Refocusing the inter-agency group on developing good practice rather than looking for quick fixes helped us to develop a better strategy. The inter-agency group drafted a guidance note for staff. Without a mutual understanding of roles, there can be unfair expectations which lead to unrealistic expectations. For example, having police attend who have no knowledge of the young people or the staff can often lead to avoidable charges or, on occasion, escalation of incidents.

Guidance for staff should acknowledge the particular context of residential care and young people. It should guide and advise staff about when and whether to involve the police. It should define the circumstances in which

police involvement may be necessary, desirable and effective. It should improve joint working between care staff and the police. It should ultimately improve outcomes for young people. Within any guidance developed, two key questions should be asked:

#### *1. What was that about?*

When thinking about involving the police, the basic principle we should adopt is that when a young person has done something which upsets, annoys, frustrates, angers, disappoints, concerns or affects us, we manage the immediate situation using the skills and strategies we have developed and then ask 'What was that about?' before we take any further action. The young people we look after in residential units come to us with an experience of difficult and broken relationships. These relationships are regrettably often violent and abusive in nature. Experience of having their behaviour managed can often be challenging within itself.

We are aware that young people react to stress and anxiety in a range of ways, from abusive controlling strategies (including threat of, or actual, physical assault) to disinterested permissiveness ('Do what you want, I don't care!'). These ways of reacting are often based on early attachment and parenting experiences. The reaction of the young people we work with when they are presented with a different style of care can be extreme. Young people who have experienced no boundaries may find simple requests or the word 'no' very difficult. Young people who have experienced controlling care will experience the power to make choices and take risks as an anxiety-provoking prospect. Young people who benefit from the support and guidance of committed and motivated staff feel safe when the staff team effectively manage the behaviour of the group so they are not subjected to violence, threats, intimidation or lack of control. It is important to note that staff must always have a concern for the needs and rights of young people affected by a tense or violent environment. When we consider that many of our young people have only just survived in similar circumstances in the past, replicating this environment will prove unsettling and upsetting.

#### *2. What are we going to do about it?*

Residential child care staff know that they will have to deal with emotional, and sometimes violent or disturbing behaviour, given the background of the young people in their care. Staff are trained to manage this behaviour and will negotiate, redirect anger, use humour, challenge, and even physically restrain. It is often at times of stress, however, when residential staff look for support from outside. As it is often difficult to see the wood for the trees at times like this, objective guidance and advice is valuable. There are four key points of objective

guidance which should be addressed in any procedure for police involvement:

1. Consider timing of police intervention: would it be better to wait?
2. Have an initial phone call with senior colleagues to discuss the situation and how best to proceed;
3. Let the police know the story;
4. Have a discussion between staff and police about charges. If police officers are asking, it often means they do not think it is the best way forward.

In my experience, police have been used where staff feel that they are unable to keep people safe. Police may be asked to attend a unit where a group of young people are intimidating other residents and staff and there are real concerns that the environment makes safety impossible. The decision to phone the police can be an emotional reaction and as such we may do things differently with hindsight. We must always ask ourselves 'Why did we call the police?' It can feel quite critical but it has proved most useful in helping staff reflect on this major decision. Police can be very skilled in assessing situations and giving good advice. Developing relationships with police officers to enable this practice is an essential component of appropriate involvement of police in units. On occasion we will phone the police for support. This has generally become more appropriate and with good reason, but at times a call to the police may still be as the result of an emotional reaction. On both occasions a relationship with the police officers which enables honest and supportive dialogue is essential.

### Taking the agenda forward

There is undoubtedly a role for the inter-agency group to oversee the issue of relationship between the police and residential units. The group has met for three years and remains a good example of agencies coming together to work for better outcomes for young people who are looked after away from home. Their continued involvement will hopefully avoid any complacency on this particular issue. We are on the way to achieving an ambition which could be summarised quite simply as supporting residential staff and the police in reducing the criminalisation of young people in residential child care. So far, a number of goals have been set by the group. These goals, which are noted below, are in the process of being met.

- The launching of city-wide guidance on the involvement of police. This is a shared understanding which could be developed further by joint training;
- The expansion of YAT teams - a similar approach from police across the city;

- Further development of the attachment-promoting philosophy of practice across the services;
- Reviewing of statistical evidence to avoid complacency;
- Establishing incident debriefing and examining the possible implementation of a restorative justice model. There is a working group of residential staff looking at an agreed format or model across the city;
- Involvement with the Scottish Institute for Residential Child Care in the development of national guidance on police involvement in residential child care (Paul, 2008).

### Conclusion

On the whole, residential staff do not expect other agencies to manage the behaviour of the young people who are accommodated with them. They are entitled, however, to expect some support: from the family or significant people belonging to the young person, colleagues in the unit, colleagues in the wider department (for example, other social work staff), managers, others with an interest in the young person (for example, schools), and other community supports (for example, the police). During tense times, anxieties and stresses are increased. When left unsupported, residential child care staff can go home physically and emotionally drained and may be apprehensive about returning the following day. When residential staff persevere with young people in managing behaviour, particularly violence, this has a cumulative emotional effect on staff. Staff need colleagues and managers to look out for them, to monitor effects and to offer respite from that dynamic. During times of difficulty I have sat and listened to staff in debriefing or staff meetings. When they spend time reflecting and exploring all the options and strategies to make things work for young people, then anything seems possible.

Communication is central to good decisions being made and the relationship that local police officers have with individual units serves as an essential conduit to effective communication. As part of taking the agenda forward I have been involved in the drafting of guidance for staff, including an input to newly-appointed residential child care staff on their foundation course. It is clear from discussions that there are many local arrangements which work for individual units or homes. The lack of an agreed approach at organisational level, however, means that there are variances between units.

If we are serious about developing good practice in police involvement, we must be clear about what we expect from staff, how this fits in with the philosophy and culture of the home and how this can be supported and monitored through effective guidance and training.

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## Who else has the magic wand? An evaluation of a residential unit for younger children

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### Introduction

Residential care for younger children raises complex issues. Should younger children be placed in residential care? If they are, how does a service respond to their needs? What evidence is available about the experience of younger children in residential care? Do they require additional or different care in comparison with older children and young people? These questions are all relevant to the study of residential services for younger children, an area which is little researched in Scotland and across the UK. This paper aims to contribute to the existing research by considering some of the findings from an evaluation of a residential service (The Unit) for younger children run by Aberlour Child Care Trust.

Evaluating a residential service is challenging. Studies which have examined the effectiveness of residential services for children and young people have emphasised that what makes a good service is highly complex and depends on a number of factors (Sinclair and Gibbs, 1998; Berridge and Brodie, 1998; Brown et al., 1998; Clough et al., 2006; Happer et al., 2006). These studies indicate that 'everything counts' including organisational structures, management arrangements, relationships between adults and children, the physical environment, access to the expertise of specialist professionals, the quality of therapeutic interventions, education and community resources, peer support for both staff and young people and maintaining links with families. Approaches to working with young people, individual cultures which have developed within a service and the formal ethos of an establishment all have a nuanced impact on residential care. For those working in residential child care, these findings are not surprising but they make it particularly difficult to single out particular elements of a service which make it effective.

Greater understanding of the contribution of these factors to a positive residential environment is essential to the development of quality services. There are many other elements, however, which influence the outcomes of children and young people looked after away from home which are not related to the residential care environment. Alongside the difficult and often traumatic experiences of their own lives, children also have individual interests, likes