

JUSTICE 2 COMMITTEE

Tuesday 23 November 2004

Session 2

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JUSTICE 2 COMMITTEE

33rd Meeting 2004, Session 2

CONVENER

*Miss Annabel Goldie (West of Scotland) (Con)

DEPUTY CONVENER

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Jackie Baillie (Dumbarton) (Lab)

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Margaret Mitchell (Central Scotland) (Con)

Margaret Smith (Edinburgh West) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Jon Bannister (University of Glasgow)

Councillor Henry Blyth (Fife Youth Justice Strategy Group)

John Carney (Moray Youth Justice Strategy Group)

Sergeant Gregor Fitzcharles (Association of Chief Police Officers in Scotland)

Assistant Chief Constable Norma Graham (Association of Chief Police Officers in Scotland)

Gerry McGeoch (Forth Valley Youth Justice Strategy Group)

Professor Gill McIvor (University of Stirling)

Liam McPherson (Borders Youth Justice Strategy Group)

Michelle Miller (Fife Youth Justice Strategy Group)

Sandra Paterson (Association of Directors of Social Work)

Tom Philliben (Scottish Children's Reporter Administration)

Jackie Robeson (Scottish Children's Reporter Administration)

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LOCATION

Committee Room 2

Scottish Parliament

Justice 2 Committee

Tuesday 23 November 2004

[THE CONVENER *opened the meeting at 14:11*]

Youth Justice

The Convener (Miss Annabel Goldie): Good afternoon and welcome to the 33rd meeting in 2004 of the Justice 2 Committee. I intimate that we have apologies from Maureen Macmillan, Colin Fox and Jackie Baillie.

I welcome one of our substitute members, Kenny MacAskill, who we are pleased to have as part of our committee. This might be an appropriate time to remind members that if they have any declarations of interest to make, they should do so now.

Mr Kenny MacAskill (Lothians) (SNP): I have none to make.

The Convener: Thank you.

I also welcome Fergus McNeill to our meeting. He has been advising the committee in connection with our youth justice inquiry.

I gather that we have with us a party of school pupils from Falkirk High School. It is nice to see all of them here this afternoon and I hope that they find the proceedings interesting rather than stultifying. From previous experience, our proceedings are thought to be quite lively, so I hope that the pupils find the experience interesting.

Item 1 on the agenda is our youth justice inquiry. I formally welcome to the meeting our panel of witnesses: Sandra Paterson from the children and families standing committee of the Association of Directors of Social Work; Assistant Chief Constable Norma Graham from Central Scotland police, who is accompanied by Sergeant Gregor Fitzcharles—both represent the Association of Chief Police Officers in Scotland; and Jackie Robeson, head of practice, and Tom Philliben, reporter manager for the west region, from the Scottish Children's Reporter Administration. I hope that the witnesses will find this a congenial session. The committee is grateful to you all for coming because it gives us the advantage of a good spread of experience to benefit from. We have various questions that we would like to put to you. We are perfectly happy for people to make initial remarks but, given the nature of the session,

I thank you for indicating that you are content to let us get on with our questions.

I will start the ball rolling. The committee is interested in the multi-agency youth justice strategy groups and we are keen to have an overview of how they have been working. We would like to hear the comments of the individual groups of witnesses about what progress has been made in the past few years. Is there any evidence of improved outcomes for young people and communities? Perhaps Sandra Paterson will begin by responding to that question.

Sandra Paterson (Association of Directors of Social Work): The youth justice strategy groups are now working much more effectively in a number of authorities. People have had the opportunity to review the membership of their groups, particularly in light of the publication of the Executive's youth justice standards. That is an on-going process. The previous youth justice audit highlighted some of the issues related to membership of the strategy steering group and indicated the range and status of its current members. Clearly, that is not a stand-alone group and an important issue is how it relates to other children's services planning structures. The new children's services planning guidance seeks better-integrated working, so youth justice strategy groups may make a greater impact than they have made previously.

Groups are also becoming more organised in relation to the issues that they are considering, such as better outcomes. I am from one of the areas in which a fast-track pilot is taking place. That has concentrated our minds on considering how effective the pilot has been and on regular reporting on it. There have been improvements in the functioning of my group, but its work will be made easier by the guidance on children's services planning and community planning.

14:15

The Convener: That is very helpful. I put the same question to Assistant Chief Constable Norma Graham.

Assistant Chief Constable Norma Graham (Association of Chief Police Officers in Scotland): From a policing perspective, there is no doubt that the strategy groups are increasingly effective. We are seeing a positive picture countrywide.

There is one key area that needs to be developed. Each agency must be very clear about its aims and about the joint aims of the group. The joint planning of services for young people across the board is the real goal and the meaningful outcome that we seek. Joint planning is operating to a varying degree across the country and has

yielded very positive results in terms of meaningful outcomes for children and young people. It depends on how effectively the work is co-ordinated. ACPOS believes that proper co-ordination is necessary. Generally, the picture is positive, but there are issues and barriers that we may want to discuss in more detail later.

The Convener: Can you expand on the point about co-ordination? Without co-ordination, not everything is being achieved that might be achieved. The committee would welcome a little more information about that.

Assistant Chief Constable Graham: Although all the players that we would wish to be at the table are involved at strategy group level, it may be necessary to have another group that sits either above that level or below it. In other words, we need a group that is very focused on decision making and that is small enough to be dynamic and to progress issues. At the moment, some groups are quite unwieldy in size and membership. A two-layered approach might be more effective in allowing us to advance issues and to co-ordinate work much more meaningfully.

The Convener: You are suggesting a strategic group that would take an overview.

Assistant Chief Constable Graham: The composition of youth justice strategy groups differs across the country, no matter where we look. A smaller group might be able to play a more co-ordinated role, to take strategic decisions and to focus on and determine the direction. Another group could allow wider networking with groups that are not currently involved or at the table. I refer to partners outwith the statutory agencies.

The Convener: You are suggesting that it might be useful to have another, smaller group.

Assistant Chief Constable Graham: Yes, or the local youth justice strategy group could be disaggregated, so that there is a stronger, strategically focused group. That would be another layer of networking and sharing information, which is clearly an issue and is crucial to effectiveness.

The Convener: That is helpful.

Jackie Robeson (Scottish Children's Reporter Administration): We agree with a lot of the comments made by Norma Graham and Sandra Paterson. Our perspective is on the child with offending difficulties, but also with other difficulties. We are keen that there is a link to other local government and national strategies. The children's services planning developments are welcome. We hope that there are further developments to co-ordinate what is happening with young people who are involved in offending. We share Sandra Paterson's concerns that there

should be co-ordination in terms of outcomes and service delivery for children.

Our impression is that there has been an improvement over the piece, and that local groups are bedding in and examining the issues that confront them. They are probably in a better position now, given the data that are available. As has been reflected in a lot of the evidence that the committee has received, for a while there has been difficulty with sharing information and examining the information that is needed, but groups are getting better at looking at that information. Nationally-consistent data are now available to help groups to make progress. There is a feeling that things are going forward and that groups are developing—some at a greater pace than others, but that is inevitable.

I echo what Norma Graham said about co-ordination. With some groups, there is a need to split into different levels to allow the problem-solving strategic level to get on with resolving the difficulties. People on the ground can work effectively together to address offending issues.

Sandra Paterson: I entirely agree that the youth justice strategy groups need to deal with the strategic issues, and that other groups are required to take forward operational matters or networking. We need to examine the groups that are working to slightly different agendas. I am talking about the broader aspects of the children's services planning process. We might be able to conflate groups, or at least give them a clear remit on some aspects of youth justice. In our submission, we felt that the continuum spread from the preventive end up to the persistent offending end. Within local authorities, groups and forums are already examining aspects of that in the youth strategy—not the youth justice strategy—which may have an impact. We need to make best use of what we have, not just have more groups.

Bill Butler (Glasgow Annie'sland) (Lab): Sandra Paterson and Norma Graham talked about progress being made. Everyone said that there has been a move forward. Norma Graham talked about difficulties in engaging with partners outwith the statutory agencies when attempting to integrate work better and take a two-layered approach.

Assistant Chief Constable Graham: Yes.

Bill Butler: Which partners have been most difficult to engage with on the youth justice agenda and why?

Assistant Chief Constable Graham: It is not so much about difficulties in engaging with individual agencies and organisations—

Bill Butler: Well, which have been difficult to bring in to the process?

Assistant Chief Constable Graham: It is about ensuring that they are at the table, as opposed to encountering cultural or organisational difficulties in bringing them on board. A number of agencies can deliver services, but they differ from area to area—there is enormous variation throughout the county. It is about having the opportunity within the groups that are key co-ordinators of services for children and young people to ask whether we can bring into the wider partnership everyone who needs to be involved. That is part of my argument about trying to disentangle and separate out the highly strategic level. We need wider networking in order to take on board everybody who needs to be involved.

Bill Butler: Which groups or partners should be part of the wider networking?

Assistant Chief Constable Graham: That will differ from area to area, but an example is voluntary or charitable organisations that provide the link to services or that are the service providers. Such organisations may not be represented on strategy groups, but they need to be part of the wider networking and have a voice in youth issues.

Sandra Paterson: Many strategy groups have good representation, but the issue is whether all those people know why they are there and how their sphere of work impacts on youth justice work. That is the difficulty. Work must be done to show people the relevance of being there and what they can bring to the agenda.

Jackie Robeson: The youth justice strategy groups that seem to work well and be effective have a range of partners round the table, although not all the partners attend every meeting—the issue is one of true participation and commitment to what is happening. Input from mental health and local authority education services can be important, but it is not always possible to get representatives of those services to attend meetings. However, the situation is patchy and my comments do not represent the picture across the piece. The better able a group is to consider the work and the children who are involved and to make progress, the more the partners will come to the table.

Bill Butler: I presume, therefore, that the integrated working will be better.

Jackie Robeson: Yes.

Tom Philliben (Scottish Children's Reporter Administration): We should not be too negative, because in my experience in the west of Scotland, good examples exist of the wider community of service providers becoming involved in the issues

of youth justice, youth crime and offending behaviour. Mainstream agencies such as housing and building services now have an interest in the issues and realise that they have something to offer, which is a new development that we welcome. We even have interest from the private sector—for example, bus companies have a commercial interest in restorative justice initiatives, but they also have something to offer to the range of available resources.

We should be positive about the number of partners that are beginning to be interested. We must be aware that we are at a stage in the process and that coming to the table is new for many of the agencies that have been asked to do so. We have to bring them along with us.

Mr MacAskill: I presume from what you have said that local variations exist in the quality of decision making and the range of service provision. The committee is wondering whether we have the right balance between local areas being able to respond to their distinctive needs and wants, and central consistency and availability of service. If we have not got the balance right, in what way is it out of kilter and what should we change? Alternatively, should the balance remain more with the local rather than the central?

14:30

Jackie Robeson: For the reasons that have been highlighted, the things that make multi-agency or integrated working happen are all beginning to happen now and were evident in some groups before. For example, standards are available, some kind of direction is set nationally on policy objectives and the local areas are able to resolve problems and allow those who work with young offenders to make available services that suit the needs of the children with whom they are dealing. Those are all beginning to become more the norm across the piece. That process must be allowed to happen and areas must be resourced.

In the fast-track children's hearing pilots that are happening, in which we have focused in on what is happening with offenders, people are working well together and the resources are available to provide the services. Sandra Paterson, who works in one of the pilot areas, can talk more about the pilots, but they seem to be making a real impact on the speed with which we can deal with matters, which we know to be important, and our ability to reduce young people's offending. We are better able to say what works than we were before and we are better placed to deliver what works for children.

Mr MacAskill: To what extent is there different need in different regions? Is there a need for

consistency, or should what operates in Gairloch be different from what operates in Glasgow?

Jackie Robeson: I am sure that others will wish to comment on that. There may be a need to examine particular aspects of youth offending and to find out what type of offence is being committed or what services are available to respond to need, but those who work in the system should be aware of what works with young offenders, what is based on good research and which available services have been properly examined and validated. In a way, there should be consistency, but it should not restrict workers in dealing with the individual children, which is why it is important to get the right people round the table locally to consider the children's needs.

I do not know whether that answers your question. We need a mixture of consistency and local flexibility.

Mr MacAskill: It answers my question. Does any of the other witnesses have a view from a different perspective?

Sandra Paterson: I agree with Jackie Robeson. We need to ensure that whatever package we have is tailored to the needs of the individual young person, because although we are dealing with their offending, we need to address the other aspects of their life. By and large, if the package is community based, the other aspects will be local and will be present in the community. The package needs to be developed with reference to the area's particular demography or the profile of young people who involve themselves in crime. The local youth justice services identify such profiles and we need flexibility to be able to do so. Guidance is needed in respect of the national policy and the evidence about what works for certain young people in certain circumstances. We absolutely need that information, because we do not want to work away on something that will not be productive.

However, some other areas that were highlighted in the youth justice audit report are problematic. If a residential service is required, it has to be purchased because, by and large, organisations and local authorities cannot provide such a service, particularly if they are small. We need good residential provision for the small number of young people who need it. I think that the Scottish Executive was tasked with ensuring that we had that—I am talking about not only secure accommodation, which the Executive is obviously working on, but other residential provision. At the moment, there is a disparity between residential establishments in relation to what they offer. They are also extremely costly at the moment and, because we are playing to market forces, there is no means of controlling the cost. A bit of work that I did earlier this week

showed that, from 1999-2000 to 2003-04—not even 2004-05—there was an increase of something like £380,000 in the cost of 12 places in the same establishments. We need a national examination of what kind of residential provision we have that considers how good it is and determines a reasonable cost for it.

Mr MacAskill: Is that because the residential establishments are provided privately or because you are expected to pay market rates?

Sandra Paterson: They are independent. People would not take issue with part of the reason for the increase in cost, which is that the establishments have to address issues in relation to the Scottish Commission for the Regulation of Care. They are improving the standard of their assets and putting in more staff to increase staff to child ratios. Frankly, local authorities have not been recompensed for those improvements, which they are still having to commission.

Mr MacAskill: Is that an argument for the central provision of such services, as opposed to private provision and market forces?

Sandra Paterson: It would be difficult to provide the services centrally, but there could be a mechanism for the Scottish Executive to enter into contracts, rather than each local authority having contracts with individual providers—that is what ADSW was looking for at one point.

The Convener: Are you looking for a greater uniformity of costings nationally?

Sandra Paterson: Yes.

Assistant Chief Constable Graham: One of the key strengths of the system that is developing is that there is local ownership. There is an understanding of local cultures in direct service delivery, and that is an absolute strength and a principle to build on. However, there is difficulty with the learning of lessons from other areas, the sharing of best practice and the ability quickly to recognise what works. There are local variations but often only a little local tweaking is needed to adapt practices for other areas. We should quickly pick up lessons about what works.

That is a positive aspect, but from a more negative point of view one of the key barriers to joint working and the effectiveness of youth justice strategy groups is around data sharing. We do not have systems that speak to one another, let alone individuals who speak to one another. National guidance and policy are important to give people confidence and reassurance that they can share information with partners without fearing repercussions. It would be helpful to have some central guidance on that.

The Convener: I will try to develop that theme. I expect only brief answers from you on this point,

but has anything particularly hampered good working in relation to youth justice strategy groups?

Assistant Chief Constable Graham: I suggest that we could have developed further in a number of cases throughout the country but for funding issues. Money is made available on an individual service basis but, at times, it would have been more productive for work to have been jointly funded. That applies particularly to joint action plans for which people are accountable and on which they have to deliver. Funding has perhaps inhibited progress in some areas.

I return to concerns about data sharing, which I mentioned in response to the previous question, because it is evident that that is an inhibitor throughout the country. A great deal of work has stopped because some partners are reluctant to share data, and interpretation of the Data Protection Act 1998 varies enormously.

The Convener: Is that an on-going problem?

Assistant Chief Constable Graham: Yes.

Sandra Paterson: On that point, work is going on in North Ayrshire on the back of the Antisocial Behaviour etc (Scotland) Act 2004 on developing an information protocol with all partners. I hope that that work will be useful not only to North Ayrshire but to the rest of Scotland. It is funded by the Scottish Executive.

The Convener: Can you tell us a little more about information protocols?

Sandra Paterson: A number of information-sharing protocols exist, but they currently exist only among health, social services and education and relate to child protection. That is a major issue, as has been identified, which has not yet been resolved. Bits of paper are floating around but there is no definitive piece of paper that says that we can share information under any circumstances—that would be difficult to get. However, work is going on that might have a wider application, because it would involve children's reporters and the police as well as housing, social services and education.

The Convener: Would that work benefit from guidance from the Executive?

Sandra Paterson: I presume that the work will draw on any expertise and help that is available. In the Scottish Executive, Vijay Patel is working on the integrated assessment framework for children's services and on information-sharing protocols.

Jackie Robeson: A barrier that was mentioned and which should be addressed is the competing calls on local partners. The different strategic or policy initiatives need to be better co-ordinated

and focused on children. There is probably evidence that that is happening in some parts of the country, but priorities should be set so that youth offending priorities do not compete with other priorities or with child-protection issues. Work should be co-ordinated so that people work towards better outcomes for children.

The Convener: Who should set those priorities?

Jackie Robeson: That takes us back to local input to objectives that are set nationally. There should be a national steer, but local agencies should be able to co-ordinate in the best way possible.

Sandra Paterson: Integrated working will also be driven by the work on integrated inspection, which is kicking off in January with pilots on child protection and will be broadened out to enable integrated inspection of all children's services. Local authorities and other partners will work up the areas that will be inspected in relation to good practice and good outcomes, and they will develop best-practice illustrations that will follow the "How good is our school?" model in education. That work will improve integrated working and have an impact on youth justice.

The Convener: I do not think that I am alone in not knowing the detail about the protocol on inspection. Is that work being driven by the Executive or has it arisen with the co-operation of local authorities?

Sandra Paterson: It has arisen with the co-operation of local authorities.

Bill Butler: The witnesses talked about the obstacles that have most hindered the strategy groups in the development of partnership working, and have mentioned steps that are being taken to avoid such obstacles, such as the development of information protocols and integrated inspection. I want to consider the other side of the coin. For the record, what factors have most assisted the strategy groups' progress in the development of partnership working?

Assistant Chief Constable Graham: There can be little doubt that the drive towards national standards has provided a clear set of expectations and guidelines. That has set parameters so that people are clear about what we are aiming for, which—from a policing perspective—has been enormously helpful in focusing minds.

On a less strategic level, the secondment of staff to partner agencies has helped people to understand the cultures in, and the aims and objectives of, other agencies. That has improved the possibilities for working together because it helps us to find common ground rather than to see the gaps and the difficulties. That has been incredibly helpful.

Another contributing factor is representation and support at the appropriate level within agencies. In other words, if the people at the very top of an organisation sign up to the process as a priority that is on their radar, that drives an active interest. The issue then becomes an important piece of business that needs to be taken forward.

Although the development of a formalised approach to sharing information has proved to be difficult, there has been much greater openness and transparency in the past couple of years. There has also been much more discussion of joint decision making, although that has sometimes been driven by statutory obligations. The fact that people are now much more open is beneficial. Key agencies now engage in dialogue, which did not always happen in the past. That is particularly helpful.

At local level, a number of practices go on. For example, in my area the youth justice referral group provides a formalised opportunity for people to get together each week to consider issues around young people, especially young offenders and those who are in the high-risk category. Again, the fact that the arrangement is formalised allows focus and priority to be placed regularly on those issues.

14:45

Bill Butler: Do other witnesses agree with Norma Graham's comments? Does anyone wish to add to or even to contradict what she said?

Tom Philliben: On the whole, we agree that the development of national standards seems to have been the main driver for improvement. For example, the youth justice standards and the relaunched key standards from the time intervals working group have helped to keep people focused.

Having dedicated staff and resources that are ring fenced to a particular function also makes a big difference. Things can be driven forward when there are people on the ground who can champion an issue and keep it moving. When resources are squeezed, agencies tend to pull back into their core functions so that less time and energy are left for the important multi-agency stuff. In those situations, people tend to focus on the short term rather than on the mid to long term.

From my experience of attending interagency forums, people are now much more aware of what is required. They are much more radically minded than they were even a few years ago on the need to look for change in what we do and how we do it. There is much more of a blank sheet, in that people are now less prepared to tinker round the edges with systems and processes and are more prepared and able to look radically at how we

deliver services. The focus on the child at the end of the process has been welcome.

Bill Butler: Is there now more ability for lateral thinking?

Tom Philliben: I would say so, as that has been my experience. For example, we had a meeting with the Association of Directors of Social Work yesterday to consider specifically how information is provided to children's reporters. In some local authorities, big jams in provision of such information slow down the process and lead to outcomes that are not so good. However, the group was willing to look radically at how we can create a situation in which assessment information can be given to the children's reporter so that decisions can be made more speedily. It was heartening that the discussion was very open, but that is not as unusual now as it might have been previously.

There are also specific examples of how work has changed. In Glasgow, a case-progression model is being used that involves working with external consultants to ensure that people focus on individual children. That has ensured that people meet their deadlines and deliver on their commitments, which is a welcome development.

On data sharing, for some time now reporters have shared information with key partners on, for example, the top 50 young offenders in their area who create the most difficulties for their communities. In many areas of Scotland, such young people are now the subject of very strong focus because we are able to share that kind of information.

Bill Butler: Do other witnesses wish to add anything to that?

The Convener: I am conscious of the time, so I ask the witnesses please to make their responses fairly short.

Sandra Paterson: I would like to see dedicated staff being involved in policy and not necessarily dedicated teams. We do not have a dedicated team in North Ayrshire; we did not adopt that model, but our approach is working. I agree entirely that the information that is being passed between children's reporters and local authorities is better. Better management information will lead to improvements in how local authorities deliver services.

Assistant Chief Constable Graham: I will briefly give an example in which there have been tangible results. Youth tracking systems are now established in the police areas of Grampian, Fife and Central Scotland. Those systems show the effectiveness of multi-agency working with young people and present a real opportunity to see tangible results in terms of reoffending and

positive outcomes for the young people concerned.

The Convener: So that happens in Grampian, Fife and Central Scotland.

Assistant Chief Constable Graham: Yes.

Mr MacAskill: Moving on from the lateral-thinking approach of the blank sheet of paper, what developments have there been in diversionary services and early intervention? I ask Tom Philliben and Sandra Paterson whether there are natural limits to those developments, or have we got some way to go?

Tom Philliben: Sandra Paterson is probably best placed to talk about early intervention, because it is part of the continuum of service provision that comes before the involvement of the children's reporter. There are around the country examples of diversions from formal processes, some of which involve voluntary organisations and some of which involve restorative justice staff.

Most committee members will be aware that almost all communities in Scotland now have access to some level of restorative justice resource. That provision has developed over the past two or three years. Obviously, the scale and nature of the resource differs from area to area; it is dependent on circumstances in that offending is in some areas less of a problem than in others. Glasgow has an extensive restorative justice scheme that deals with early warnings—the restorative warning initiative for children and young people—in which the police are heavily involved. Another model is the conferencing model, which is essentially a restorative group-work project in which young people can be linked to mainstream service provision.

We are acutely aware that, in the process of diversion, it is possible to miss some children whom it is important to hold on to. The linking of follow-up services to restorative justice allows restorative justice staff to link young people and children to mainstream services—including education, leisure and recreation services—if, in the course of their work, those staff detect that other issues are involved. We are trying to ensure that a matrix of arrangements is in place. That has been a useful development in dealing with behaviour while keeping children out of the formal systems.

Sandra Paterson: I will focus on two aspects of intervention in a child's life, the first of which is early intervention for pre-fives. We are only now beginning to gather information on whether services for very young children have a cost benefit at a later stage in the child's life. The issue is one of life opportunities; people are beginning to take that on board. This year and over the next three years, much money will go into early-years

intervention, which should produce benefits several years down the line. I also believe that the Executive is going to track the spend over 20 years in order to examine outcomes.

The second aspect relates to the need to get everybody on board in terms of intervention for young people generally. The youth strategy—which is different from the youth justice strategy—recommends that young people's problems should be addressed early, and the agenda for integrated community schools takes the same approach. We need to ensure that everybody plays their part, so I would like to see everybody having access to a tiered and staged intervention framework that clearly outlines where each of the agencies and voluntary providers would intervene at any point in a child's life. That is what we should be aiming for.

The Convener: I am conscious that Sergeant Fitzcharles, who we are happy to have with us, has so far been rendered mute. I hope that he feels able to contribute if he is minded to say anything.

Sergeant Gregor Fitzcharles (Association of Chief Police Officers in Scotland): I have nothing to add.

Assistant Chief Constable Graham: I reinforce the point that was made earlier by Tom Philliben about restorative justice and the use of restorative cautioning at perhaps quite a high level, in terms of offending young people, but also as a diversionary tactic so that fewer young people come into the formal system. We have found that to be particularly effective. Tom Philliben has spoken about the issues in central Glasgow and a number of other areas in Scotland where that is being done effectively.

Diversion can happen at various levels. There are many examples throughout the country of sport and drama being used effectively as diversions before people come anywhere near the system. The value of that has to be recognised, although we accept that the justice proposals are working well when there is a need for a higher level of diversionary tactic. The reoffending rates are very encouraging and even when there is reoffending, the rate of reoffending is much lower than it would have been previously. In many ways, policing's involvement in the diversionary approach to restorative cautioning is in its infancy.

Mike Pringle (Edinburgh South) (LD): Sandra Paterson referred to residential provision and its cost. What quality of care is provided in secure care and residential provision, and is it improving? There has been a lot of talk about improving it. How does care continue when young people leave residential care or secure accommodation and go out into the community? Is that being followed up enough? What is the aftercare like?

Assistant Chief Constable Graham: From a policing perspective, it is quite difficult to give a view on the level of care in the establishments. That perhaps leads us into another area of interest, which is the ability to respond to specific groups of young people. If I may, I will answer in relation to young people with mental health issues and learning difficulties. We see an absolute dearth of care in that regard. Quite often, such people come into our care and our only recourse is to detain them. Clearly, that is not helpful for anyone who is involved and it is not something that the policing system wants to be involved in. It happens because there is a lack of any other care.

In terms of social work presence, we know that fewer social workers are available, which impacts on residential care issues, especially when young people go missing from residential care. As much as they want to, care homes are unable to impose stricter controls and give that duty of care proper recognition. They just do not have the staff, which is why such matters become police responsibility. I do not think that, in our society, people want the police to become the guardians of such individuals, who clearly should not be in police cells. We regularly see that consequence of staffing shortages.

The Convener: What would be your preference in respect of young people with mental health problems and learning difficulties? Would you like there to be more social workers so that the youngsters could be supported in their homes or on some other community basis?

Assistant Chief Constable Graham: Where such youngsters are cared for is perhaps another issue. You are right that that is another element of the discussion. The issue is about numbers. There is just not sufficient care, which impacts not only on the ability to assign someone to examine a young person's issues before they become of real concern, but on the ability to fast track work. We live in a society in which a number of mental health issues that we may not have seen several years ago will manifest themselves in later years because of persistent drug use. That is a real threat and it needs to be addressed.

15:00

Jackie Robeson: There will always be a need to provide secure care for the young people who need that level of security. One of the benefits of the system is that there is flexibility, so young people's needs can still be met under that level of security.

Over the past few years, I have noticed increased consideration of alternatives to secure and residential provision. As a result of the increased range of available services, there are

more opportunities for young people to be cared for, with supports, in the community. Obviously, developments in restricting movement through the Antisocial Behaviour etc (Scotland) Act 2004 will be interesting, because intensive support packages are very much needed with that legislation.

There are several areas of experience of considering the needs of persistent offenders who are involved in the fast-track pilots. I refer, for example, to the provision of small, almost family units in Dundee that are available 24/7 for young people as and when they need them. There is also in the Scottish Borders what is almost a mentoring system in which people are available when a child's needs are particularly critical. Those people act almost like human tags for children in being around to cater to their needs. There has certainly been an increase in the capacity to respond in respect of children whose behaviour is leading to their putting themselves and others at risk. I suppose that I see a progression towards better availability of services for such children.

Sandra Paterson: Earlier, I think I said that I thought that some cost increases were linked to better provision, but I do not think that provision is perfect yet. Some schools do better than others in what they have to offer. An example relates to mental health input and whether schools can afford drug counselling for young people or whether they can work on programmes for them. There are still also gender issues involved in what some schools can offer. I refer particularly to the small number of girls who are in secure care, although I see matters improving in that respect.

There are still difficulties with throughcare, particularly if a young person who is coming out of care is on the cusp of 16 or 17 and might not be going back home, or might not be fitting easily into one of our children's units and requires alternative accommodation. In many cases, we do not yet have good provision for those young people, but we are now implementing more intensive packages of care. As we work in one of the fast-track areas, we manage to attract funding support from the Scottish Executive for implementing intensive supports for young people who are coming out of care, which has been an absolute boon. I am sure that the difficulty will be that the Executive will not be able to roll out that support across the whole country, just as it will not be able to roll out the funding for the fast-track pilots.

Mike Pringle: So you are saying that when people come out of residential care or secure accommodation, there is good follow-up, as you receive extra funding from the Scottish Executive. However, the most important issue is surely that a person who has been in secure accommodation will need intensive support when they come out of

that accommodation in order to prevent their going back into it. If a person is on the cusp of the age group that you mentioned, we should try to stop them going into a young offenders institution. Are you saying that most local authorities need support in that area?

Sandra Paterson: I think that many local authorities would be unable to provide intensive support for such young people. That is a resources issue that has already been mentioned.

Mike Pringle: Does Assistant Chief Constable Graham want to clarify that for me?

Assistant Chief Constable Graham: Absolutely. Aftercare is absolutely crucial to throughcare. It has been said that professionals have made great efforts and have the will to consider alternatives and to move away from considering the issue as a resources issue, but matters also come down to the number of qualified individuals. That is difficult to move away from, although much innovative work is going on.

Jackie Robeson: It is critical that support exists when children come out of a longer-term residential unit or secure care. From our point of view, those are the most vulnerable children in terms of the risk of their going into the criminal justice system. From the research that is available, we know that the outcome for people who have been through residential or secure care is worse in terms of how they are treated in the criminal justice system as a young adult. It is critical that support be put in place and sustained for a period of time. We know that the longer such support can be provided, the better the outcome for everyone concerned. I support whole heartedly what Sandra Paterson said.

The Convener: That is helpful. This has been an invaluable opportunity for us and we appreciate the fact that you have made time to come and speak to us.

I welcome to the committee our second panel of witnesses. We are pleased to have before us Gerry McGeoch, the chair of the Forth Valley youth justice strategy group; Liam McPherson, from the Borders youth justice strategy group; Councillor Henry Blyth, from Fife Council; Michelle Miller, the senior manager of the children and families and criminal justice services in Fife Council and a member of the Fife youth justice strategy group; and John Carney, the child care manager in Moray Council and chair of the Moray youth justice strategy group.

We would be delighted to hear any opening remarks, but I suggest that unless our witnesses object, we simply proceed with questioning as committee members have many questions to ask.

Bill Butler: I would like each of you to describe the composition and way of working of each youth justice strategy group. Who chairs them? Who are the key contributors? Which partners are most difficult to engage with and why?

Gerry McGeoch (Forth Valley Youth Justice Strategy Group): I am the chair of the Forth valley youth justice strategy group. The Forth valley criminal justice group has been in action since 1995, prior to local government reorganisation. At that time, the principal drivers were partnership arrangements between Barnardo's, Central Regional Council and Central Scotland police in relation to the development of programmes for young people in trouble.

The group has been consistent over the years in moving forward what we now call the youth justice agenda. The partnership has remained consistent since 1994-95, with membership comprising the three local authorities, education and social work, Central Scotland police, Forth Valley NHS Board, voluntary organisations, Barnardo's, Aberlour Child Care Trust and, at different times, Apex Scotland and Safeguarding Communities-Reducing Offending. Apex Scotland and Safeguarding Communities-Reducing Offending are adult organisations, constituted for people over 16, but they are clearly important in relation to the younger end of the justice agenda and continue to be partners in the Forth valley youth justice strategy group.

We have a mission statement that I would be happy to leave for the committee and that we are hoping to have ratified by the chief executive group. Local government has changed and the chief executive group representing the board, the police and the three local authorities are progressing a number of items through the child protection reform programme and on substance misuse. We have presented the chief executives with a new mission statement to carry us into the next two or three years of the changing agenda for youth justice.

Bill Butler: It would be opportune for us to have that mission statement.

The Convener: Bill Butler asked whether any partners were difficult to engage with.

Gerry McGeoch: Absolutely not. I am very pleased to say that there is an excellent working partnership.

Liam McPherson (Borders Youth Justice Strategy Group): My name is Liam McPherson and I am youth services manager for Scottish Borders Council. I will be chair of the Borders youth justice strategy group until the new head of service from social work takes up appointment in December.

The group has evolved in many ways since 1998. At the beginning, it was important to develop the right range and levels of representation. The group has evolved very successfully, especially over the past 12 months, to include most of the key agencies that are involved in youth justice in the Borders. I refer to the police, social work, health, education, voluntary agencies, victim support, drug and substance abuse groups and sport and recreation, which is becoming a key provider in this area.

At the beginning, there were problems in getting the right range of people involved. The group has taken in new members whose role is crucial. For example, housing has become key because of the housing agencies' role in dealing with antisocial behaviour. The involvement of sport and leisure and the voluntary sector is also key. Over the past two years, victim support has played a crucial role.

One issue is the varying levels of involvement in the group. It is important to try to involve people at the most senior level possible. We need to get that message across to some agencies. If we are to make a difference to the strategy, we must get people involved as senior members. That has been our biggest challenge over the past few years.

Councillor Henry Blyth (Fife Youth Justice Strategy Group): We have brought along two folders that contain information about everything that is happening in Fife. I have the pleasure of serving as chair of the Fife youth justice strategy group. That is a very worthwhile task and I am strongly supported by all the professional agencies in Fife. I have no problems inviting people to meetings. If there is a need to share information, representatives attend meetings of the youth justice strategy group. I am well supported not only by fellow councillors, but by the chief constable, by the service manager for criminal justice and by community, housing, information, youth drugs and youth justice services. All are run together by our committee administrator, who is sitting in the public gallery and keeps us all right.

Fife has many of the problems that are shared throughout Scotland, but we are addressing all the issues. More support and benefits are going out to young people in Fife and we are proud to say that we are doing a good job but, as always, there is room for improvement.

15:15

John Carney (Moray Youth Justice Strategy Group): Our group covers just Moray—we are not in a partnership arrangement with anybody. As my colleagues have said, the situation has evolved. We have probably shared the problem of achieving representation at the right level.

The group consists of representatives from the police, social work, education, housing and criminal justice, two large voluntary organisations—Aberlour and NCH Scotland—and adolescent psychiatry, the children's panel and the Scottish Children's Reporter Administration. Councillors attend our meetings, but they are not permanent group members.

If I am being straight up and down in what I say, the engagement with the youth justice agenda has probably been greater for people who are closer to the centre of the action—social workers, the police, children's panel members and the SCRA. That is not to be unduly critical of other colleagues, who have many and varied demands on their time. However, greater engagement with some other agencies would be more beneficial.

Bill Butler: With which other agencies would greater engagement be beneficial?

John Carney: We have difficulties with housing arrangements for young people who get into trouble with the law. The health services—child and adolescent psychiatry—work with us, but the demands of very testing clinical cases mean that young people who have behaviours that lead them into conflict with the law and who might have a mental welfare problem are left slightly out of the centre. We can think of that as similar to a stone landing in a pool—people who are closer to the middle are engaged, but as we go further out, engagement may not be as strong.

The Convener: We have much material to cover. If witnesses agree with their colleagues, I am happy for them just to say that they agree, rather than feeling that they must chip in their tuppenceworth. Witnesses can use their own judgment on that.

Mr MacAskill: All the witnesses have touched on my question. How and to what extent has shared ownership of the agenda been developed in the groups? I do not know whether the answer is uniform and just one individual wants to comment. I appreciate that difficulties exist because some do not participate to the same extent, but among those who participate, how has an agenda been created?

Councillor Blyth: Since I took over as chair of my group, I have believed that every member who attends our meetings has an important role to play. We have developed that by taking our group and the workers who support group representatives on visits to Polmont and Cornton Vale. That was worth while and was most beneficial at our meeting after the visits, as everyone had an input. The generation had started to kick in.

If an area in Fife has a specific problem, I always give the relevant representative who

attends our meeting an opportunity to give a presentation, but I allow that to last only 10 minutes, so that it does not take up valuable time. It has been most beneficial to our group to hear from people about confrontation problems, so that we can share information and identify whether we can give further support to deal with the problems of each group member.

Gerry McGeoch: Three local authorities are involved in the Forth valley group. The fact that we are coterminous with Forth Valley NHS Board and Central Scotland police has been pivotal over the years in encouraging a partnership approach and developing the common themes of youth justice that have emerged.

Regrettably, I omitted to mention the fact that the Scottish Children's Reporter Administration is a member of the strategy group. It is quite a big group and I forgot to give the SCRA a mention in dispatches, which was remiss of me.

John Carney: On the engagement notion that has been mentioned, it is when there is a particular problem to be solved that we see the strength of people coming together, especially when that is played out at a local level. We try to deliver our services through local neighbourhoods. If specific issues emerge, people come forward and work hard to try to address them. I would not like to give the impression that, somehow or other, there is a lack of co-operation in Moray; I just think that it manifests itself in different ways.

Liam McPherson: Much of what my colleague from Moray says is true. On the local side, with regard to the local resolution of issues, the group has worked together and has gone from strength to strength, although some people still have some way to go to meet the philosophy of youth justice and the strategy. That may impact on the roles that health and education may play, and it is increasingly becoming the responsibility of the more involved members of the group to bring them in at the times when they can play a vital role.

The Convener: I would like to ask about the local facilities in youth justice services. What has advanced and helped the development of good facilities?

Liam McPherson: One of the key things that has happened over the past two years—perhaps because we have been fortunate enough to have one of the fast-track pilot schemes in our area—concerns the knowledge and profiling of young people who offend, especially persistent offenders. Over the past two years, we have recognised that we will not resolve those issues, reduce offending and make communities safer if we do not work together as a group to provide resources in an integrated way. We will have to work hard to provide a range of services for persistent

offenders, and we are starting to know what works and what does not work. Organisations that felt that they did not have a role to play in youth offending can now see that they do have a role to play and can make a valuable contribution.

The Convener: Fast-tracking has helped to focus that work.

Liam McPherson: It has given us the resources, albeit temporarily, as we do not know whether we will be able to sustain those resources come the new year. It has given us the opportunity to find out which resources work.

The Convener: What factors have facilitated progress in Fife?

Michelle Miller (Fife Youth Justice Strategy Group): The commitment to joint working and playing that out beyond the strategy group level. For example, our youth justice team includes social work staff and clinical psychology staff who carry out assessments on young people. Coupled with that, we take an approach that is much more evidence based and programme focused, so that it is clear what outcomes we are trying to achieve. We try to match the aims of any group work programme for young people with an assessment of their needs, so that what they actually need and how we might operate that is much clearer to us. That gives us the opportunity to be much clearer about the outcomes and how we measure them, and we can be more focused, which is a step beyond our past practice.

On engagement, which was mentioned in the previous question, it is not difficult for a multi-agency group to accept in principle an overarching mission statement and shared goals; the challenge comes when there are tensions between the individual agencies' aims and objectives, statutory responsibilities and funding streams. When the agencies' priorities are in conflict and there is a tension between focused, specialist services and more generalist, universal services, there is a challenge for the universal agencies to manage to keep at the forefront their broader aims and objectives while, at the same time, committing resources to the specific and targeted objectives of specialist services.

The Convener: And in Moray, Mr Carney?

John Carney: We were fortunate—probably by accident rather than design—to get an ex-police house for our youth justice team, which is next to the police station in Lossiemouth. In fact, there is an interconnecting door. One of the advantages has been the confidence building. We developed a restorative justice scheme, and a number of police officers were redirected to work in Lossiemouth so that they could participate in that. The youth justice strategy has a mission statement, but there is a hearts-and-minds element that enables those

things to work. It has been very positive. In the past, there have been rocky relationships between police and social work, but I think that we have been pretty fortunate.

I echo my colleague's comments about common objectives in setting up the restorative justice scheme and getting it operating. It involves getting into the court and pulling people together. It is not only the facilities that help in that respect, but also the common goals and purposes that people have.

Gerry McGeoch: On the projects and work that front-line staff undertake, we can refer to Barnardo's Freagarrach project, which has been nationally recognised and researched, and the evidence shows that it is a project that works. As was mentioned in the response from the Fife youth justice strategy group, however, it does take a bit of time to make the concept into a reality. Getting the work done on the Freagarrach project took a few years to build up, from 1994 to 1996, as we translated ideas into action for getting young people through specific programmes. In Forth valley, we built on that through the other Barnardo's project—the matrix project—which concentrates on eight to 12-year-olds. The Freagarrach project was initially for 12 to 16-year-olds, but it was then extended into the criminal justice arena to cover 16 to 18-year-olds, who are now seeing the benefits of that project.

We also have the Aberlour unit 2 project, which is a restorative justice programme. Over the past couple of years, we have been building on the programme development. We also have the youth crime support and victim information project, which is a pilot project across Forth valley. We have also linked up information technology systems with central Scotland police, and that is one of the benefits of being coterminous across a range of agencies. We can link into certain data through the information technology network to the benefit of all the partnership agencies and, perhaps most important, for the benefit of communities and young people in trouble.

The Convener: We have looked at the sunny side of the street. I would like to ask you now to tell us simply whether there has been any particular factor that has hindered progress. Again, we shall start with Mr McPherson.

Liam McPherson: It will be an evolutionary process. There is nothing that actually hinders the process, in the sense that there is something that needs to be resolved, but we can clearly do more work on communication with our local community. The perception of crime may still be high and that is something that we have to take on board. We all welcomed the aspects of serious communications strategies that allowed us to communicate effectively with our local community. We have to tell our local community what we are doing about

crime, and the strategy group has a particularly good role there, because it brings together all the organisations, some of which have great respect in the community. If we are going to reduce crime, we must believe that youth justice belongs to all. We should start it as early as possible and we must have preventive and diversionary schemes. That involves intensive input.

The Convener: Do you think that that is an area that requires strengthening?

Liam McPherson: It is about tackling the whole range of offending. If I were to criticise the approach we take in our area, it would be by saying that we concentrate on the persistent end of the range because that has been the subject of a pilot for fast tracking. We must ensure that we have a range of services that tackle offending at the earliest stage.

With the advent of restorative cautioning through the police, I hope that we can ensure that restorative justice processes are also within schools and residential schools. We must accept that research indicates that young people can be contained in residential schools, but that that does not stop offending or change offending behaviour. We have to examine that as a small area. Most of our specialised residential schools are four hours away from us. If we are going to change behaviour, we have to do it in the local community. It is not that we are not doing well, but we have to do better.

15:30

Councillor Blyth: I echo what my colleague said. Being a councillor gives me the opportunity to listen to colleagues on the council and hear what their communities are going through. One of the strengths is excellent community police work, with young men and ladies going to talk in schools. A few years ago, youngsters would keep on the opposite side of the road from the police, but now they walk on the same side of the road. They talk to each other and call each other by their first names. That is building up a good relationship between the police and young people at school.

I happen to be involved with quality-of-life funding. When we got the opportunity to benefit young people in Fife, the best way to find out what they wanted was to listen to them. I went to my local high schools and was amazed by what young people told me they wanted. We have benefited from listening to young people at senior schools.

The Convener: What about negative issues? I am trying to establish if any factors have been difficult.

Councillor Blyth: Negativity comes about if we do not listen to young people and do things

without consulting communities. If we consult well, we will do better at serving young people in Fife.

We have a regeneration barrier in Fife. What is the community's interpretation of regeneration? There are four regeneration areas in Fife, and making progress on what the community wants has been slow. If we could only listen better to the community, it would benefit families, communities and young people in Fife.

Mike Pringle: Does Michelle Miller want to add anything?

The Convener: I am conscious of time, Mr Pringle. We have a lot to get through. If something is pressing, please indicate that you want to speak.

Mike Pringle: I just thought that Michelle Miller might want to answer.

Michelle Miller: One of the challenges is short-term funding. We develop services that are supported by short-term funding initiatives, but they are not sustainable in the longer term. The previous panel talked about the importance of throughcare and aftercare. We have developed a range of multi-agency services that is supported through new futures funding. That will cease in March next year, which will have a significant negative impact on the level of service that we can deliver to young people who come out of residential and secure care.

The Convener: Thank you, that is helpful.

John Carney: The issue that has emerged for us is the understandable targeting of resources towards persistency in young offenders who get into the offending cycle, which diverts time, attention and money away from young people who are on the edge of persistent offending. In Moray, we deal reasonably well with persistent young offenders, but the recruitment of young people into that group can become a problem. As was mentioned, prevention is important. To some extent, I suppose that we are closing the stable door if we concentrate only on young people who have entrenched problems and ignore the potential development of those issues with other young people.

Gerry McGeoch: I concur with Michelle Miller; it would be helpful if we could consider other funding models. We would not necessarily want to replicate the adult criminal justice system and import it into children's services, but there are well cemented arrangements for funding, which would help the long-term strategy to which Michelle Miller referred.

I do not make these points in any particular order. On a practical level, a review of the time interval standards, in particular standard 3, would be helpful, because the standards have not been

reviewed since they were set by the time intervals working group in 1998. The Association of Directors of Social Work and the Scottish Children's Reporter Administration have been considering extending the standards. The matter relates to fast track and other areas within children's services and it would be helpful if the committee could consider the matter. An extension of standard 3 to at least 25 days would be consistent with other reporting mechanisms.

Media involvement was mentioned. The publicity around a very small number of children and young people can be a severe negative. Only a small percentage of young people become involved with the children's hearings system; 98 per cent of children in Scotland are good, valued citizens of tomorrow. We must be careful not to import adult criminal justice processes into children's services that should be nurturing children—getting people to understand that can be a problem at times.

The linking of strategy group statements from different local authorities can be a tough job. In Forth valley there is a substance action team, a child protection consortium and a child health forum and we are trying to ensure that those strategy groups, which are made up of chief officers and sometimes members, have access to the relevant information that ties in the various working groups.

For local authority staff, the voluntary sector and the Scottish Children's Reporter Administration, the capacity to undertake the range of activity that is expected of them is a serious issue. We are expected to achieve objectives at an accelerated rate, which can create quite a tough agenda at times.

The Convener: That is helpful. Bill Butler wanted to quiz the witnesses about local examples of good practice, but quite a lot of evidence has already unfolded.

Bill Butler: I think that my question has been pre-empted. We heard about the restorative justice team in Moray and Mr McGeoch told us about the matrix project in the Forth valley and gave other examples. I think that we have covered the issue.

The Convener: Are there issues of good practice in relation to which the witnesses would feel deprived if they could not mention them? I have noted some of the examples that Bill Butler mentioned.

Liam McPherson: The use of mentors on a one-to-one basis offers a tremendous resource and we hope that that resource will grow. Mentors are especially useful in rural areas, where much work is carried out on a one-to-one basis. We have been able to take account of the rural dimension by using mentors as role models and

asking them to work with young offenders, targeting the times when they are most likely to offend. That has been critical to the change in offending patterns over the past two years.

John Carney: The most interesting example that I can mention is a partnership between voluntary organisations, social work and the fire service, which worked for several weeks with young people who had been getting involved in raising fires and finished off—somewhat to my surprise—with a barbecue. That might have been a mixed message, but the initiative seems to have gone well.

The Convener: That is novel.

Mr MacAskill: Are there are areas of the youth justice service, in rural and urban areas, that need development locally and nationally? The witnesses have probably touched on some areas, but do you want to mention any other aspects?

Gerry McGeoch: This will relate partly to the convener's question, because I did not get a chance to talk about features that we might consider. Employment and training are critical; the Forth valley report, which I will e-mail to the committee, will highlight good practice among the projects that I mentioned.

It would be useful if there were a unified risk-assessment process. There are various models, so we could seek evidence on which is most appropriate for children and young people. Again, we must remember that we are dealing with children and young people, rather than with adults who have the cognitive abilities that are assumed by most risk-assessment programmes in criminal justice. In the Forth valley, we have throughout the area followed the asset model, which has been researched by the University of Oxford and which we suggest is a suitable model to follow.

Councillor Blyth: It amazes me how much we can help simply by listening to young people, even of primary school age. I chair a child care partnership which, at the moment, has 400 staff. Three years ago, the team had only two members and within the next year, the number will increase to 800. We are there for children from their early years, right through primary and secondary school. I have asked the colleges in Fife to come on board to provide the opportunity to involve young people who might not have been involved because of simple factors such as lack of transport. Although many of those young people have problems, they also have skills, so we would like to offer them education facilities to enable them to develop those skills. That is a positive step forward for young people.

John Carney: I have a comment on the rural dimension. In Moray, we seem to have a relatively high number of persistent offenders, which relates

to how funding is allocated. We think that our numbers are due partly to the profile that one or two young people may develop within smaller communities and towns, and to how well the police are able to investigate crimes and sort things out. We find that some of the larger authorities get more generous grants—they will not view the situation in that way—even though, proportionally speaking, we experience significant demand. It is not true to say that a rural area equates to a quiet backwater.

Gerry McGeoch: I concur with the point that the Fife youth justice strategy group made about the early years—it would have been remiss not to mention that significant area. In the United States, there has been much research on the benefits that accrue from investment in good services at that early stage. Again, it is part of nurturing; it is about looking at matters longitudinally instead of adopting a narrow, get-it-fixed-now approach.

The Convener: I am interested in to what extent the groups' approach is evidence based. During your answers, you have revealed much of what has directed your thinking. Would I be correct to say that, before making a decision about what to do or how to proceed, everyone in your groups relates that to the evidence that is in front of them? From what you have said, I infer that that is the case. All the witnesses are nodding.

Michelle Miller: I will add to that. We develop specific programmes that are based on research that says that certain things work or that certain things impact on children's behaviour. That allows us to develop targeted services that meet those different objectives.

The Convener: Is that true of all the groups? Again, all the witnesses are nodding.

John Carney: There is an issue that my colleagues might be able to help me with. In the trade, the approaches that we take are called cognitive behavioural approaches. That means that, for example, one must have some understanding of what one is doing and some empathy with people. We have a few problems with much younger children who get into trouble with the law. Cognitive behavioural approaches are not so applicable to them, so we are searching for a model for working with younger children.

The Convener: What age group are you talking about?

John Carney: I am thinking about children aged between 8 and 12 years—in other words, children who are of late primary-school age. I do not know whether that is an issue for the other witnesses.

Liam McPherson: I concur with what my colleague from Moray has said.

The other key point is that, although we find that cognitive behavioural approaches work, the main element is sometimes engagement with the young person. When doing such work, it takes time to create a relationship and we sometimes find that a lot of preparation is needed in working with people in the younger age ranges.

There is also an older and more chaotic group with which we might never reach the cognitive problem-solving approach until much later in their lives. It is in relation to that group that we have found that being able to consult a forensic psychologist—they are hard to get in Scotland—has been enlightening because it has allowed us to use different approaches to the cognitive behavioural model in which youth justice workers are trained.

15:45

Michelle Miller: A cognitive behavioural approach is neither appropriate nor effective for very young children. The body of knowledge on younger children who offend is sparse, so we have—rather than look for anything more specific—relied on standard child development and attachment theory to formulate our responses.

Gerry McGeoch: I concur with that. That is what I was trying to say earlier when I was talking about importing the cognitive approach from adult psychology. There is a danger that we are suffocating children and young people and not allowing them to develop and thrive as good and useful citizens of the future. We have to take stock of the development of children and young people when we consider the youth crime agenda.

Mike Pringle: We have considered what you do in your various areas. How do you assess or audit future need? How do you evaluate what you have done and how successful it is?

Michelle Miller: The group has developed in conjunction with the police and we have systems for tracking; that was mentioned by the previous panel. That is a longer-term evaluation process for the next two years.

Beyond that, I have to say that our evaluation systems are probably cruder than we would like. However, there are some positive aspects. During the past two years when some of the programmes that are outlined in the pack—which we will give to the committee—were running, we reduced the number of persistent offenders from 84 in 2002 to 48 in 2004. Crude though that evaluation might be, it still feels as if we have made a positive move in the right direction.

We are not struggling with being able to evaluate but with being clear and setting out at the beginning what we are trying to achieve, what

would be realistic and how we might measure that. We also want to measure the impact of strategies for reducing offending in the longer term when children and young people move beyond our remit and are no longer receiving services. We have identified many tensions, but have not necessarily developed proper evaluation systems that address the matter. We have some measures in place and they are outlined in more detail in the information pack, which might be helpful.

Gerry McGeoch: I referred to the Freagarrach project, which is being researched at national level for use across Scotland; it is certainly being used by the Scottish Executive as a model for the future. We in the Forth valley have an action plan on which we have been working for the past couple of years, which will progress our agenda. There are some unmet criteria, which we hope partially at first, then fully, to meet. We will then take up another set of criteria. We have been considering monitoring and evaluation very closely. The Freagarrach and matrix projects have been evaluated externally, which gives us evidence for progressing certain programmes.

Liam McPherson: I am not going to repeat what other witnesses said, but sustainability is key. If we are taking young people out of crime, are we keeping them out of it? We have to get better at measuring issues around employability training and sport and leisure activities, and we have to allow successes in those. We have come a long way in measuring outcomes statistically, but we still have not got it perfect because we are still not able to put together all the statistical information that we collect from different agencies. However, we are getting there. I am confident that we will get there.

There is still the question of sustainability. In five years, will the outcomes be better for young people and for the communities in which they live?

John Carney: I will pick up on the point about evaluation. From the outset, we have employed a chap called Tim Chapman who works at CTC Associates to evaluate our strategy. We were not just examining the hard outcomes, but considering the practice and engagement issues. Interestingly, we also engaged with the University of Huddersfield in something called realist evaluation, which tries to assess the impact of programmes and activities with young people at a very practical level, so that young people can see how their lives are changing and so that we can learn something about what we do at a micro level. We are trying hard to learn our own private lessons alongside the messages from research that are now available through the University of Edinburgh.

Councillor Blyth: I cannot speak highly enough of our detached youth work programme, in which

young people are out on the street talking to other young people, from whom they can bring back an amazing amount of information, based on which we can take a wide range of actions.

Fife recently started using community wardens. They are working in one area and detached youth workers are working in another. I proposed, and it has been agreed, that they communicate with one another and share information for the benefit of the young people who are out in the streets and could be offending. That is one of the best things that is currently being developed.

Another development is a Fife Council website that will concentrate on youth justice matters to assist in communication between the council and the community. I am looking forward to that website being developed.

Gerry McGeoch: We have linked our children's rights officer to young people who come into the system to ensure that we are working within the framework of the United Nations Convention on the Rights of the Child. We have asked that officer to proofread the various strategy documents to ensure that they are consistent with the convention, which is something that we will be looking for in the future.

The Convener: As there are no further questions from the committee or concluding points from the witnesses, I thank the witnesses for joining us. We have found your evidence interesting and helpful and are grateful to you for making your time available for us.

I suspend the meeting for five minutes.

15:52

Meeting suspended.

15:59

On resuming—

The Convener: I welcome members back to the meeting. To continue our evidence taking on our youth justice inquiry, I welcome on behalf of the committee two witnesses—Mr Jon Bannister, senior lecturer in the department of urban studies at the University of Glasgow, and Professor Gill Mclvor, who is director of the social work research centre at the University of Stirling.

I realise that you have been sitting in the public gallery and listening to proceedings, although I was not able to identify you. I hope that you found the earlier evidence helpful. As I said to the other witnesses, you are welcome to make an introductory statement. Alternatively, I know that my colleagues have questions to ask, so if you are content, they might want to get under way with questions. I note that you are happy to do that,

which is very helpful.

Mr MacAskill: Perhaps you would outline the range of different forms of intervention that might be employed to reduce or, indeed, to prevent crime.

Jon Bannister (University of Glasgow): It is useful to think of three different approaches. One could be called primary intervention, which is focused on prevention of offending. That work targets factors that might lead to the development of an offending profile. One might then consider secondary interventions, which are about early intervention. That approach is concerned with identification of the beginnings of problematic behaviour. Again, one is looking there at similar criminogenic factors, but they are at a different stage of development. The final approach is concerned with tertiary intervention, which considers programmes to help prevent young people from continuing their offending; it is more to do with persistent offenders.

Professor Gill Mclvor (University of Stirling): I do not have much to add to that. It is useful to conceptualise the approaches at different stages in that way because approaches that are appropriate for young people who are already persistently offending are quite different to what one does to try to prevent young people from offending in the first place. It is important to recognise that the types of intervention, the factors that are addressed and the scope of the intervention will be different at different stages in a young person's development.

The Convener: I do not know whether the witnesses are able to comment on this, but do you have any opinions on the relative cost-effectiveness of the different approaches?

Professor Mclvor: I will say a little, but Jon Bannister is probably better placed to respond to that question. One of the difficulties, particularly in relation to the earlier interventions, is that the benefits that come from reduced offending will not be achieved until we have gone a considerable way down the line. It can be difficult to quantify the cost-effectiveness of an intervention with, for example, a young person aged between birth and two years. One needs to wait a considerable time to see the longer-term benefits of reduced crime. There are genuine complexities involved.

A number of specific interventions have been evaluated. Reference has already been made to Freagarrach and to a number of other projects that have been established to work with persistent young offenders or with children who are becoming involved in offending. Insofar as those projects have been able to demonstrate an impact on subsequent offending behaviour, there is some evidence that making the investment at that point

probably pays off in terms of a reduction in reoffending and its associated costs in the longer term. It is a complex issue.

Jon Bannister: To date, there has been rather limited research into cost-effectiveness; indeed, there is limited research on what constitutes the approach to investigating cost-effectiveness. The tools are available, but they have not been developed in a way that can be readily applied by most organisations.

Organisations that are involved in youth justice collate data for a variety of reasons, but they have not received the training or the guidance in collating data that would enable them to address issues of cost-effectiveness. That is a clear shortfall. There is a need for more general guidance from the Executive on how individual organisations might approach the problem.

Secondly, cost-effectiveness raises the issue of effectiveness. Clearly, we are interested in preventing the onset of offending and in cessation of offending. Sustainability was mentioned in earlier evidence, which not only suggests that we need a longer-term perspective, but raises issues of import other than offending. If people are to stop offending and engage in other areas of life, we must consider other aspects of effectiveness.

Evidence suggests that the earlier there is intervention in a problem, the cheaper it is to achieve a positive outcome. The Executive funded an evaluation of the Dundee families project, which contained a cost-effectiveness analysis that indicated that although the project was extremely expensive, the savings in the short to medium term were potentially significant. The evaluation also raised another theme that is important to the study of cost effectiveness and offending, which is that the benefits that accrue because of cessation of offending are benefits not only for the criminal justice system, but more broadly for communities and in respect of employment and so on.

Therefore, it is more attractive to consider interventions, particularly earlier interventions, because rather than the cost being contained in the criminal justice system, it can be shared with other areas of the public sector. Moreover, the benefits can accrue not only to the criminal justice system, but more broadly to the public sector and the community at large. We know, for example, that particularly early interventions that help inhibit the onset of offending can also promote good physical health, good educational attainment, potential employment opportunities and so on.

Bill Butler: You just said that aspects of effectiveness other than cost effectiveness must also be considered. You talked about the importance of the onset and the cessation of offending. You gave the example of the evaluation

of the Dundee families project and you stressed the importance of early interventions. Can you say anything more about the relative effectiveness of different types of sanctions, including restorative justice, that might be imposed on young offenders? Has work been done on that area?

Jon Bannister: My colleague is better placed to answer that. My specialism is earlier interventions.

Professor McIvor: There is a growing body of research evidence on which approaches to young people involved in offending are more promising than others. There is an emerging agreement that, in responding to young people who offend, there must be an holistic approach and that focusing simply on one aspect of a young person's behaviour is unlikely to bring about a reduction in their offending behaviour.

The most successful approaches in the projects are those that have adopted what is sometimes referred to as a multimodal approach, which tries to address various aspects of young people's circumstances and behaviour. It also usually tries to bring to bear various people who have an important relationship with the young people, such as family, staff in schools and so on. An example of that approach is multisystemic therapy, which has been developed in the United States and has been found to be successful in bringing about reductions in young people's offending behaviour and associated problems. The approach recognises that looking only at the offending behaviour is unlikely to be sufficient.

As far as the under-16s are concerned, I agree with the evidence that the committee has already heard on the limitations of cognitive behavioural approaches. Indeed, there is increasing evidence that, where possible, families should be involved and attempts should be made to limit the negative influence of the peer group, particularly among children of that age.

Although there is still some evidence that working with young people to enhance their skills, promote self-efficacy and so on, which might involve cognitive behavioural approaches, can play a part, the important message from the accumulated research is that any intervention with young people has to acknowledge the complexity of the circumstances and to offer a co-ordinated response by bringing to bear different types of resources in partnership.

Bill Butler: Obviously, such an approach is evidenced by the use of multisystemic therapy in the United States. Is that common to all states of the union, or has it been developed in only one or two states? Can such an approach teach us anything about effectiveness? How long has it taken for it to be effective and does it have any limitations?

Professor McIvor: As far as I am aware, multisystemic therapy is operational in a number of parts of the US. It is evidence based, in the sense that it developed from research that pointed to effective ways of working with young people and incorporated aspects of practice wisdom by learning from practitioners who are already trying to engage with difficult young people in difficult circumstances.

As with all interventions in this field, there is not a lot of evidence on that approach, but the data that have been reported have generally been positive. For example, it appears to have been associated not only with reductions in offending by young people but with other outcomes such as improved school achievement. The fact that young people are enabled to stay in the school system translates into better educational achievement. The approach also appears to have led to improved family relationships and, more generally, an improvement in young people's engagement with their immediate communities.

It seems that the strength of the approach is its multifaceted nature and the fact that it does not attempt simplistically to reduce young people's circumstances but acknowledges the need for co-ordinating resources that draw on the expertise of several different agencies. Perhaps the closest example in the UK is the matrix project, which has already been mentioned this afternoon. I do not know whether the people who ran that project would have explicitly acknowledged that it used multisystemic therapy, but part of its approach was to work with young people, their families and the other important systems that impinge on the young person.

The key message is that such approaches are not necessarily cheap; indeed, they involve a high level of investment of resources. Moreover, they are not necessarily quick. For example, with the matrix project, intervention in most cases was still going on after 12 months. There was very regular contact between the project workers and the young people and their families. As a result, it is clear that such interventions on young people with complex problems require a range of resources and are likely to take time.

Jon Bannister: That matches strongly with our understanding of early intervention and prevention work. We cannot concentrate simply on offending. We need to take into account other factors that affect a young person's life and upbringing.

Today, 40 years on from the Kilbrandon report, Scotland finds itself in a unique position with its children's hearings system. Irrespective of the efficacy of the system over the years, the logic that underpinned Kilbrandon is even more relevant today than it was 40 years ago. The relevance of that logic is evident now that the evidence base

has caught up with Kilbrandon. We can now see from the hard evidence that what Kilbrandon was arguing holds to be true. That is an important point to remember.

16:15

Mr MacAskill: Are there any aspects of early intervention that have been shown not to work?

Professor McIvor: Before I answer the question, I am aware that I did not respond fully to the previous question, as I did not address the restorative justice aspect of intervention. Restorative justice is an approach that is being embraced increasingly in the United Kingdom. It is drawing on experiences in other jurisdictions: most notably New Zealand and, to a lesser extent, Australia.

Recently, I was involved in reviewing some of the international and UK evidence for the Coulsfield inquiry. Restorative justice can have a number of positive outcomes including the perception of the victim that they were more involved in the resolution of the offence and the sense of the offender that they were given an opportunity to make reparation for the offence. However, the international evidence is somewhat mixed on whether restorative justice reduces offending. If anything, the evidence tends to point to the fact that the more difficult and serious the offence is, the greater the potential is for restorative justice to bring about a change in a person's behaviour.

A word of caution has to be sounded. Although many positive benefits accrue from the group of approaches that we refer to as restorative justice, there is perhaps a little less evidence that those approaches brings about a reduction in offending. That is not to say that the restorative justice approach is any worse than any other approach, as it brings about the additional benefits that I mentioned earlier. One of the reasons why restorative justice is seen as an attractive option is that it represents an attempt to take a more constructive approach to the problem of young people's offending. It also gives victims and, in some cases, the wider community an opportunity to have a say in the resolution of offences.

I turn to the question of what does not work. There is ample evidence that approaches that are explicitly punitive do not work. I am referring to the sort of approach that attempts to deter young people from offending. If anything, those programmes have been found to be associated with higher levels of offending behaviour. One example that clearly illustrates that tendency is the scared straight programmes that were introduced in the United States in the 1980s as a we-must-be-seen-to-be-tough type of response to young

people's offending. Those programmes brought young people who had perhaps been involved in only one or two offences into prisons, where they had fairly aggressive and confrontational briefing meetings with prisoners. The research into the effectiveness of those programmes has been reviewed. It shows that, in some cases, the result of using the programme was increased offending.

There is not much evidence to show that simply punishing people works. Evidence shows that more constructive approaches that try to address the wider circumstances that contribute to young people's offending are likely to be more effective.

Jon Bannister: I can give you a list of things that increase the likelihood that a programme will fail: failure to consider the child in its wider environment; failure to provide a continuum of interventions throughout childhood; not having a clear model of change at the heart of a programme; having poorly trained staff; and failure to utilise the evidence base. As the committee will no doubt be aware, evidence is worthless unless we have the ability to interpret it. To that list, I should also add single-issue interventions and interventions that prematurely target the individual and the family, which are more likely to fail than are interventions that are employed more universally at the community level.

The Convener: We are all agreed on the value of early intervention. Is the system working in identifying difficulties and targeting youngsters at a sufficiently early stage? If not, what do you think would help to improve that?

Professor McIvor: It is difficult to say. There is an inherent difficulty in trying to identify young people who are at risk and to ensure that the appropriate services are put in place to minimise the chances of their subsequently being involved in offending or other risky behaviours.

Identifying at-risk young people is inherently problematic because there is a chance that using a range of risk factors to assess whether a young person is likely to reoffend can lead to overprediction and the associated problems of identifying young people inappropriately, stigmatising them, and so on. It is difficult to strike the right balance between ensuring that systems are in place to enable the right young people to be identified and the services to be made available to them and ensuring that we do not label young people as potentially delinquent simply on the basis of a number of factors that, in themselves, may be generally predictive of offending but carry a risk of error when they are applied to specific young people or groups of young people.

Jon Bannister: I agree with much of that. Early intervention in Scotland is relatively underdeveloped in relation to aspects of the

management of children and young people who have developed offending profiles. Nevertheless, advances have been made such that we now have the tools to engage in the early identification of children who may develop problem behaviours. I echo the point that the targeting of those individuals is not necessarily beneficial. Targeting the communities in which those individuals find themselves is beneficial, and we have the tools to enable us to do that. Various programmes purport to do just that. The Joseph Rowntree Foundation has funded the communities that care programme to undertake a risk and protection assessment of communities, and it is developing its database. Such programmes have also been piloted in Scotland.

Bill Butler: What is known about what works in early intervention and diversion as opposed to formal sanctions? Is there a need for a review of the available research in that area?

Professor McIvor: I will say a little about that and then pass the question over to my colleague.

In recent years, a number of reviews have been carried out of the effectiveness of early intervention and diversionary measures. One of the broader issues is the fact that the evidence base is still relatively patchy, partly because those initiatives are small in scale. That means that any conclusions about their effectiveness are usually fairly tentative and based on small numbers. It is important for that material to be reviewed regularly and for any additional research to be incorporated to give an on-going and evolving picture of what seems to work best.

I shall pass over to Jon Bannister, who can say more about the effectiveness of the specific interventions.

Jon Bannister: There is a range of interventions that have been shown to be effective, and they are available through a variety of organisations. We might consider them as interventions aimed at the family, at the school, at the community or at individuals. There have been positive evaluations of a variety of parenting education programmes and of pre and post-natal care programmes. I know that that is very early intervention, but it has benefits in developing the prevention of offending profiles. Pre-school education has been shown to have a positive impact on the prevention of offending at school level. Aspects of school organisation have also been shown to be important.

The Convener: What do you mean by that?

Jon Bannister: There is a range of specific aspects of school organisation that have been shown to be effective in reducing offending. For example, programmes that try to combat truancy and reincorporate a young person into the school

have been shown to have positive benefits. We all know that those people who truant or are excluded from school are more likely than others to develop an offending profile, so programmes that encourage them to get back into school have been shown to be effective.

The Convener: When you said “school organisation”, Bill Butler and I thought you meant that children should join the stamp club or something. Thank you for explaining.

Jon Bannister: There are programmes aimed at the individual. As we heard earlier, there are some American examples of the notions of community mentoring and peer mentoring.

However, having heard the earlier evidence, I would like to say that there is a great deal of use of the term “evidence base”, as if that means something. I am particularly concerned about what constitutes part of the evidence base. What passes for evaluation of many initiatives simply does not reach a high enough standard to be included in the evidence base.

Bill Butler: What standard should it reach?

Jon Bannister: There are clear models of evaluation and experimental design, which include both process evaluation and impact assessment. Impact assessment has to run for a considerable period of time for us to be able to see the true worth of a programme.

Bill Butler: How long?

Jon Bannister: It varies according to the nature of the programme, but if it is an early intervention programme aimed at two-year-olds and you are looking at the prevention of offending, you would need to follow that programme—or at least an example of that programme—through until the child reached adolescence and beyond.

A large volume of research that is funded, not just in Scotland but elsewhere in Europe, focuses on process assessment. In simple terms, that means asking, “How can we do what we do better?” That is fine and important, but the lack of experimental design and the lack of impact assessment in many evaluations raises a question mark as to whether we have as large an evidence base as we think that we have.

Mike Pringle: Can you comment on the effectiveness of the system operating in Scotland? If you could give us some examples of good Scottish practice, that would be useful. Has any work been done on comparing what is happening in Scotland with what is happening elsewhere? Are we doing it better and are we more effective, or are there other areas that we can learn from?

Jon Bannister: I can talk about the relationship between Scotland and the rest of the world. I

recently went to the international juvenile justice observatory, which is in Salamanca in Spain. The observatory invited a variety of politicians, policy makers and academics from around the world to talk about youth justice.

16:30

The Convener: Was there someone there from Scotland?

Jon Bannister: I was.

The Convener: Was there anyone there from the Scottish political world?

Jon Bannister: No.

I can say that the nature of the problems that are encountered around the world differ greatly. We might think that we in Scotland have particularly problematic youths but, in comparison to many countries, we do not. On the other hand, we have a particularly young age of criminal responsibility compared with elsewhere in Europe and the world. There is a general move throughout the world to recognise the UN Convention on the Rights of the Child and there is an increasing endeavour to compare and contrast approaches to youth justice throughout the world, hence the establishment of the international juvenile justice observatory. Further, next year will see the first world congress on youth justice, which will attempt to invite political representatives, policy makers and academics who have an interest from around the world. Scotland should have a presence at that event.

The Convener: Mr Pringle asked whether we are doing quite a good job in Scotland, compared with other countries. Is that the case?

Jon Bannister: The data that enable us to answer that question are difficult to interpret. The nature of problems that we have in Scotland is different from the nature of problems that exist elsewhere. If you were to ask me whether we have an appropriate framework, I would say that the framework that is based on the philosophy of Kilbrandon is an enlightened and—if applied properly—effective one. If Scotland is able to achieve a balance between prevention and early intervention and dealing with those young people who have developed offending profiles, instead of concentrating too much on people with offending profiles, we will be able to make a significant advance. We have a system that allows for that to happen.

Professor McIvor: It would be fair to say that many jurisdictions look at Scotland with some interest and, perhaps, envy because of the system that we have and the fact that it is able to respond to young people as people who have particular needs rather than separating out issues of

offending from other issues such as care and protection. There is no evidence to suggest that the Scottish system is any less effective than systems that have been developed elsewhere. The data on the numbers of young people who are involved in the children's hearings system and in the adult criminal justice system do not show that there is an increasing number of young people becoming involved in offending behaviour. Certainly, in the 16-and-over category, the group whose incidence of offending, in terms of court convictions, is decreasing more than any other is the under-21 group.

Although there are occasional media panics about young people and crime, the figures should not lead us to be alarmist. There seems to be no indication that youth crime is on the increase. It appears that there is a relatively small number of young people who are disproportionately involved in committing a relatively large amount of crime.

On the issue of evidence and whether the work that is being done is evidence based, my colleague has highlighted an important issue, which is that because the initiatives that have been developed, even in relation to persistent young offenders, usually have only short-term funding—perhaps as little as two or three years—it is difficult to obtain outcome data in relation to the impact that the initiatives are having on young people's behaviour and circumstances. It takes time to follow up the outcomes of sufficient numbers of people to find out what benefits the initiatives might have.

Mike Pringle: You said that we are doing quite well in comparison to other places. Is funding the critical thing for getting the line on the graph to continue going in the right direction? Is the issue just about funding, or could the Executive do other things to help that downward trend to continue, which is clearly what we are all aiming for?

Jon Bannister: The issue is not, and never has been, just money but the appropriateness of the intervention. We are in a position to know what we should do, but I would argue that we have tended to neglect the staffing of the public bodies and programmes. If anything, there is a shortage of highly qualified and trained staff who have an understanding of what factors can lead to the onset of offending and what can inhibit offending. I would argue that staffing and training need careful attention.

Mike Pringle: Are you referring to the training only of social workers or of other staff as well?

Jon Bannister: I mean staff in other areas as well. As I argued earlier, some factors that lead to the onset of offending also lead to poor health outcomes, drug misuse and the like. Agencies need to co-operate with one another and receive

some joint training. Aspects of the criminal justice system also need to engage with other planning frameworks. For example, the community planning framework offers an ideal opportunity for various organisations to have an impact by using their resources in a way that helps to prevent offending and to achieve other positive outcomes.

Professor McIvor: I agree that there is a need not just for more resources but for better use to be made of the existing provision. We need better co-ordination of the work of the different agencies and services that are already in place. We know that young people's offending is not a single issue, as it impacts on, and has implications for, a wide range of agencies. Better co-ordination of the existing resources and agencies is the key issue.

The Convener: Does either witness wish to make any concluding remarks?

Professor McIvor: The question was raised whether we need a review of the literature. I understand that NCH Scotland will shortly issue a publication—which has been edited by Maggie Mellon, who is now at Children 1st and Bill Whyte and Janice McGhee, who are from the University of Edinburgh—that pulls together a range of papers by academics and practitioners on the issue of young people's offending in Scotland. I am not sure of the publication timescale, but I think that it is imminent.

The Convener: On behalf of the committee, I thank the witnesses for giving evidence. Although their evidence has come at the tail-end of the day, we have found their contribution immensely helpful, as it has taken us into areas that we have not explored previously. We are grateful to them for coming before us this afternoon.

Subordinate Legislation

**Land Registration (Scotland) Amendment
Rules 2004 (SSI 2004/476)**

**Title Conditions (Scotland) Act 2003 (Rural
Housing Bodies) Order 2004 (SSI
2004/477)**

**Abolition of Feudal Tenure etc (Scotland)
Act 2000 (Prescribed Periods) Order 2004
(SSI 2004/478)**

**Lands Tribunal for Scotland (Title
Conditions Certificates) (Fees) Rules 2004
(SSI 2004/479)**

16:38

The Convener: For agenda item 2, copies of the four negative instruments of subordinate legislation have been circulated to members. Have members any questions on any of the instruments?

Mike Pringle: No. The Subordinate Legislation Committee did not have any questions either.

The Convener: Can I take it that members are content with the instruments?

Members *indicated agreement.*

The Convener: In that case, I have pleasure in bringing the meeting to an end. I thank colleagues for their attendance. I am very appreciative of their support, given our somewhat depleted numbers.

Meeting closed at 16:39.

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