

AUDIT COMMITTEE

Tuesday 18 February 2003
(*Afternoon*)

Session 1

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AUDIT COMMITTEE

4th Meeting 2003, Session 1

CONVENER

*Mr Andrew Welsh (Angus) (SNP)

DEPUTY CONVENER

*Mr David Davidson (North-East Scotland) (Con)

COMMITTEE MEMBERS

*Sarah Boyack (Edinburgh Central) (Lab)

*Rhona Brankin (Midlothian) (Lab)

*Margaret Jamieson (Kilmarnock and Loudoun) (Lab)

*Mr Lloyd Quinan (West of Scotland) (SNP)

*Mr Keith Raffan (Mid Scotland and Fife) (LD)

COMMITTEE SUBSTITUTES

Miss Annabel Goldie (West of Scotland) (Con)

Mr Duncan Hamilton (Highlands and Islands) (SNP)

Janis Hughes (Glasgow Rutherglen) (Lab)

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

Mr Robert Black (Auditor General for Scotland)

WITNESSES

Mr Paul Carberry (NCH Scotland)

Mr Joe Connolly (NCH Scotland)

Mr David Crawford (Renfrewshire Council)

Mr Douglas Hamilton (Barnardo's Scotland)

Ms Susan Matheson (SACRO)

Mr Keith Simpson (SACRO)

Councillor Tommy Williams (Renfrewshire Council)

CLERK TO THE COMMITTEE

Shelagh McKinlay

SENIOR ASSISTANT CLERK

Joanna Hardy

ASSISTANT CLERK

Seán Wixted

LOCATION

Committee Room 1

Scottish Parliament

Audit Committee

Tuesday 18 February 2003

(Afternoon)

[THE CONVENER *opened the meeting at 13:41*]

The Convener (Mr Andrew Welsh): Good afternoon and welcome to the fourth meeting of the Audit Committee in 2003. I make the usual announcement about mobile phones and pagers—if you have them, please switch them off.

We have received no apologies.

Item in Private

The Convener: Item 1 is to seek the committee's agreement to discuss item 8 in private, which will allow the committee to receive a briefing on an external research report that it commissioned from University College London on comparisons between the public accounts committees in various countries. It is intended that we discuss the matter in private because the report will inform discussion on the committee's draft legacy report for its successor committee in the new Parliament, and it is more appropriate that the report be made public once the committee has had an opportunity to consider it. The report will be published in due course.

Are members agreed that we should consider agenda item 8 in private?

Members *indicated agreement.*

Committee of Public Accounts (Meeting)

The Convener: The next item is about a meeting with the House of Commons Committee of Public Accounts. I am pleased to be able to report to the committee on a very productive meeting, which was held in the House of Commons on Monday 10 February. With Sarah Boyack, Keith Raffan, David Davidson and the Auditor General for Scotland, I attended a hearing of the Committee of Public Accounts before having a private meeting with that committee's members to discuss areas of mutual interest. The discussion covered such issues as how the committee's programme is developed, its powers and practices in relation to the calling and questioning of witnesses, and its relationships with other committees of the Parliament.

Our committee has made contact and opened up dialogue with audit committees and authorities in the United Kingdom and Europe in order to exchange ideas, to seek out best practice and to ensure that we are in the mainstream of audit arrangements and developments elsewhere. I believe that such liaison between the audit committees of the UK's legislatures and assemblies—and, indeed, those of Europe—are of the utmost importance, and that there is a great deal to be learned from that dialogue.

As a consequence of that meeting, I am happy to welcome Mr Dafydd Wigley AM, chair of the Audit Committee of the National Assembly for Wales. He has joined us along with colleagues from the Welsh Assembly and the National Audit Office. Our colleagues from Wales are welcome to the Scottish Parliament. Croeso i Alba.

“Overview of the 2001/02 water authority audits”

The Convener: We move to item 3. We are considering a response from the Scottish Executive to a report by the Auditor General for Scotland on the 2001 and 2002 water authority audits. Members might recall that the Auditor General briefed the committee on the report on 7 January. The committee agreed to write to the Executive seeking information on some of the points that were raised in our report. We now have the Executive's response to our request for information.

Mr David Davidson (North-East Scotland) (Con): There is an interesting point on page 2 of the response. Concern is expressed about the collection rates of water and sewerage charges, which are still falling behind the rate for comparable water companies in England and Wales. It would be helpful if the Executive gave a little more detail about its thinking and mentioned recommendations that it might have to improve the rates.

13:45

Margaret Jamieson (Kilmarnock and Loudoun) (Lab): We raised with the Executive the point that Scottish Water does not pursue the collection rates individually, but leaves that up to individual councils, although it is Scottish Water's responsibility. That is one of the points that we identified in the report, but it appears to have been ignored.

Mr Keith Raffan (Mid Scotland and Fife) (LD): I refer to the point—at the top of page 2 of the response—about efficiency savings' having been made largely through there being better trained staff. I would like that to be elaborated on. There seems to have been quite a dramatic loss of staff—the figure was about 600. I would like to know from what areas those staff were lost. One would expect the number of administration staff to be reduced, but I would be concerned if there was a dramatic reduction of staff in the field.

The Convener: I note the on-going reorganisation and modernisation of the business with regard to achieving levels of efficiency, the monitoring that is taking place and the action on the level of outstanding debt. No time scale is given for the agreements with the local authorities and there is no indication of how far the process has developed; I would certainly like to hear about that. I note Keith Raffan's comment about staff and I suggest that we write to the Executive seeking further information on those specific points. Is that agreed?

Members indicated agreement.

The Convener: The clerk has reminded me, as usual, that we asked about the Executive's role. I notice that in responding to us the Executive has talked about everything but its role. I seek the committee's agreement that we write to the Executive to seek information on its action regarding the matters. Is that agreed?

Members indicated agreement.

Mr Robert Black (Auditor General for Scotland): We should remind ourselves that the exchange so far has related to the last few of the old water authorities. I have had a conversation with the people at Scottish Water, alerting them to the committee's concerns about the matters to which members have referred, and I have advised them that in the first-year audit of Scottish Water, I expect the appointed auditor to return to those issues, so that I may in turn report to the Audit Committee about the performance of Scottish Water in its first year.

In the course of that process, we intend to provide the committee with information regarding how the issues that members have raised have been progressed, but we are now talking about a period that is significantly after the events that were recorded in the correspondence. The committee might feel that we are approaching a point at which it might be more appropriate to conclude on the last year of the old authorities and await a full overview report on the performance of Scottish Water in its first year.

The Convener: The Auditor General is suggesting that the process be allowed to develop and that Scottish Water will be the subject of a future report. Do you think that it would be premature to write now?

Mr Black: That is entirely for the committee to decide. You might wish to take it into account that we will be returning to these issues soon.

Mr Davidson: My comments stand, regardless of the action that will be taken by the Auditor General, because we are looking for an Executive view on how certain issues might be dealt with. The Executive is ultimately responsible for water services—there is no ducking out of that. We must still pursue the Executive's viewpoints, on which I would like clarification.

The Convener: Is that course of action agreed?

Sarah Boyack (Edinburgh Central) (Lab): I agree with that course of action. The second and third paragraphs of the Executive response restate the responsibilities of the Executive and Scottish Water. However, there is no mention of the water industry commissioner. Perhaps the letter should set out the relationships in that respect, because at the moment such a short commentary is not

really helpful to anyone who does not already know about them. The information should be expanded just a little bit.

Mr Black: Again, it might be helpful to remind the committee that my report contains a section that describes those relationships. That text was cleared with the relevant people at accountable officer level.

The Convener: The two actions could be complementary. We could raise the committee's immediate questions with the Executive and receive responses to them, and our successors will have the benefit of the Auditor General's more detailed report. Are members agreed?

Members indicated agreement.

The Convener: We look forward to the Auditor General's future report.

"Overview of Further Education Colleges in Scotland 2000/2001"

The Convener: We move on to agenda item 4, which is our consideration of a follow-up response from the Scottish Executive to our report, "Overview of Further Education Colleges in Scotland 2000/2001". Members will recall that on 7 January the committee considered an initial Executive response to the report. Following that, the committee agreed to write to the Executive and seek further information on several issues. We have received the Executive's response, and I now seek members' views on it.

Mr Davidson: My comment might appear to be fairly defensive, but I feel that we should have received such a response the first time around. We should press the point that when we go to the trouble of taking a lot of evidence and publishing a report, we expect a full response from the Executive, rather than just a passing acknowledgement that we have published a report. Indeed, I notice that the Executive still does not accept some of our recommendations. It should make it clear why that is the case.

The Convener: I agree. I have noticed that there is a lack of information about what is happening in the north-east. For example, the response says that the industry mapping exercise has been delayed because of contractual difficulties; however, it does not provide an explanation.

Although there are further matters to follow through, I should point out that the response is quite detailed and I am happy to note that recommendations have been accepted. Because of the level of detail, I seek the committee's agreement both to note the response and to make the issue part of our legacy report for our successor committee to take up. Are members agreed?

Members indicated agreement.

The Convener: I thank the education department for its response, which shows the actions that have been taken. The committee appreciates such information, and wishes the department, the Scottish Further Education Funding Council and the colleges well in their work to achieve financial and organisational improvements. We look forward to future progress reports.

Scottish Executive Progress Report

The Convener: We move to agenda item 5, which is our consideration of a report from the Scottish Executive on the progress that has been made on implementing the Audit Committee's recommendations since its establishment in 1999. Over the past four years, the committee has published 15 major reports that have made recommendations for improvements in various areas of public administration and governance in Scotland. Under the written protocol between the Parliament and the Scottish Executive, committee reports must receive a written response from the Executive within two months of publication. The committee has considered Executive responses to all its reports and has occasionally requested follow-up responses on relevant issues.

Further to that, the committee has now received a report from the Scottish Executive that follows up on the status and progress of the committee's recommendations from various reports since 1999. I refer members to the report and seek their comments. I point out that we have not received updates on two outstanding issues that have been highlighted by the clerk; first, we do not appear to have received an update on the outcome of the review on the millennium threat to Scotland. I know that that seems like a long time ago. Secondly, and although I am in a difficult position with regard to the new Scottish Parliament building, I think that I am in order when I point out that we do not appear to have received an update about whether the system that we recommended has been adopted for public sector projects in Scotland. If members have no further comments—

Margaret Jamieson: In the circumstances, two out of 15 is not bad. We might want to flag that up with the Executive or pass that on to the next audit committee for a follow-up.

The Convener: We could, indeed. I am quite sure that we could get swift responses from the Executive.

Margaret Jamieson: Oh, aye.

Mr Davidson: To be fair, convener, this is not an appropriate time to pursue the Executive regarding audit. I would have thought that that would be gone into in greater depth after the elections.

The Convener: I am in the committee's hands on the matter because, as a member of the Scottish Parliament Corporate Body—SPCB—I can make no comment on the Parliament building project.

Mr Davidson: If I might finish the point, I accept what the query was about, but I think that it cannot

be used as an example until the committee has had another look at the complete handling of the project.

Margaret Jamieson: No—that is not my understanding.

The Convener: The Auditor General might want to comment. I believe there will be a final report on Holyrood once the building is completed.

Mr Black: I can confirm that I have no immediate intention to examine the Holyrood Parliament building. It might be worth bearing it in mind that the response relates to best practice for major one-off projects. If the Executive were here, its members might say that the Holyrood Parliament was truly unique and that there has been no project of that scale and complexity in Scotland since that project began. It is therefore difficult, from our perspective, to think of another project to which the same disciplines of best practice would need to be applied.

In other words, there is no urgency about the matter, and there are no major projects in the forward programme at the moment. Nevertheless, it is always appropriate for the committee to get assurances that its recommendations are being considered carefully and acted upon promptly.

The Convener: Will there be a final report once the building is completed?

Mr Black: I will certainly bear that in mind as a possibility.

Sarah Boyack: The last recommendation asks us to highlight issues that we think might be of particular interest to our successor committee. I have been on the committee only since November, so I have not seen all the pain and hours of work behind some of the recommendations. However, it strikes me that the report is a very useful account of the progress that has been made as a result of detailed Audit Committee scrutiny. From 15 major reports, only two issues are outstanding. That is a positive set of outcomes from the work that the committee has done. Those who have been on the committee cannot really comment, but it does look like the committee has actually earned its salt.

One thing that the Parliament does not do very well is publicise its achievements, and what it has done in practice. I would like the committee to pick up on that outcome. Much of what we have done looks really boring until one understands the issues, and such outcomes can get lost when we deal with highly detailed technical recommendations. However, I do not think that we should lose that wider overview from this report.

The Convener: Thank you for offering that perspective. Indeed, in this government year, the committee has dealt with major items, such as

priority dispatch for ambulances and major reforms of further education and the National Health Service. There may be some small items outstanding, but the committee can be quite proud of what it has achieved.

We have examined the content of the report, but I also want to consider the frequency, format and content of reports. Is the committee satisfied with the format of the report?

Members *indicated agreement.*

The Convener: Are there any omissions? In other words, are there any issues on which members wish to receive a progress report, but which are not featured? Other than the matters that are highlighted in the clerk's note, I am satisfied with the content. Is that agreed?

Members *indicated agreement.*

The Convener: Are there any issues that might be of particular interest to our successor Audit Committee?

Mr Raffan: Cross-cutting issues are of concern. I have flagged that up in the past and you have called me to order because we cannot make suggestions to our successor committee—we can merely highlight points. Cross-cutting issues have come up in previous inquiries and the Executive is accelerating the use of a cross-cutting approach to dealing with various issues and problems: drug misuse was the first, but there are now a number of others. It is sometimes difficult to track expenditure on those matters, which is an important general issue to raise.

14:00

The Convener: That will be noted in the *Official Report* and, I hope, passed on. Do members want the points that have been raised to be included in a letter from the clerk to the Executive for comment?

Members *indicated agreement.*

Rhona Brankin (Midlothian) (Lab): I draw attention to the Scottish Enterprise skillseekers programme. The progress report draws attention to

"Updated information about additionality"

that will be coming out, and to the

"review of funding contributions, due to be completed in January 2003."

There are various other recommendations about how Scottish Enterprise monitors the effectiveness of the skillseekers programme and the value that it adds. Perhaps our successor committee should be able to continue to keep an eye on that. Perhaps we should leave that as a legacy.

The Convener: That point is now in the *Official Report*. I am sure that the clerk will ensure that it is brought to our successors' attention, whoever they are.

“Dealing with offending by young people”

The Convener: Item 6 is evidence taking on the committee’s inquiry into the Auditor General for Scotland’s report entitled “Dealing with offending by young people”. I welcome our first witnesses, who represent the Convention of Scottish Local Authorities. They are Councillor Tommy Williams, who is the convener of the community and family care policy board of Renfrewshire Council, and Mr David Crawford, who is Renfrewshire Council’s director of social work.

Today is the third and final evidence-taking session in the committee’s inquiry into “Dealing with offending by young people”, which is a joint report by the Auditor General and the Accounts Commission for Scotland. It is a wide-ranging report, which covers a complex area and involves services that a large number of public bodies provide.

The committee has already held two evidence-taking sessions, which focused essentially on the children’s hearings system and young offenders in the adult criminal justice system. Today, we will address outstanding points on young offenders by taking evidence from key service providers.

I propose to begin by questioning COSLA on its role in the youth justice system. After that, we will take evidence from Barnardo’s Scotland, NCH Scotland and SACRO, all of which deal with or support young offenders.

If there are no objections, I propose that we move straight to questioning, given that we have received written statements from the witnesses and that time is tight. I would like to open the evidence session by addressing the first question to our witnesses from COSLA.

Exhibit 9 indicates that, on average, it takes 123 working days for a case that goes to a children’s hearing to reach a decision. What can be done to speed up decision making in the children’s hearings system?

Mr David Crawford (Renfrewshire Council): The time scale is made up of a number of compartments, as people work their way through the process. Historically, in the time-intervals work that was developed a few years ago, an approach was taken that attempted to compartmentalise each of the sections of the process and to identify an appropriate time scale for it. From the perspective of a local authority social work department, the biggest constraint relates to resources. There is a huge demand for reports—the number of reports has increased massively in recent times. Social work departments must

attempt to deal with that increased demand in the context of there being limited resources.

In relation to the administrative parts of the process, such as the processing of police reports and the speed of provision of initial information to the reporter, the system could be slicker all the way through. The biggest piece of work that must be done within the time scale is probably the provision of reports to the children’s hearing. The demands of providing those reports should be considered. The difficulties that have been experienced—which “Dealing with offending by young people” rightly highlights—must be seen in the context of the huge increase in the number of reports. Those reports relate not only to youth crime, but to care and protection referrals to the Scottish Children’s Reporter Administration.

The Convener: If that situation applies to Renfrewshire, it must apply to the whole of Scotland. Is that the case?

Mr Crawford: Yes—it applies to every council, to a greater or lesser extent.

Councillor Tommy Williams (Renfrewshire Council): It should be borne in mind that the figure that the convener quoted is an average figure. For some people the wait will be longer and for others it will be shorter.

The issue is complex. Young people who get involved in crime might have a family history of crime or they might just have wandered into it as a result of a lack of support that would divert them from such a lifestyle. The nature of the crimes can vary, too. Although some crimes can be quite petty, every crime is a nuisance of some sort. It could not be said that the system is creaking at the edges, but it could certainly be modernised and speeded up. We are well aware of the need to do that.

The Convener: You mentioned lack of resources, the complexity of the procedure, the different sections that are involved and the collection of reports. However, 123 days—in some cases, the period will be longer; in some cases, it will be shorter—is surely an unacceptable length of time. What can be done to change that?

Councillor Williams: It is a matter of resources. Investigation is necessary and people have to be given the opportunity to put things in context. What they say must be verified. The police are stretched, although I am not clear about what their priorities are and how they view youth justice or young people in the system. In social work, from the staff’s point of view, we are running to stand still.

The Convener: Are you saying that there is no way round the 123-day average? What is being done to shorten that time scale, which is clearly unacceptable?

Councillor Williams: We are attempting to recruit more staff and to examine the procedures that we use. I hope that the average will gradually come down.

The Convener: Over what time will it come down? What length of time for the decision-making process would it be reasonable to accomplish and how long would it take to do that? By how much could the period of 123 days be reduced and what would be the time scale for achieving such a reduction?

Mr Crawford: I understand the point that you are getting at, but it is extremely difficult to give you a straightforward numerical answer. Steps have been taken. For example, we have tried to stratify the range of reports, so that every referral does not generate the same type and quality of information. We have sought to tailor the quality of information that is provided to the Scottish Children's Reporter Administration according to the circumstances of the offence or of the child concerned. Such an approach can speed things up, as can the use of information technology systems—for example, reports can be e-mailed. However, electronic signatures are a problem for legal documents.

Councillor Williams made an important point, which is that the question assumes that the process can be speeded up. A crucial cause of significant delay is when a young person and their family dispute that the young person has been involved in an offence. They might take legal advice before providing information for reports and might deny the grounds for referral at a hearing, which would spin out the timetable. The biggest constraint on the ability of our local authority social work department to deliver good-quality reports more speedily to the Scottish Children's Reporter Administration is the number of experienced staff available.

The Convener: I have a problem with that. You said that the question assumes that the process can be speeded up. I hope that the assumption is not the opposite: that things cannot be speeded up. I find your report depressing. You referred to things that can be done, but what is being done to reduce the unacceptably long time that the decision-making process takes?

Councillor Williams: The process of taking away someone's freedom must take as long as is necessary for it to be done right. The time that that currently takes might not be acceptable, but when we are involved in taking away someone's freedom, we have to ensure that we have the correct information. Young people and their families are now more aware of their rights. In the past, solicitors did not often accompany a youngster to a hearing, as they do now. If a young person disputes the process, we must address that.

Mr Raffan: I want to pursue Mr Crawford's point about retaining experienced staff. It was put to me that local authorities have lost many of their best and most experienced staff to the private sector and to voluntary organisations, which are able to pay considerably more than local authorities can. In Mr Crawford's experience, is that the case?

Mr Crawford: I do not think that people move to voluntary sector projects that deal with youth crime because of the salary. They do so because they are able to do specialist work in a more protected setting. There is no doubt that the expansion in the past few years of projects in youth crime and a host of other areas has drawn workers away from the bread-and-butter work of producing panel reports, dealing with child protection cases and so on. That is a fact. However, I do not think that the issue is directly associated with pay and conditions. Workers are often attracted to specialist projects because they believe that they will be able to do better-quality work there than they can do in a generalised team that has a range of child care demands.

Margaret Jamieson: You indicated that there is a lack of resources. Do you have figures for how many local authorities spend up to their grant-aided expenditure level on child protection?

Mr Crawford: I do not have such figures to hand, but our most recent assessment of the situation showed that, because of the report, "For Scotland's children: Better integrated children's services", local authorities throughout the country were spending 36 per cent above GAE levels. It is clear that local authorities, overwhelmingly, are spending in excess of their GAE on children's services, such as child protection and youth crime services. The increases in the number of children who are on the child protection register and in the number of referrals to the Scottish Children's Reporter Administration show that GAE figures have not kept up with demand. Local authorities have dealt with that by taking resources from other parts of the grant.

The Convener: Can you give us the GAE figures in writing?

Mr Crawford: Yes.

Mr Davidson: I thank Mr Crawford for his written submission. Paragraph 7 contains a comment that I wish to investigate further. It says:

"the manner in which additional funding has been released in the last year has at times been an impediment to proper strategic planning".

If that is COSLA's view, what action has been taken on it?

14:15

Mr Crawford: That relates to a number of new allocations that have been made in connection

with youth justice. Some of them were announced at the end of the last calendar year, and some were announced at the beginning of this calendar year. Some of the money required to be spent in the current financial year—in other words, some money that was announced in December and January required to be spent by the end of March. One of the components of the allocations was for staff training. The additional resources were substantial and were extremely welcome, but we had to spend all that money on staff training within two or three months.

To return to Mr Welsh's earlier point, although we can take staff off and train them, which will be of benefit to them, we must also deal with demands as they come up. The allocation for training on and development of IT systems was also made over December and January, and that had to be spent in this financial year too. That does not encourage people to make the best use of the money.

As it did with other elements of the money, COSLA looked for an opportunity to carry forward the allocation so that there was no cut-off at the end of March. It was possible to carry forward some of the money, but not all of it. The point that we highlighted in paragraph 7 of our note relates to the money that is not carried forward. We could have made better use of the money had we been allowed a few more months in which to spend it.

Mr Davidson: What percentage of the allocation did you lose?

Mr Crawford: We have not lost anything at this stage. We have the money until the end of March, and we have to do our best with it. Depending on their circumstances, individual local authorities might or might not be able to exploit the resource fully. I would be very surprised if all the money could be spent on training in the space of two or two and a half months without that having a detrimental impact on the front-line operation of services. There is a balance to be struck, and we feel that it is not quite right at the moment.

Councillor Williams: In fairness, the financial support initiatives from the Executive are more than welcome. The difficulty lies in recruiting staff. People will not take temporary jobs nowadays—they do not need to. They want a full-time job with all the prospects and benefits that come with that. The additional money sometimes leaves authorities struggling. If they cannot have a general recruitment round, they will not recruit for specific pieces of work, because people do not work like that any more. The worm has turned, in the sense that individual workers now have a lot more power in how they sell their skills.

We have taken steps to advance our staff by regrading them and by making plans for

unqualified staff to go through a course at the University of Paisley, so we are taking steps towards longer-term investment. However, we have to shoehorn many of the initiatives into our existing structures.

Sarah Boyack: I return to the comments on the time taken to make decisions. It was said that one of the obstacles to making swift decisions and to making referrals to the children's panel is the frequency with which families or parents involve solicitors in the process. In what percentage of cases is that an issue?

Mr Crawford: We cannot give you the percentage, but I will comment on that. People are often—and quite rightly—advised by social workers and others to take legal advice. In certain circumstances, legal aid is now available at the hearing, which was not the case before. The incidence of people being legally represented is increasing. I would have thought that the information that you seek would be available from the Scottish Children's Reporter Administration, and we would be happy to assist in providing that information. Although I cannot specify the percentage, I think that it has increased markedly in the past two or three years.

Sarah Boyack: We would appreciate getting some detail on that. In a sense, the situation is counterproductive. One of the witnesses talked about the system taking people's freedom away. In paragraph 10 of your submission, you correctly observe that, when young people are not given the chance to move on and are not given appropriate support, that makes it more likely that they will go off the rails. One reason why the need to give young people the chance to enter the children's panel system has been highlighted time and again is that the system allows their needs to be examined.

It is clear from the evidence that we have taken that agencies have performed fairly poorly at making returns to the time intervals monitoring group. We have heard evidence about the adoption of new targets to speed up the process. Given that information has been patchy, should the requirement to report performance against the new targets be stronger?

Mr Crawford: The straightforward answer to that question is yes. Agencies have struggled to deliver the information that is necessary to make sense of the time intervals process. From time to time, that has been the case with returns locally and in other places. The information that is gathered and the process for gathering it need to be rethought. The operation could be much improved.

Sarah Boyack: Are you asking for guidelines or for a tougher requirement to report?

Mr Crawford: The information systems issue is different from that of delivering panel reports. Tougher guidelines might well work, because the issue relates to information systems. In this day and age, we should be able to count swiftly the number of reports that we have produced on time or not on time, be clear about the reasons for that and make a return. I would not have great difficulty with being under greater pressure to do that.

Councillor Williams: Many children who get into difficulty are diverted before they enter the pattern of the children's hearings system. An holistic view is taken, and not only social work departments hope to divert children from doing bad things. The difficulty is when we hear anecdotes of 11-year-olds saying, "I'm going to see my brief," for example. They know what their brief can do for them and probably learned that from their father or elder brother. That is some families' way of life. They do not buy into what we believe in.

Sarah Boyack: Exhibit 16 shows that a case takes, on average, eight months to reach a court decision. What can be done to speed decision making for 16 to 21-year-olds in the criminal justice system?

Mr Crawford: It is interesting that the adult system works entirely differently. It is clear that an element—it might be a significant element—of the delay in the children's hearings system relates to social work departments delivering reports that assist the Scottish Children's Reporter Administration in making decisions. In the adult system, social work is at the end of the process, and we provide the overwhelming number of reports that we are asked for within 21 days if someone is on bail, and within 14 days if someone is in custody. We do our bit to meet the national standards for the operation of the adult criminal justice system as effectively as we can.

The answer to the question of where all the time is lost is in the scheduling of court appearances. Someone who is on bail for an offence might not return to court for many months. It is interesting to compare the two systems, which operate differently. The local authority element of the adult system is as efficient as it can be. Overwhelmingly, we provide the reports that we are asked to provide within the time scale. Except in the most exceptional circumstances, people do not return to court without social work departments' reports.

Sarah Boyack: The social work side works for 16 to 21-year-olds but does not work for under-16s. You have told us that there is a resource issue. Staff resources are managed to meet some deadlines, but not others.

Mr Crawford: The two systems are entirely different. The adult system is based on national

standards and a formulaic approach to the budget and, therefore, to the staff resource that is available. That is linked annually by way of return, indicating how many reports an authority thinks it will do. The Scottish Executive then provides the resources to ensure that that can be delivered. In the children's system, there is no such relationship. There has not been a doubling of resources to match the doubling of the number of requests for reports from the Scottish Children's Reporter Administration. The process is entirely different, and there is no doubt that the adult system works better than the children's system.

As I said, the difference is to do not only with resources but with national standards and an approach that attempts to line up the staff resources and the financial resources with the likely demand, which is reviewed on an annual basis. That does not happen in the children's system.

Sarah Boyack: Would COSLA push for tougher national standards on time scales?

Mr Crawford: The issue is not about time scales. The advantage of the adult system arises from the national standards, which have been in place since about 1990 and link the demands on local authorities annually with the resources that are made available to them. You cannot have only one or the other: if you had all the money in the world but no social workers, the situation would be impossible. There must be a relationship between the number of reports that you are asked to produce and the resources that are available to allow you to produce them. If the number of reports that we have to produce were to double next year, we would tell the Scottish Executive about that and would get roughly double the resources to enable us to provide those reports. That is not the way in which the children's system works. The issue is not only about resources; it is also about the national standards. Realistically, it has taken more than a decade of hard work to get to the current position that exists in the adult system.

The Convener: We will now move on to deal with significant and unexplained variations in the decisions of police, reporters, procurators fiscal, children's hearings and the courts.

Mr Davidson: The report shows quite considerable variations in the treatment of young offenders across the various parts of Scotland. For example, a sample of 17 fiscal offices found that the proportion of cases involving under-21s on which no proceedings were taken by procurators fiscal was between 1 per cent and 17 per cent. Further, the percentage of under-21s convicted and given a custodial sentence varied from 3 per cent to 24 per cent across court areas. Does COSLA have a view on how we can ensure that

young people are treated more evenly across Scotland?

Councillor Williams: People's lives and the places in which they live differ across the country. We cannot move people around the country to get a balance. The way in which councils prioritise their resources will differ in relation to what they perceive to be the demand. There are competing priorities. The figures show that we have not taken money away from children's services as such. However, from time to time, local authorities will have to make hard decisions. They budget, hoping for the best in relation to issues such as secure care. Councils hope that they will not need to provide any places at all but are aware that they might be one week away from mayhem in their town centre, for example, and might have to lock up one or two young people who are a risk to themselves or others.

I do not know whether it is something in the water in some places, but some areas have worse behaviour than others; however, if you examined the situation objectively over a long period of time, the figures would generally balance out. Nowhere is worse than anywhere else, but some places seem to go through mayhem from time to time and councils must budget for that demand. My local authority would not say that we need a dozen secure unit places and budget for them, because we would hope to keep the figure down to the average over the past few years, which is about three. However, if an upsurge in problematic behaviour means that extra places are needed, the money must be found to pay for them from another part of the budget.

Mr Davidson: You seem to be suggesting that the performance of the system is based on the budgetary allocation of the local authority. I am not sure that that is what the report showed.

Councillor Williams: I am not suggesting that at all. The pressures on the budget vary from time to time and from place to place. We can budget for general trends, but—particularly when budgets are tight—one-off instances can skew the whole system.

Mr Davidson: I accept that there will be different levels of criminality—if you want to put it that way—in different parts of Scotland, depending on local circumstances. We are concerned that the process is rolling out unevenly in different areas of the system. Will Mr Crawford advise us on how COSLA is approaching the matter and whether it sees that unevenness as an issue?

14:30

Mr Crawford: People see the unevenness as an issue. The custody rates from different sheriff courts indicate that there are significant variations in sentencing that are not all explained by local circumstances—in particular the level of crime.

It is important to be clear that there will never be complete consistency in the system, but we and the committee aspire to more consistency than we have now. Much of the decision making within the children's hearings system is based on the needs and circumstances of the individual child. If two young people are referred who acted together in the same offence, but have entirely different family circumstances and backgrounds, there can be different outcomes. That is part of the price that we pay for rightly trying to base the outcomes on the needs of the individual child.

We would like to see greater consistency, but that is difficult to achieve. The child care system places an emphasis on the needs of individual children and their families, while, in the adult system, sheriffs in particular have the discretion to sentence as they see fit. The report highlights wide variations, which are not explained by dint of rurality, population or whatever else. It is extremely difficult to see how you could legislate for greater consistency in the current system. That would be difficult.

Mr Davidson: Has COSLA had discussions with other players in the process?

Mr Crawford: I am not aware of discussions about getting consistency.

The Convener: We now come to the effectiveness and efficiency of services to tackle offending behaviour. Many young offenders do not get the services that they need; more and better community-based services are required. Sixteen per cent of young people who are convicted are imprisoned and 60 per cent of them are reconvicted within two years of release. Rhona Brankin will ask questions on this issue.

Rhona Brankin: Paragraph 139 of the report refers to lack of aftercare for young offenders who leave young offenders institutions after sentences of less than four years. The Scottish Executive proposes that young offenders should be a priority group for voluntary aftercare. Given the staffing pressures that exist, how can you ensure that the service will be made available in practice? Is there a case for making it a statutory requirement?

Mr Crawford: There is a case for making it a statutory requirement. We are aware that consideration is being given to making progress in legislation on introducing a statutory responsibility for local authorities on aftercare. We would welcome that. We do not want to see 16 and 17-year-olds come out of prison with no support. We know that support is available to them on a voluntary basis and that, almost without exception, it is not taken up. In the adult system, resources for throughcare and aftercare services have been made available to local authorities in the past few weeks. We welcome that.

All of the groupings of local authorities in Scotland will develop new services in the adult criminal justice system in the course of the next few months; those will be targeted on throughcare and supporting people who come out of prison. They will address a host of issues that relate to drug misuse, accommodation, employment and family difficulties as well as attempting—where it is appropriate—to address issues of offending behaviour. We have cause to be hopeful. Within two or three years, we could see the system operating significantly better than it does just now.

The Convener: You are developing new services. Are you doing that in specific areas or nationally?

Mr Crawford: It is national. You will be aware that, in organising adult criminal justice services, local authorities across Scotland act in groupings. Each grouping of local authorities now has an allocation for the next financial year for the development of throughcare services to support people coming out of prison who would previously have slipped through the net. It is expected that the allocation will be targeted on the most vulnerable, and in such circumstances the most vulnerable are likely to be 16 and 17-year-olds, people who have care histories and people who are likely to be homeless or exceptionally vulnerable when they come out.

Qualified social workers will be part of the service, but a number of other people, including drugs workers, will also be involved. The service could be expanded substantially without getting too caught up in the difficulties with the number of qualified social workers. We can make progress using staff with other backgrounds and experiences, and we will see substantial progress relatively swiftly.

Councillor Williams: In 1990, when the national standards came in for social work or clerical staff, there was nothing in the budgets for group work, aftercare or anything related specifically to social workers who serviced the clients. Since then, there have been developments in other support. One of the biggest changes in the past few years has been the fact that 16 to 21-year-olds are now making positive decisions about going into employment. That is a far better solution and, in many cases, they are finding that solution for themselves.

Rhona Brankin: There are examples of services that have been shown to be successful. One example is Freagarrach, but there are other examples in Scotland. What can be done to ensure that successful services can be replicated throughout Scotland, and what is the role of local authorities and of COSLA?

Mr Crawford: Freagarrach is a well-known project and is often held up as an example of good

practice. If you examine what is going on across Scotland, you will see that a growing number of projects are operating on models that are very similar to what Freagarrach does. There have been substantial allocations of additional money to develop such projects in recent years, but it takes time for projects to establish themselves and their way of operating. An absolutely consistent approach might not apply in every local authority area, but broadly speaking, you will find that services similar to what Freagarrach offers are available just about everywhere in Scotland. I know that colleagues from NCH Scotland will give evidence later this afternoon. The services that are run by a range of organisations are very close to what Freagarrach does. The model is accepted, and people try to work towards that.

Rhona Brankin: I am interested in COSLA's role. What can COSLA do to disseminate and encourage good practice?

Councillor Williams: To some extent, COSLA is the gel that holds things together. Nobody has all the answers. Local authorities have learnt that over the years, and we are prepared to work with partners in the voluntary sector and other agencies. We are now used to working with other partners on health, and we have been working together on criminal justice for a long time. COSLA's role in that aspect of society means that people look to it to be the engine.

The Convener: Does COSLA have specific machinery for ensuring that best practice is spread throughout the country? What do you do to encourage all local authorities to pursue projects that are clearly seen as best practice?

Councillor Williams: I think that each council strives for its own best practice.

The Convener: Is there any COSLA machinery to encourage that?

Councillor Williams: COSLA's committee on social work and health improvement provides a focus in which we can share ideas, but I am not aware that there is any overall forum. Each council strives to attain best practice.

Mr Raffan: On that point, I do not get the impression that there is much imagination going around. To give an example, about a year or a year and a half ago the MacRoberts Trust gave a presentation down the way at Dynamic Earth. The presentation drew on the experiences of people from some of the most deprived urban areas in the United States, such as parts of New York, as well as the experiences of people from Wrexham in north Wales. The presentation brought together various projects and looked at how we deal with and help young people in some of our most deprived council estates, both south of the border and in Scotland.

Should COSLA not have a role in stimulating that kind of initiative, so that people could be much more aware of what is going on elsewhere and so that best practice could be shared? Surely we should not simply leave things to each local authority in the hope that people will somehow stumble on something.

Councillor Williams: COSLA could take on that role, but I would not presume to say that it will do so. I think that the way forward lies in partnership with the voluntary sector. Although voluntary organisations may not have the broad involvement in people's lives that social work departments have, they can target one specific thing. The benefit of the voluntary sector is that it can be focused.

Mr Raffan: The original reason that I wanted to intervene—I added that question to follow on from the point that Councillor Williams raised—was to ask about the availability of specialised services for drugs misuse. I get the impression that the availability of such services varies enormously across Scotland and depends on what is happening in a particular local authority area. I think that there is a shortage of people such as child psychologists and psychiatrists who can make the initial assessments. Do you share that view?

Councillor Williams: Yes. We work closely with the health service in relation to drugs, but we are also involved with voluntary sector organisations such as Turning Point. We use a range of tools at any given time, so I am a bit loth to say that one size fits all. There is a need to be specific and to know the area. Only in that way can we ensure that we get the best out of the resources that we have.

Mr Raffan: Do authorities look at other areas and at groups such as Crew 2000, which is just down the road from here, which works with young people in the club and rave scene? Do authorities consider how they can work outside in drugs education and in helping those young offenders who have got involved with drugs?

Mr Crawford: There is a range of different networks. The network of alcohol and drug action teams has been important because it has tried to promote best practice. Different voluntary organisations work in different parts of the country and bring their experience with them. Clearly, some health boards cover more than one local authority area. In my view, there is not a lack of imagination. People are pretty well informed about what is available.

The Convener: We will look at cross cutting later, but I want to move on to consider the use of financial resources in relation to youth offending. We want to examine whether the balance can shift from processes towards services and from

custody and residential schools to community-based services.

Mr Raffan: We have touched on this issue, which is covered by paragraph 203 of the Auditor General's report. The report says that there are too many different funding streams and that too much complexity is involved in making applications. There are too many funding sources for new services, which do not appear to be co-ordinated, and a lot of bureaucracy is involved in making applications to them. How major a problem is that? Does that devour the time of those whose time would be better spent on tackling youth offending behaviour than on raising money?

Mr Crawford: At any point in time, there are good problems and bad problems. To have no new moneys would be even worse than the current situation. The difficulty that we have found is that new moneys that have become available during the past few years have come from a range of funding sources, which have used similar, but slightly different, criteria, time scales and targets. Perhaps those sources could be drawn into one consolidated fund with agreed criteria and time scales. I gave the example earlier of the two allocations of money in December, one of which must be spent this financial year whereas the other can be carried forward to next year. One has to wonder whether that makes sense. Consolidation of the range of funding sources would assist local authorities and the voluntary sector.

14:45

Mr Raffan: You mention the rollover of money, but there is also the issue of short-term funding and whether that provides sufficient time to get a project off the ground and to ensure, if it is a good project, that it continues.

Mr Crawford: We all know that everything we want to do takes slightly longer than we wish it would. There are issues about recruiting staff and finding premises. For example, it may not be easy to find an appropriate base in the community for youth crime projects; such projects are not always universally welcome, so there are start-up issues. It is important that nearly every project has evaluation processes built into it, so that if the organisers need to return to the funders after two or three years, they can say what impact their project has had.

Mr Raffan: But the Executive is critical of local authorities. It may be easy for the Executive to be critical, in the sense that it provides about 6 per cent of funding to the voluntary sector, whereas you provide much more. However, the Executive is critical of local authorities for not having more three-year funding, and because too many people

are scraping around for money and not delivering services. Do you accept that criticism? To what extent do you think that local authorities are, overall in Scotland, increasing the amount of three-year funding so that the people who manage projects do not spend all their time scraping around for money?

Councillor Williams: We try to draw up our budgets on a three-year timetable. The crisis is one of too many resources and not enough workers to carry out the tasks that are involved in using up the resources. It is not a question of piling more jam on top, but of putting aside the resources until we have people to use them. Where possible, extra resources will be fitted in for the existing service at which they are targeted. There is not much more that we can do in the short term.

Mr Raffan: I am talking about three-year funding, and local authorities' commitment to that. I know of numerous examples in my region relating to the problem—I could specify them, but the convener would call me to order. One example is that three months before the end of the financial year, the Clued Up project in Kirkcaldy does not know whether it can continue. The project provides invaluable drugs education, and tackles and prevents young offending. In situations such as that, local authorities are under much criticism for a lack of commitment to three-year funding. That is what I was wondering about.

Councillor Williams: I agree that that is a difficulty. It is a difficulty in the health service, too. People phone me to ask whether projects will still be running next month. That is just the way in which certain projects have been set up.

We hope to be more forward thinking in terms of exit strategies. When most projects start up, people have to think about how to exit. In the past, that was not much of an issue.

Mr Raffan: It seems awfully defeatist to talk about exit strategies in that respect.

Councillor Williams: Well, if targets have been met—

Mr Raffan: Good God, it sounds as if—

The Convener: You have made your point, Mr Raffan. Let us hear the witness.

Councillor Williams: I could not comment on a specific scheme in Fife. In terms of short-term, three-year projects, if targets have been met, we would hope to have secured other resources to fill the gap.

In the past, councils reverted to urban aid, which provided additions to mainline funding, as opposed to funding through the voluntary sector. Often such things were assimilated into council

funding. Now, through social inclusion partnerships and projects, we set up short-term programmes and we know that we will not assimilate them into the mainstream. At the end of the day, the targets will be met. If targets are not met, we will monitor them to ensure that they are met.

Mr Crawford: I would have thought that not that many youth justice projects operate from year to year. In the main, for all the difficulties that there have been, that is not how the majority of the money has come to local authorities. It is not my experience locally that projects operate from year to year.

A lot more projects now operate on the basis of tendering for a service and having a contract and a prescribed time scale. The number, and value, of our projects that are funded annually is decreasing. There is an increase in the number of projects that are funded on a contractual basis—normally for three years—based on a tender exercise. I do not deny the difficulty for an individual project, but it is certainly less of an issue for youth justice than for other areas.

Mr Raffan: In paragraph 4 of your submission, you say that young people have multiple problems and that specific youth crime services and projects should not be set up at the expense of other programmes that help young people and that may prevent youth offending. There is more involved than merely youth justice. Is there a danger of looking at the matter in that blinkered way and pigeonholing it? Local authorities finance a cross-section of projects and programmes in the voluntary sector that help young people.

Mr Crawford: I accept your point, but if one looked at the network of all the services that are available in any individual area, one would find a range of projects funded in a range of ways with a lot of different time scales. At any point in time, the funding of one element of that network of services might be coming to an end or might be in an evaluation process, and there might be uncertainty about whether that element will continue. That problem will continue for as long as we operate with time-limited budgets. There is no magic way out of that.

Mr Raffan: Resources for a criminal justice social worker are ring fenced, and powers exist to ring fence resources for those services for 16 and 17-year-olds in the children's hearings system. Is that a good idea? Would it make sense to do that?

Mr Crawford: If one looks at what has happened in the adult system, there is no doubt that the ring fencing of resources in the criminal justice system has been associated with a major expansion and improvement in services over the past decade. The difficulty in the children's system

is that if one ring fenced resources for youth justice, by definition one would be leaving behind a budgetary rump for everything else that needs to be done in child care.

Historically, COSLA's position has been that it has not sought increases in ring-fenced budgets. We acknowledge the reality of what has happened in the adult criminal justice service, but if one goes back to the position of considering local authority expenditure against grant-aided expenditure, what would one ring fence? The GAE does not in any way reflect the actual expenditure of local authorities. I do not think that ring fencing in that sense would help, because local authorities are already spending massively in excess of what would be notionally ring fenced, if you use that as a definition of GAE.

Mr Raffan: It could also undermine other children's services.

Mr Crawford: Indeed it could.

The Convener: In October 2001, 11.3 per cent of posts for qualified social workers in children's services were vacant, which is around 200 social workers. Perhaps up to 400 children were not getting the supervision that they needed to help them stop offending.

We have already touched on this, but I would like to turn to the growing problems of finding social work staff to provide the core supervision service for children. That may well be a subject that is dear to members' hearts.

Margaret Jamieson: The evidence briefly touched on the shortage of social workers. I fail to understand who is responsible for that shortage. Local authorities in particular know the demography that they serve and can anticipate the needs of the local population. I would have thought, therefore, that they would have a 10-year plan that would say, for example, that for each year they require X amount of social workers because vacancies are coming up due to retirement. It appears that no one has done that. Why has that not happened, and what action is COSLA taking?

Councillor Williams: The quick answer is McCrone.

Margaret Jamieson: Sorry?

Councillor Williams: McCrone. When people make career choices, those who are interested in a life in public service might choose to be a teacher because of McCrone. It means that there is more money and more holidays in teaching and less—

Margaret Jamieson: It is quite offensive to social work staff to say that the only thing that motivates them is money.

Councillor Williams: It is not the only thing that motivates them, but money pays the rent. There have been tremendous advances in social work practice; for example, community care has come on board. Certain authorities do not allocate 100 per cent of their social workers' time to criminal justice work; social workers have to do other things, including things that are done for staff development reasons so that they do not lose track of the overall picture.

No one could have envisaged the amount of resources that have come into social work recently. The other side of that coin is that there are prospects outside local authorities for people with social work qualifications who might see that their life would be a bit less stressful if they were to work in other areas of social work. If someone has been working on difficult social work cases for a number of years, they might choose to get out.

Margaret Jamieson: But what has COSLA, as the umbrella organisation for employers, done to encourage individuals to come into social work in the first place and to make social work an attractive option for those individuals? COSLA has to meet its obligations. Apart from talking about resources, what has COSLA done for social work?

Councillor Williams: The result of the extra resources is that we need more staff. Resources are one thing, but we need the staff to implement the resources and staff are only one part of resources. At present, social work is not the most attractive career choice. The perception of social work is not particularly positive—a social worker can be flavour of the month one day and yet their name can be plastered all over the newspapers the next day because something has gone wrong.

Social work is a stressful occupation and, over a long period of time, people leave it. We have not been able, at a national level, to redress the salary scale, as we did in 1980 and 1990, on the basis of changing circumstances and job remits. Social workers have not had a regrading since 1990.

To recruit and retain social workers, some local authorities have had to put in their own resources. As I said, Renfrewshire Council has done that in its deal with the University of Paisley to train non-qualified staff. Renfrewshire Council has addressed the problem. Over the next three or four years, I hope that we will be able to recruit a guaranteed dozen social workers from those whom we are paying to go through the University of Paisley course.

Other councils that have made similar arrangements with universities will be able to do the same thing. We are doing that with our own resources, not as the result of a national regrading or anything else. We identified a specific problem in recruiting and retaining staff and we decided to use that measure to help the situation.

Mr Crawford: COSLA has tried to do a number of things. The issues that are associated with the difficulties in local authority social work staffing have been highlighted at the social work network, which brings together social work conveners from throughout Scotland. The issue has been on the agenda for the leaders meeting and also at the full convention. There is also a task group on social work recruitment and retention.

15:00

COSLA has co-operated—and has encouraged local authorities to co-operate—with the care in Scotland campaign, which seeks to promote the whole of social care as a potential career for people. Behind that, local authorities have introduced a number of initiatives. For example, one local authority has reintroduced a trainee scheme that is tied up with the Open University. Inverclyde Council, East Renfrewshire Council and Renfrewshire Council have taken a slightly different approach by introducing a part-time course for their own staff with the University of Paisley.

We are aware of attempts to develop fast-track social work training for people who already have some qualifications and do not need to go through a full three or four-year course. Furthermore, COSLA has been involved in discussions about the new honours degree for social work and the development of social work training. A longer-term view of social work training has been long overdue.

I want to return to a point that Councillor Williams made earlier. There is no doubt that the rate of expansion over the past two or three years in the posts that require qualified social workers is a significant element of the difficulty that we are facing. A host of perfectly valid measures—such as drug services, youth crime services, sex offender services, new community schools and sure start projects—would in due course bring great benefits to individuals and families. However, work force planning was not done in the two or three years before that expansion happened to allow us to know whether we had the work force to deal with it. Difficulties have now arisen because of the major increases in demand from the children's hearings system. Measures such as fast-track training and part-time courses give us hope that we can make up ground relatively quickly. Indeed, we can see a dozen more fully qualified social workers being available in Renfrewshire two years from now. The situation does not require only three, four or five-year initiatives; things can be done to increase the numbers of qualified workers in a relatively short time.

The Convener: So there is light at the end of the tunnel.

Mr Crawford: I believe so.

The Convener: You mentioned that in 2002 the Executive started a recruitment and retention campaign and initiatives to raise the quality of training with substantial extra moneys. I should point out that you have been asking for more resources since the start of this session. I realise that it will take time for such measures to work through the system, but have you seen any changes after a year? If I have gathered properly what you have said, you seem quite pessimistic about the situation. What is the light at the end of the tunnel? Will the initiatives pay dividends after one or two years?

Mr Crawford: Yes. The fast-track training initiatives have had more than one impact. For example, many people in social work posts were not qualified social workers but, for a variety of reasons such as family commitments, they could not give up their jobs and go back to university. No part-time courses were available, and it was too difficult for those people to take whatever qualifications they had and turn themselves into fully qualified social workers. Some of the fast-track initiatives are trying to resolve that problem. If our experience is anything to go by, offering social work assistants, project workers or drugs workers the opportunity to take a qualification boosts work-force morale considerably. It allows people to see a way forward in their careers that would not have been there a couple of years ago. As a result, I think that there can be light at the end of the tunnel.

Mr Raffan: Do you agree that it is a question not just of fast-tracking but of flexibility? For example, the convener of one children's panel told me that, after being in the business for 15 years, she would now like to switch sides. She has built up a huge amount of experience in her years on the panel, but feels that she has come to the end of her stint and that her experience would be invaluable on the social work side of things. However, she faces difficulties such as age barriers and qualifications. Surely we need greater flexibility to make use of such experience.

Mr Crawford: There are issues about how people can turn their experience in a host of fields into formal qualifications. Indeed, our own staff are currently building up Scottish vocational qualifications and higher national certificates, diplomas and, ultimately, degree-level qualifications. Many people who have experience in and around the system can make a contribution, but we have to try to knock away some of the barriers to make it easier for them to get qualifications. Some of the issues centre on changing roles, family and care commitments, part-time courses and elements of secondment from work that have not been available recently but are beginning to emerge.

Obviously, we cannot let all the staff of a children's home go off on a course; after all, someone has to look after the kids. We have to time things and fill absences safely and sensibly and ensure that we are still providing a good level of care. However, to pick up the convener's phrase, I think that there is light at the end of the tunnel.

Margaret Jamieson: Paragraph 214 of the main report indicates that voluntary organisations are attracting staff away from local authority mainstream services. Why is that happening and how will you combat it in the long term?

Councillor Williams: Part of that is down to the direction that people want to take in their careers. They want to specialise and get experience in certain matters, and very often they feel that the best way of doing that lies in the voluntary sector. However, those in the sector would point out that, after a few years, people move on again.

We are in a position that we have not been in for the past 20 years, in that people are exercising some power over their employment prospects and choosing what suits them best. There is interchange: people move from Scotland to England or England to Scotland, even though there are differences in the law. People also move into the voluntary sector or move out of the sector altogether. There might be light at the end of the tunnel, but we will never get to the end of the tunnel; the issue is whether the light is getting bigger or smaller. We will never be able to get ahead of the game on that issue.

Margaret Jamieson: I want a clear picture of social work staffing in children's services in different local authorities. I realise that that is the responsibility not only of the social work department, but of the council. Can you advise us of the number of unallocated cases, the delays in allocation of cases, the number of specific vacant posts and the sickness rates? How do those issues tie into our earlier discussion about anticipating the need for trained social workers in manpower plans and how that relates to children's services and community plans? Is that information available?

Mr Crawford: Information on vacancy rates in local authorities is available, but I am not aware of a systematic drawing together of information on unallocated cases. The Audit Scotland report has information on unallocated cases, but that is based on samples from some authorities. All local authorities return information to Audit Scotland, which means that, although comprehensive information is not available now, it will be available fairly soon.

Margaret Jamieson: If I were the convener of social work in Renfrewshire Council, could you

provide me with that information for that local authority area?

Mr Crawford: Yes.

Margaret Jamieson: So that is the normal reporting position.

Councillor Williams: Yes. Our scrutiny board has just spent a long period considering absenteeism in the council. Obviously, the figures for social work stand out, although that is not unique in Scotland. I cannot give the detail from other authorities. Historically, social work and absenteeism have been different sides of the same coin because of the nature of the job. For example, home-care staff might be involved in lifting and doing things that they should not do to help people in their homes.

Margaret Jamieson: Because of the caring aspect of the job, it is intrinsic to such staff's nature that they do not say no.

The Convener: What did Mr Crawford mean when he said that the information will be available "fairly soon"? Unless we have the data to work with, we cannot really see the way forward. Who is responsible for gathering the information? Is it COSLA?

Mr Crawford: Perhaps colleagues from Audit Scotland could answer better, but my understanding is that, following the publication of the report on offending by young people, all local authorities are involved in an audit process that gathers information that is based not simply on a sample of local authorities but on every local authority. The process of gathering that information has begun in Renfrewshire Council. I am not absolutely sure of the date by which we are required to return all the information, but it is certainly in the next couple of months. In due course, that information will be drawn together in a national report.

Margaret Jamieson: I have not received an answer in relation to the number of unallocated cases in any local authority. Is that reported on regularly?

Mr Crawford: Each local authority will know what the situation is in its area, but I am not aware of that information being drawn together nationally. COSLA does not do it, certainly.

Margaret Jamieson: Do you know what the situation is in Renfrewshire this month?

Mr Crawford: We could tell you what it was.

Margaret Jamieson: If COSLA could obtain for us an indication of how many unallocated cases you have, that would be helpful.

It is difficult to get a clear picture of social work staffing in children's services in different local

authorities. Is there a point at which you will not be able to sustain social work services because you do not have enough trained social workers to ensure that you meet your statutory obligations?

Councillor Williams: Social workers can be successful in assisting people. We close cases rather than add on to them, though. We are not in the business of fixing people. We support people through a learning process that will help them come to decisions about how to manage their lives. On the other hand, social work can be about quick fixes, in relation to income maximisation, for example. In such cases, a change is immediately evident and that is the end of the case. I am sure that, as society evolves, there will still be a need for social work. It will be with us in some shape or form.

Margaret Jamieson: Yes, but do you think that you are able to meet your statutory obligations with the number of social workers that Renfrewshire Council employs? If so, will you be able to keep meeting those obligations?

Mr Crawford: Broadly speaking, the answer is yes. We generally meet our statutory obligations. The new routes by which people can get qualified, which we spoke about earlier, will result in more qualified workers becoming available in a couple of years. That gives me hope that we will be able to meet our statutory obligations in the future. However, it is clear that there are problems with the provision of reports and the allocation of cases. Local authorities find a variety of pragmatic and operational ways of dealing with such problems. Local solutions can be found to get through immediate problems, but just about every local authority in Scotland has signed up to some process that will help them to get more qualified workers as soon as possible. In a couple of years, you will see that the picture is significantly improving.

Councillor Williams: Some years ago, large secondary schools had school social workers. Many authorities did away with that, but community schools are now reintroducing the system in another guise and with a broader remit.

The number of our staff will always fall just behind the demand for our work, but I think that we have taken tremendous strides to bridge the gap.

15:15

The Convener: We now come to our final topic in this evidence session with COSLA, which is to examine multi-agency working and youth justice teams.

Rhona Brankin: I draw the witnesses' attention to paragraph 188 of the Auditor General's main report, which says that some youth justice teams

"do not have enough senior officials involved and, in some, key agencies ... are not participating."

How well are the key agencies getting engaged in multi-agency work, including work with youth justice teams? Are all the relevant local authority services involved?

Mr Crawford: I understood that paragraph of the report to refer to the consistency of operation of youth justice teams across the country. From our experience, I would say that all the key local authority departments are involved. Social work and education departments are major players, as are the health service, the voluntary sector, the Scottish Children's Reporter Administration, the police and the Procurator Fiscal Service, which all play a part. Over time, issues will arise to do with maintaining the momentum of any multi-agency group.

This morning, Councillor Williams and I attended the Executive's seminar on child protection, at which similar questions were being asked on the operation of child protection committees. It was asked whether they are representative enough, whether their members are senior enough and whether they are really making decisions.

The Auditor General's report provides a clear steer for all local authorities about what the expectations are for youth justice teams. Youth justice teams should be comprised of people who are senior enough in each locality to be able to manage resources strategically, to resolve problems, to make commitments on behalf of partners and to provide scrutiny on progress.

It would be difficult to be certain that everything was in place consistently and all the time in every area of the country. Broadly speaking, however, I think that our experience has been replicated in other local authority areas. It is not necessary to go back very far to discover the time when youth justice teams did not exist. They have come into their own over the past two or three years, and they will have developed slightly different ways of operating.

Even if there are weaknesses and inconsistencies now, we are still massively better organised than we have ever been. That gives us a platform from which we can take things to a new level. That involves the co-ordination of resources and being clear that youth justice is not just about the new resources; it is about all the resources that all the relevant organisations have and about how those are used. I am relatively confident about the prospects of youth justice teams. There will be different practice around the country but, broadly speaking, there is a structure to build on that is much better than in even the recent past.

Rhona Brankin: There is evidence that, in some areas, youth justice teams' responsibilities

are largely being carried out by social work services. Clearly, that is not your experience, but are you aware of that being the case in other areas?

Mr Crawford: With multi-agency teams, there is always a danger that things get left to one organisation. There is a direct parallel here with the discussion at the Executive's seminar on child protection. We are trying to make it clear that child protection responsibilities do not fall just to social work departments. That message applies equally well to youth justice. The police, the Scottish Children's Reporter Administration and the local voluntary sector have significant contributions to make to the work that goes on in community education, in youth services and in schools. That also applies to other elements—community planning was mentioned earlier—and to issues of community safety. People are trying to develop a wider view of what youth justice teams can achieve.

Mr Davidson: It is fairly obvious that in this day and age we need effective service co-ordination, whatever field we happen to be in, but particularly in local authorities. The Scottish Executive has placed great faith in and demands on the youth justice teams to deliver its policies. Given your responses to previous questions, do you feel that it is time for COSLA to take a lead in setting up the new structures and producing some kind of code of practice, so that councils have a standard formula to follow, albeit that they will apply it to their local situation? Is it time for you to swim in your own pond rather than following the Executive lead, and to take a more uniform approach?

Councillor Williams: We are up against jealousies, and people who think that they know how to do things better than anybody else. There has to be a template of some description to which people can work. We should bear in mind the fact that there are different circumstances in different parts of the country. We must surely all be in the same park, trying to play the same game and to get the solutions. However, the solutions will be different, because the models are not exactly the same.

Mr Davidson: I think that we are on the same wavelength when you talk about a template. The Scottish Executive is saying that it wants these things to be done by youth justice teams. That will involve key players from the different agencies and departments working together to ensure that the teams are properly resourced and that they follow through. However, I am asking about COSLA's role. Do you think that COSLA should take the lead on behalf of local authorities in coming up with the work that has to be done, so that you fit the model that the Scottish Executive wants to fund?

Mr Crawford: That would be an appropriate role for COSLA. If we consider the recommendations, which are that we should ensure that youth justice teams are appropriately senior, are properly constructed and operate efficiently, we can see that COSLA can play a significant role. We would be happy to co-operate with the Executive and Audit Scotland to clarify COSLA's role, identify the weaknesses that they see in the operation of youth justice teams, try to get to a more consistent level of operation and, ideally, have everyone operating at a higher level. COSLA has an important role to play in that.

Mr Davidson: Would that not help with the job progression and job satisfaction of many of the officers concerned? They might move but stay within the youth justice system if they see that there is a credible approach, which is not necessarily uniform in every authority, given that there are different circumstances. Would it help staff morale if senior players were seen to be involved and committee structures were not just dumped with work loads?

Councillor Williams: I would have thought that it would help. If something is going forward, people want to be part of it. There is a challenge there. It is about not repeating the same thing day after day. That would be an added spin-off.

Mr Davidson: I wonder whether COSLA would write to us with a view on that question.

Councillor Williams: Yes.

The Convener: The last word goes to Sarah Boyack.

Sarah Boyack: I have a follow-up question on Mr Crawford's comments a few minutes ago about the impact of the new criminal justice social work groupings of local authorities. Does COSLA have an overview of the impact of how those teams work? Is anything coming from COSLA on how effectively they are working?

Mr Crawford: There are a couple of things to say. We are coming towards the end of the first year of the teams' operation. They are constructed differently in different areas of the country, which was always the intention. We know that across the country people have used the mechanism of the grouping to review services, to examine how they develop, and to consider whether services are best provided by each individual local authority in the grouping, whether there are services where one local authority should take the lead, or whether there are services that should be shared.

The new developments in relation to the throughcare money are pointing people in the direction of a grouping-wide service. It is relatively early days, but COSLA was clear that that was the best way forward for criminal justice services.

COSLA, along with the Association of Directors of Social Work is involved in regular meetings with the Executive about the criminal justice strategy. It is also in discussions about the development of a performance framework for criminal justice, which, in due course, will be clear about whether groupings and individual local authorities are delivering on the Executive's expectations.

It is relatively early days and it is inevitable that there will be a different pace of change or development in different parts of the country. However, in general terms we are relatively hopeful that people have embraced the groupings and are trying to find new ways of working that best suit local circumstances. The development of throughcare in the next few months will be a clear working example of that.

The Convener: We have exhausted the questions, so Councillor Williams can make a final comment.

Councillor Williams: People are complex, so social work is a complex issue, as it deals with people with problems. As elected representatives, you will know that when people come to your surgeries they are not always in a reasonable frame of mind. That is often the case in social work offices. We have a range of talents that are second to none. We know that our largest and best resource is our staff; we appreciate the work that they do and we would like to have more to ease the burden on them. As society evolves, we will not get to the end of the tunnel, but we will make progress.

Youth justice and crime in general are a focal topic for politicians at certain times of the year, but we will always have to deal with it, no matter when and no matter where we are. The children's hearings system is second to none in the world. It is about care, protection and support, rather than punishment—the adult system might be more about punishment. We have to protect the system and develop it as much as we can.

The Convener: That ends the first part of our evidence taking. I thank both our witnesses. As an old COSLA hand, I can say that your evidence is appreciated and will be helpful to the committee. This has been a long evidence-taking session and we have another one to go. I propose to take a short break to allow the changeover of witnesses and for any other purposes. In accordance with rule 7.8 of the standing orders, I suspend the meeting for 10 minutes.

15:27

Meeting suspended.

15:38

On resuming—

The Convener: I welcome our second set of witnesses. Mr Douglas Hamilton is research and policy officer with Barnardo's Scotland. Mr Joe Connolly is depute director of NCH Scotland, and his colleague, Mr Paul Carberry, is assistant director of criminal justice services. Ms Susan Matheson is chief executive and Mr Keith Simpson is head of service development with SACRO—Safeguarding Communities, Reducing Offending in Scotland. I thank all the witnesses for their attendance. Without further ado, we move to questions.

Sarah Boyack: My question is for SACRO. Exhibit 16 in the main report indicates that a case takes eight months, on average, to reach a court decision. What can be done to speed up decision-making for 16 to 21-year-olds in the criminal justice system?

Mr Keith Simpson (SACRO): One way of dealing with the issue is to separate out the purpose of the hearing. As recently as yesterday, I was involved in discussions with the Scottish Children's Reporter Administration about a way of doing that.

When a reporter receives a referral on offence grounds, they have to make a decision about what to do with that referral. There are two issues to attend to. One is the traditional decision about whether compulsory measures of care should be considered and whether a hearing should be convened for that purpose. The other is the decision that must be made about how to deal with the offence that has been committed. I would suggest that that decision needs to receive more attention than it has done in the past.

With the SCRA, we propose that the first criterion for deciding whether a restorative justice approach should be taken should be based on the nature of the offence. The fact that an offence has had a significant effect on an identifiable victim should be the first criterion for deciding on taking the restorative justice approach. Such inquiries can be made at the beginning; the reporter does not need first to have all the reports or to have decided whether compulsory measures of care should be considered. The committing of an offence of the type that I described is a trigger for investigating whether a restorative justice approach should be taken. We propose that that process should start immediately the SCRA receives a report.

As the committee might be aware from our submission, we are developing restorative justice services in 22 of the 32 Scottish local authority areas. In running those services, the standard that we try to set is that there should be no more than

14 days between the offence being committed or the person being charged with the offence and the starting of a restorative justice intervention. Within five or, at most, 10 days, we seek to report back on whether the case is suitable for a restorative justice intervention. That approach can shorten considerably the time that it takes to deal with the offence and allows more time to deal with the needs aspect. The reporter will consider that aspect through his investigations and by getting reports from various agencies.

I suggest that the process that I have outlined represents a way of shortening the time scale involved in dealing with an offence. When a restorative justice approach is adopted—and when offending more generally is being dealt with—it is important that the young person knows that, if an offence has been committed, something needs to be done about it straight away. Dealing with the needs issue can take longer. The SCRA seems to be attracted to that approach and we are hoping to make progress on it in the coming weeks and months.

Sarah Boyack: I should have said at the outset that your submission was very helpful, because it covered areas that other witnesses and organisations have not yet dealt with. Your comments about the nature of the data that can be collected were particularly helpful. No one has raised the issue of how people who are the victims of crime can be brought into the process in an effective way.

The issue of reporters' decision making struck a chord with me. It would be helpful to give a bit more depth of information on cases in which there is a record of no action, even though some action has been taken. It would be useful feedback for the community and the police to know that something had happened, rather than to have the sense that nothing had happened. As we had not picked up on that issue before, it was useful to be told about it.

Ms Susan Matheson (SACRO): The youth justice steering group's sub-group on victims is considering that point. There is recognition that the use of the phrase "no action" gives the public the wrong impression. I am hopeful that something will be done about that.

The Convener: That question was for SACRO, but does anyone else wish to comment?

Mr Paul Carberry (NCH Scotland): There have been some positive developments lately, such as the introduction of the youth justice fast-track hearing pilots. One of the key objectives is to reduce from 120 days to 80 days the time between a young person being charged and their being able to access effective services. The introduction of new national standards will underpin that

objective. The new standards will relate to all agencies within the children's hearing process, including reporters, panel members, service providers and the police. Additional resources will be made available to each of those agencies to ensure that they meet their end of the bargain. That is a positive move forward. I hope that we will meet our objectives and that that process—involving speedy access to justice and young people becoming involved in effective programmes—will be replicated throughout the country.

Something positive is taking place, but it is clear that the blockages in the criminal justice system must be addressed. The committee might wish to discuss those blockages later.

15:45

Mr Douglas Hamilton (Barnardo's Scotland):

It is important to stress the impact that the time that is taken can have on young people—indeed, the committee has rightly discussed the impact of time delays. Recently, in one of our projects, a young man was brought back to a hearing five months after the offence had been committed. During that five-month period, he had been working, he had stopped his offending behaviour and he was doing very well. He could not understand why he had been brought to a hearing about something that had taken place months previously. He saw the matter as being in the past—it was almost historic. The situation was worked through with the reporter, the offence was addressed, future offending was considered and an arrangement was reached with the reporter whereby the person was praised for his current behaviour and a positive note was struck. Resources and the lack of social workers, which was mentioned, obviously have a massive impact on time delays.

The Convener: I suspect that we will return to those issues.

Mr Joe Connolly (NCH Scotland): I suppose that one of the beauties of the hearings system is that it involves justice and welfare, especially bearing in mind the direction that we are taking of making the system much more robust in working with young offenders. Given the needs-led approach, there is no reason why, if there are really outstanding issues at the assessment stage, people cannot be put in touch with services and services cannot be provided.

A similar system operates in the criminal justice system—there is an arrest-and-referral system for young people with addictions or who are involved with drug or alcohol abuse. At an early stage, when they have been picked up and are in the police cells, services can be offered to them. The children's hearings system has a flexibility that

allows issues to be picked up and acted on even before there is a hearing.

The Convener: David Davidson wants to ask about variations in decisions made by the police, reporters, fiscals, children's hearings and courts.

Mr Davidson: The committee recognises the wide and varied experience that the witnesses bring from throughout Scotland, not just from local areas. Like Sarah Boyack, I have found your reports helpful in appreciating the work that you are involved in.

You sat through the first part of the meeting, so you will understand that the committee is concerned about variations in the treatment of young offenders throughout Scotland. Why do such variations, which are displayed in the Auditor General's report, exist? What can be done to improve matters? Where would you start to change processes to smooth out the variations?

Mr Connolly: The answer partly lies in multi-agency working and youth justice teams, which are mentioned in the committee's question paper. Multi-agency working is the way forward and cannot be left to chance. Agencies should get around the table. People have a set of national standards to which to work and things should not be left to one authority or one sheriffdom—there should be consistency. It might be possible to follow a model similar to that in England and Wales—a group might be chaired by the chief executive's department. People should get around the table to create consistency throughout the country.

Mr Carberry: Despite the unfair rhetoric about the children's hearings system, where multi-agency teams have been developed, there has been greater integration of services and better partnerships.

Our organisation has developed partnerships with the police that we have never had before. We have also developed partnerships with the Procurator Fiscal Service in terms of protocols, to understand how we work together and how referrals are made. That has helped to ensure that young people who would normally be accelerated into the adult criminal justice system get appropriate, needs-led programmes within the children's hearings system. The multi-agency groups have brought benefits and have moved the youth justice agenda in a positive direction.

There are inconsistencies in the adult system. One sheriffdom might sentence 3 per cent of the youth population to custody whereas the figure for the sheriffdom next door is 25 per cent. We are quite concerned about that. Everyone involved in the youth justice system should be equal partners, whether they are involved in the courts, local government, the voluntary sector or as reporters. I do not think that anyone involved in the system

should be autonomous. Joe Connolly is right: it is about partnership and multi-agency groups, and all the players should be part of that way of working. There cannot be an opt-out.

The voluntary sector is probably more accountable than any other sector because if it does not deliver, the funding—and the sector—will disappear. Other players in the criminal justice arena have to be just as accountable and must explain the significant anomalies in the system.

Mr Hamilton: David Davidson talked about variations, to which there are two aspects: there are variations in decision making and in service provision. We are talking about decision making just now.

We have only three main projects for young offenders across Scotland, so it is difficult to compare the variations. The projects have said to us, "Never mind the variations across Scotland; what about the variations in decision making within sheriffdoms?" If there is no consistency of decision making in one local area, how can we start talking about consistency across Scotland?

In some of our projects, we have found that education, training and joint working with sheriffs, procurators fiscal and local authority staff have made them aware of the range of services available in their area and of the particular needs that young people might have. That helps to provide some consistency. However, it means that we have to rely on the sheriffs and fiscals to come together and take advantage of whatever training we offer in conjunction with other agencies.

The Convener: You have talked about variations in decision making. Would you like to take the opportunity to talk about services?

Mr Hamilton: The fact that there are variations in services was highlighted in the Auditor General's report. Earlier, you talked about Barnardo's Freagarrach project. That project has held up and we are very proud of it. There are equally great projects being run throughout the country, as was highlighted earlier.

It is important to consider what is available locally, given that decisions have to be made locally. We cannot just take the Freagarrach project and try to implement it throughout the country. We have to find out which services are already available in an area and ensure that every area has a range of options to meet the needs that might come up. I emphasise the need for local solutions to local problems. Although there might be a variation in service provision throughout the country, we have to consider whether there is a need for a range of services within each local authority area. We cannot just transplant a project into another area.

Mr Simpson: We are aware that, as the Auditor General's report commented, variations exist right at the beginning of the process in the decisions made by the police about whether an offence has been committed and how to deal with it. Even within different divisions of the same force, there will be different policies about police warnings and whether and how to use them. The matter seems to be determined locally by whoever the senior officer is at the time. Clearly, that leads to all sorts of inconsistencies that follow the process throughout. As others have said, there is a crying need for national standards and criteria to help people to make those decisions.

Mr Davidson: What does the voluntary sector recommend that the Executive or others should do now?

Mr Simpson: We should start at the beginning, and a good way to start would be to clarify what criteria the police use to decide whether an offence has been committed and should be recorded or whether it meets the criteria for a warning. We must have clear criteria for warnings. The police have made attempts to standardise the warning procedure, but clearly those attempts have not worked. The Executive is talking about introducing restorative cautioning, which is a proposal that I would welcome and support. However, that process would also need clear criteria and would have to be made to fit with other restorative interventions. How the police handle cases is no bad place to start.

Ms Matheson: I share others' concerns about inconsistency in shrieval decisions. Several official statistics show the great variation that exists. As has been suggested, we need to help sheriffs by giving them the information. We have said that to other committees and sheriffs have been offended, saying, "We have all that information." However, we must ask whether sheriffs are aware of all the options, including new ones, that are available to them under statute and whether they are knowledgeable about all the local services that are available to back up the orders that can be made.

Should it be up to the voluntary sector to make approaches to inform sheriffs, or should they receive the information through a more formal mechanism? Should sheriffs be given feedback on their cases, as happens in the drugs courts, so that they know the impact of their sentences and whether they have been effective? There are several steps that we could take, but perhaps we should consider adopting a more formal mechanism and legislating, although that should not inhibit judicial discretion.

Mr Davidson: Would that role be principally for the Executive?

Ms Matheson: I imagine so.

The Convener: For the committee's benefit, would you explain restorative cautioning and tell us about its efficacy?

Mr Simpson: The answer to that question is that it depends on whom you speak to. The model was developed by Thames Valley police in the south of England and is an attempt to take a more positive approach to police warnings. Instead of the negative wagging of the finger, it is more of an attempt to get the young person to think through the consequences of what they have done and to make them go away thinking that they can do better and that they have alternatives. The approach starts with the police warnings system.

Mr Connolly: I re-emphasise that the matter cannot be left to chance and that there is a role for the Scottish Executive to play. I will draw a parallel. Some of the reports on child protection that have been published recently and in the past show that when things go significantly wrong, the agencies do not talk to one another and are not involved in joint planning. That must happen and people cannot be allowed to opt in or out of it. There is a drive in child protection to ensure that that happens, to prevent further atrocities. In criminal justice work, the strong line must be taken that people cannot opt out of that approach.

The Convener: Keith Simpson said that varying approaches are taken to police warnings. How significant is that variation? Are there wide variations in disposals?

Mr Simpson: My understanding results from speaking to police officers who have moved from one division to another in the same force, for example. They might leave an area where it has been customary to use police warnings and move to an area where police warnings are not used at all. That degree of variation is possible in the space of a few miles.

The Convener: We will move on to the effectiveness and efficiency of services to tackle offending behaviour.

Rhona Brankin: Paragraph 139 refers to the lack of aftercare for young offenders who leave young offenders institutions after serving sentences of less than four years. The Executive proposes that young offenders should be a priority group for voluntary aftercare. Given the staffing pressures, how can you ensure that services are made available in practice? Is there a case for making those services statutory?

Ms Matheson: You will have seen from our submission that, although we would welcome such services for all young offenders, we think that the resources would not stretch far enough to provide them. We therefore suggest that there should be priority categories for those who have been

looked-after children, for example, and for those who have been persistent offenders.

I think that the second part of the question was whether aftercare should be voluntary. In our written submission, we suggest that aftercare should not be made statutory. There would be no negative feeling on our part if that were to happen for the categories that I have mentioned, but we would not like to see aftercare being made statutory for all children. We doubt that resources would be provided for that or would be suitably targeted. Not all young people need that service but those who do need it need it very much indeed. We would want to target the resources more effectively.

16:00

Mr Carberry: Throughcare and aftercare have probably been the cinderella services of criminal justice services. Traditionally, young people have served short sentences and then gone back into the community, where they go back to their old ways and might quickly become involved in drug misuse. They might also become homeless and become involved in offending. Aftercare is probably the least effective part of the whole criminal justice system and, as an organisation, we welcome the new moneys that have been made available.

Our straight out project in Renfrewshire was developed through a social inclusion partnership. The folk in the social inclusion partnership were fed up with the same problem of young people being returned to the community and causing chaos, so they asked us to help to co-ordinate activity for young people who come out of custody. We have developed a multi-agency partnership, so that we can pick up young people before they leave custody and work with them as soon as they come back into the community. We not only deal with their housing needs and their addiction problems but we look at their employment and training needs as well as at other health issues. We also provide offending behaviour programmes where those are necessary.

Some young people come to us because they are still under a statutory order, such as parole or a supervised release order, but other young people who are entitled to a statutory service come to us voluntarily. In the past, many young people turned up at social work offices but, because folk were too busy and under pressure, the young people were simply told to go and see the drug counsellor down the road or the employment agency or whatever. That is where the system has fallen down.

We have models of how we can ensure that young people do not needlessly go through a

three-month custodial sentence that does nothing for them and exacerbates their situation. Such young people need to be given genuine opportunities to be reintegrated into the community in a way that does not cause chaos within already marginalised communities.

The Convener: We hear about young people being helped to prepare for when their sentence is over, but although we hear about preparation for many things, we never hear about preparation for leisure. I have in mind Arbroath's CAFE—Community Alcohol Free Environment—project, which helps people prepare for exactly that. No one seems to talk about leisure, which is a major part of people's lives.

Mr Carberry: Absolutely. Community-based disposals are sometimes labelled as a soft option, rather than a tough option. The fact that some young people get to enjoy themselves by becoming involved in sport and the arts is seen as some sort of liberal soft option. As an organisation, we believe that we should provide effective robust programmes that deal with young people's offending, but we also believe that young people should have access to the same leisure activities as the rest of us. They need the opportunity to play a meaningful part in society and communities, which is why we have been developing a range of services that try to tie into the New Opportunities Fund money for physical education, sport and other activities. I welcome the convener's comments.

Ms Matheson: The convener is absolutely right. In our supported accommodation services, one thing that we look at is how the people spend their time, including their leisure time. Although programmes for anger management and the like are important, it is also vital that, when people come out of prison or secure accommodation, they have accommodation and the necessary life skills. If they do not have those basic skills, they will not be able to respond positively to the programmes that they receive. Leisure activities, accommodation and basic everyday life skills are vital to stopping reoffending.

Mr Raffan: I can see the logic in Ms Matheson's point that throughcare and aftercare should be targeted at persistent offenders, but could not throughcare of a different kind, such as mentoring services, be offered to less persistent and first offenders? Mentoring services are much more developed in the United States of America than they are here. Basically, they involve volunteers and they are pretty cost effective. That is the first point.

The second point follows on from the convener's point. He mentioned the CAFE project in Arbroath. We could also mention the Corner, in Dundee, or Off the Record, in Stirling. We need far more such

drop-in centres where young people can meet youth workers. The less persistent offenders could perhaps be passed on to them for additional mentoring. There seems to be a lack of imagination around. Is that unfair?

Ms Matheson: I have absolutely no problem with that. I heard a presentation from the Arbroath CAFE project and I was very impressed by it. There definitely should be more such centres, although I am not sure whether what they offer could be called throughcare.

Mr Raffan: It is a kind of aftercare.

Ms Matheson: Speaking from our experience in the adult sector, where throughcare money is spread very thinly, we want the money to be well targeted.

Mr Raffan: Could you please respond on the mentoring point? I am interested in that idea.

Mr Simpson: Mentoring has a lot to offer and, where it is being developed, it is providing a useful service. It is a good example of something that should be conducted on a voluntary basis. Although we might consider statutory throughcare for some groups—as Sue Matheson suggested—it would be counterproductive to have statutory provision for less persistent offenders and other groups because there might then be the difficulty of chasing people up because they are not complying with the terms of the care. That, as we suggest in our submission, has been our experience of such schemes. Mentoring has much to offer, but it would have to be undertaken on a voluntary basis.

Mr Hamilton: Mentoring has come up in consideration of several cases; it is mentioned now and again. However, some recent research has shown that it is not effective in reducing offending rates, so we have to question what its purpose is. It might be more useful as part of an aftercare or throughcare service. However, we are talking about the effectiveness of services—a key strength of the Auditor General's report is that it examines effectiveness, so rather than talk about hard and soft options, we are talking about what is, and what is not, effective.

We have a large body of evidence about what works and we have a lot of research and material that tells us what is available. Although I support the recommendation to develop statutory provision of aftercare for young people who are leaving prison, I am a wee bit concerned that the committee's first panel of witnesses did not talk about community-based disposals—which are highlighted in the report as being especially effective—or about keeping young people out of custody in the first place. We could put far more effort into that. The scales in the report, which are useful, highlight the funding discrepancy between

how much is spent on community disposals and how much is spent on secure care. We need to focus more on what works to reduce offending and keep young people out of prison. That is where I would like the emphasis to be in the committee's recommendations, and I hope that they will focus on that key aspect of the Auditor General's report.

Sarah Boyack: We wanted all the organisations that are sitting in front of us to talk about what, in their experience, works. Given the fact that a huge amount of money is being spent on these options we must, having talked to a range of groups, try to come up with some sensible recommendations.

I would like to pick up on a point that is made in the Barnardo's Scotland submission, concerning the role of parents and carers. It is not something that we have picked up in any of the discussions that we have had so far, but when I visited HMP Edinburgh at Saughton I was told that there is a generation issue. The warders say that they see the sons of the previous generation of prisoners coming into the prison now. There is clearly an issue about parents who either cannot cope or who are—as I have found in my constituency case work—the cause of anti-social behaviour in a community, perhaps linked to criminal activities. That is the environment that some young people are going back to.

I would like the witnesses to talk about any effective work that is being done that involves the parents and young people's family backgrounds.

Mr Hamilton: In our programmes, we are—as, I am sure, are the other agencies that are here, as well as those that are not here—trying to get that holistic view of the child or young person in their family or community situation.

Where possible, we try to involve parents and carers in a young person's work programme. We have probably done that most effectively in our Matrix project in Stirling, which the Executive is evaluating. That project uses early intervention processes for younger children—it is easier to get parents on board for younger children than for older children. There is, therefore, worthwhile and supportive evidence from work that has been evaluated.

Mr Connolly: Douglas Hamilton is right. The Matrix project received Treasury funding, so the Scottish Executive did not regard it as a priority. The most recent tranche of youth crime moneys was used to consider the issues of prevention and early intervention in projects run by Children 1st, NCH and Barnardo's. Our organisation finds that our family work is the most difficult area for which to get money from local authorities or central Government. However, some of our most productive work is done in our family centres, which support children and their families. Anyone

who goes to a family centre cannot help but be overwhelmed by how positive they are. Service users often say, "I would not be where I am today, if I did not have this service."

NCH has to fight tooth and nail for every penny that we get for the existing family centre projects when we should be developing that work throughout the country. What we currently do is a sticking-plaster job, so I want the Audit Committee to consider recommending that such preventative work be better funded. It is possible to see certain behaviours developing in children at an early age; most children do fine in school up to about the age of seven, thereafter some children show a decline. The emphasis should be on preventive work at an early age. We will deal with young people's behavioural issues at a later age if we have to, but it is much better to prevent such problems arising.

Margaret Jamieson: On throughcare, we all have examples from our constituencies of throughcare working and of it not working. The key point from today's evidence and previous evidence is that there are barriers between professions and between organisations. For example, the local authorities' attitude seems to be that, because they are the employers, they should be able to tell their professional staff what will happen and what will not. We have not broken down the barriers and accepted that everyone in the field has something to contribute to making life better for the young people in question.

How far away are we from breaking down the barriers and beginning to achieve something? I am sure that all the committee members can identify in their constituencies a specific aspect that we think will make a difference. However, I think that we will all have to wait a wee while for that to be delivered.

Mr Carberry: There is now less of a power imbalance among agencies than there has ever been. On throughcare, I am more interested in the effective options that can be used before custody, which is wasteful and inefficient, is used. Several initiatives throughout the country are demonstrating that they are cheaper and more effective than custody. They are more socially just and have better outcomes for victims and for members of the community. There is a range of criminal justice projects and initiatives and a range of youth justice initiatives. The youth justice agenda is a recent one, but its emerging and developing projects have shown positive results. Projects have reduced re-offending by between 30 per cent and 100 per cent and children who were deemed to be those who were the most unmanageable have made significant progress.

We know what works in the adult criminal justice system and what processes and programmes to

put in place. We must develop similar programmes for young people and ensure that, as well as dealing with young people's offending behaviour, we give them access to employment and training opportunities. We must ensure that young people with drug misuse problems get treatment when they need it.

There is no point in a young person being charged with an offence related to drug misuse and their turning up at a court eight months hence if, in between times, they have committed other offences related to drug misuse and are taken into custody. If a young person is involved in problematic behaviour in the community, we should try to intervene as early as possible.

16:15

Joe Connolly has talked about the development of arrest referral programmes. Such programmes would allow us to intervene positively before the young person appeared in court, by which time a lot of work should have been done. If the judiciary decides that a community-based programme is the preferred option, that programme should build on work that has already been done. That would be a more rational, constructive and efficient use of all our energies.

I do not want to concentrate on throughcare. Prison and custody should be the last resort, particularly for immature and vulnerable young people who have come through the children's hearing system and are propelled into the adult system. We should seriously consider how to tackle that group's offending.

The Convener: What works?

Mr Simpson: When good partnerships exist, they work well and produce good effects. There are many examples of good partnerships. There are also, in some areas, examples of partnerships that are not good, but that can sometimes be addressed by the Scottish Executive setting the agenda.

At the risk of being provocative, I will use the throughcare example. When the Scottish Executive announced the throughcare intentions and the money that was being made available, the information was sent only to local authorities and we did not hear about it until several months later. It took some time to get the information. That is not always the case. The Scottish Executive is generally good at circulating information to voluntary organisations as well as local authorities, but practice is not uniform. The throughcare scenario is one example in which the partnership to develop the programmes has not developed, largely because of the way in which the initiative was announced and because it is an area in which local authorities do not necessarily look to the voluntary sector for provision.

However, I make the point that SACRO has found that, when it comes to voluntary arrangements on adult throughcare, people will more readily come to us and participate with us than they will go to and participate with local authorities. In my career with SACRO, I have had countless approaches from people seeking voluntary assistance after coming out of prison; those people will not go to the social work department because they want to get out of the statutory sector.

Rhona Brankin: How can projects and schemes that have been evaluated and shown to be successful be rolled out? How can they be replicated? I had hoped that the witnesses from COSLA would consider that they have a role in that. Where does the responsibility lie? Is it the Scottish Executive's responsibility to bring people together? Where are the opportunities for disseminating good practice?

Mr Hamilton: The key points—dissemination and ensuring that people are aware—were in that last question. Two or three problems exist with the evaluation of services. First, there are probably not enough independent evaluations of services, so we need more. Agencies such as Barnardo's have their own research departments—I am part of the Barnardo's research department—but we are criticised for producing internal evaluations of our own projects that say that the projects are wonderful, so some investment in independent evaluation is needed. The evaluations of Freagarrach and the Matrix project have been useful because they were independent and were properly funded by the Executive.

The second problem is in the evaluation of the long-term impact of services. We do not yet have much information about the long-term impact of some of the services. Barnardo's is proud of its record on reducing offending through the new directions youth drugs initiative, challenging offending through support and intervention—CHOSI—and the Freagarrach project. However, we would like to address matters such as what will be the situation in five years, so that we can improve our services. More work needs to be done on evaluation.

The third point is on dissemination. Dissemination of information is a general problem for research, not just research on services such as those we are discussing. Some good-quality research exists, such as from the Scottish Executive and other sources, but it is not always available in the most accessible formats. We must ask whether such information is always produced in the format that makes it useful for practitioners to pick up, or in the format that is useful for decision makers and local authorities in working out the key principles that they can apply in their

areas or what they can pick up and use in service delivery. The general problem of getting research into practice is one of our concerns, not just in youth justice but across the board.

The Convener: You said that there needs to be more work on evaluation. How much evaluation work goes on and how much is automatic?

Mr Hamilton: Within Barnardo's, we try to evaluate our service regularly, and we monitor our performance and outcomes in order to improve that service. However, the committee, the Executive and the local authorities want independent external evaluation, but only two—Freagarrach and Matrix—out of more than sixty services, have been independently externally evaluated in the past few years.

Ms Matheson: I echo all that has been said about evaluation—I find the situation deeply frustrating. For example, we run three adult mediation and reparation services, which have been evaluated by the Scottish Executive. In fact, we ran two back in the 1980s, which were evaluated as pilot projects by the Scottish Office and found to be excellent, but the money stopped at the end of the contract. We have been able to continue running the three services we have at present, but they were part of 19 diversion schemes that were piloted. In fact, the social work department diversion schemes have been rolled out.

The Scottish Executive tells us that there is nothing that prevents local authorities from applying for more money for mediation and reparation schemes. However, it is not actively encouraging such applications, so they are just not happening, despite our best efforts and despite the fact that procurators fiscal who refer to the services really welcome them. Despite the fact that there has been research and dissemination, and despite our trying to roll the services out, there has to be direction from the Scottish Executive and COSLA that they are priority services.

Mr Connolly: Like Barnardo's, NCH Scotland does internal evaluation, and we bring in external evaluation for all new initiatives that we set up. You can have a good initiative, but it is hit or miss whether it will be developed somewhere else. It is a question of consistency, and COSLA is one of the gateways to that. Quite often, new resources are needed. I also believe that we need to consider how resources are devolved. There is a casework model that I use as a social worker, and it can be effective, but there are other models. We have talked about family centres, but not many authorities approach social work in that way. There is a traditional view that social work is delivered in one way, so we must open people's eyes to the fact that there are other models—if that is left to chance, it does not happen. A line

must be taken on what is effective in practice and on what are good models.

There should not be an area that suffers from deprivation where the family centre model is not available. I am struck by how impressive that model is in moving children on. However, if you were to do a straw poll throughout the country, that kind of practice would be very much ad hoc. Lots of resources are going into social workers' monitoring of situations, and there is a place for that, but we must look at how we use our resources overall.

Rhona Brankin: Did Susan Matheson say that resources are available to local authorities from the Scottish Executive for specific projects, but that local authorities sometimes choose not to take them up?

Ms Matheson: The Scottish Executive told me that there is nothing to prevent local authorities from submitting proposals for such services, but it did not say that money is available. There will be programme money available that might be diverted to such applications.

Rhona Brankin: It would be interesting to find out more about that. The other thought that occurs to me is to do with dissemination of good practice. The role of initial social work education and continuing professional development is important in that area, but that is a matter that we have not examined.

The Convener: We should move on. I think that Keith Raffan has a question on the use of financial resources.

Mr Raffan: I will come to that, but I would like to ask a brief question about independent evaluation and monitoring. That can be hit and miss; it depends on which academic undertakes it. I am not saying that that is better than nothing, but is there a case for some kind of central evaluation or monitoring unit? I am being careful with the words that I choose. What comes to mind immediately is Her Majesty's Inspectorate of Education, but I do not mean that there should be an inspectorate for social work projects. I am thinking much more about the evaluation of projects. Such evaluation would not be on the same scale as HMIE's work, but if it were done centrally, surely there could be evaluation of projects and dissemination of best practice. You look sceptical, Mr Hamilton.

Mr Hamilton: It would take away all our work if we were to give all that research work to other people. Seriously, though, I think that it certainly sounds like a sensible idea. Many of our projects are crying out for evaluation. They want to be evaluated, as they want to improve on their practice. To take an internal example, I have had 10 requests from our services to be involved in setting up an evaluation exercise this year. Our internal resources and research make that

impossible. We would benefit from a centralised independent evaluation network.

Mr Raffan: You never know, that might create a new job for you.

Ms Matheson: I want to emphasise that the criminal justice social work development centre has recommended that 10 to 15 per cent of service budgets should be allocated to monitoring and evaluation. We endorse that. However, we would have a hard job getting that into our contracts. Getting any percentage for research into our contracts is hard.

Mr Raffan: Again, I am interested in the whole question of the balance of resources between process and services. As paragraph 203 implies, it comes down to three or four points. Do you think that there has been too much short-term initiative funding, too little three-year funding, and too many unco-ordinated funding sources or streams? Finally, do you think that the whole business of applications has been too complex, bureaucratic and time consuming?

Mr Simpson: As regards resources and process, as opposed to services, I will refer again to restorative justice. For those of you who are not familiar with it, restorative justice focuses on repairing the harm done by an offence, as well as trying to reduce the number of offenders. Most of the services that we have set up for young people are alternatives to a hearing. They can be done in parallel, however. It has been found—in our experience and internationally—that the experience of a young person coming face to face with a victim and hearing how their behaviour has impacted on the victim can have a powerful effect, particularly if it is a significant offence.

Similarly, and harking back to your question about family involvement, with restorative justice, conferencing widens the process. The parents are involved as well, so they hear first hand of how their child's behaviour is impacting on other people in the community. That is very useful in many cases, as often parents either do not want to know or deny that these things are happening. Confronting what is going on has a significant effect.

It can be argued that that is process. An offence has been committed, it meets certain criteria and therefore it is dealt with in a certain way. However, the process itself provides a service in helping to reduce the likelihood of that happening again. I suggest that restorative justice has a contribution to make in transforming process into service, and therefore meeting some of the suggestions you have made in that respect.

Funding is problematic. It is problematic in most of our services to know from one year to the next whether a service will be continuing. Funding

sources dry up and others do not necessarily materialise. Different local authorities have different priorities, or we may not get into their planning processes. It is very difficult, and a lot of time is spent writing out proposals—sometimes 32 proposals that are identical but for the name of the local authority at the top. Having to replicate that and go through negotiations and argue the same case all the time is time consuming.

16:30

Mr Connolly: As I read the Audit Scotland report, it seems that a lot of the process money is spent in the court and legal system. That probably adds to some of the time difficulties. The more money that is freed up for delivering effective services, the better. Recently there has been a lot of short-term money. That has meant that organisations have to turn round initiatives and proposals very quickly. I do not want that to continue. I hope that we are able to plan more strategically and consider a continuum of services that are geared to the community and preventing young people from getting into the offending cycle.

Mr Raffan: Perhaps there will be more long-term money available after 1 May.

Mr Carberry: There has to be a longer-term strategic approach that includes the invest to save initiative. We do not want short-term populist measures. There is no point in producing a funding scheme and setting up projects if, just as they are getting bedded in and professionals are learning, the local authorities withdraw the funding. There is nothing strategic about that.

We try to have independent evaluation of all the developments in our criminal justice services where we can. Our Glasgow partnership project is a joint offending and employability project that is funded through the invest to save initiative. It was recently evaluated and the results were very encouraging. As a consequence, funding was continued.

Our Inverclyde project was also independently evaluated in the past. It was found that, for £75,000, the reoffending rates of the young people who underwent the programme were 24 per cent lower than those of young people of a similar profile who went into custody. If you think about it, the young people who went into custody for six months cost £12,500 each, so the programme clearly paid off.

We should also consider when we evaluate projects. We have to evaluate new initiatives and disseminate what we have learned. Some projects are just getting bedded in, the lessons are being learned and the partnerships are being developed when, suddenly, the funding comes to an end. A longer-term strategic approach is needed.

I do not know whether it is out of the question to have funding for 10 years with reviews after three years. Short-term projectitis has been around for a long time and it is not helpful.

The Convener: Is there an average length of time for projects? How do they work in practice? Is the timing caused by the way in which they are financed or the nature of the project? Is there an average time that an organisation gets to run a project and, if so, what is it?

Mr Connolly: I think that the average length of time is approximately three years. Normally, a project will be reviewed annually and, at the end of the three years, there will be an overall evaluation that decides whether the project continues. That evaluation usually takes place during the third year. Most of the time, funding does become available and the project continues on a year-to-year basis. That varies across the country and there is no one formula. We really have to move away from that.

Ms Matheson: Most of our services are funded on a year-to-year basis. The criminal justice voluntary sector forum has spent years negotiating with the ADSW and COSLA for three-year funding. The same item appears on the agenda year after year. The Scottish Executive is getting a bit better at giving us three-year funding, but that is not being replicated by the local authorities.

The Convener: Could you write to the committee and give an idea of how that works out in practice?

Ms Matheson: Yes.

Mr Hamilton: I return to the questions about funding. The short answer to the initial question is yes.

I thought that it might be useful to give the example of our new directions project in Aberdeen. It is currently funded from seven different sources: from the changing children's services fund, the youth crime prevention fund, Lloyds TSB, Aberdeenshire Council, Aberdeen City Council, the Scottish Executive justice department and Barnardo's Scotland. Each of those seven sources has its own time scale and different reasons why a project would get money from them.

I am sure that members can imagine the amount of time that is spent, and wasted, by management on bidding and rebidding for money. To simplify that by combining all sources together is essential. We want a minimum period of three years for funding arrangements. Probably in all of our services, at one point or another, questions have arisen when there have been two or three months of not knowing whether there is enough money for the next financial year.

The Convener: How normal is the project that you mentioned in the way in which it is financed?

Mr Hamilton: It is not abnormal. Several of our services receive funding from a range of sources. I mentioned seven sources, but other services would have about five different sources of funding.

Mr Raffan: A lot of money must be spent on staff time to deal with that. Is there an argument for introducing something similar to ADATs, where, area by area, different bodies can bring money to the table, and money can be dispersed from there? That is becoming the practice, although too slowly. Would it help to have everyone coming together, including the private sector, or would local authorities resist that?

Mr Hamilton: I am not sure what I think of that idea. The priorities of different funding sources are part of the reason why people must go to so many different sources. Having one centralised source would worry me if it did not cover everything. We would have to ensure that a centralised source would be able to give money for work on drug prevention, family support, parents and young offenders. If one unified source of funding covered everything, that would be great, because the current situation is a waste of money and resources, and is not effective or efficient.

The Convener: I hate to add to your bureaucratic burden, but could you describe some multisource projects? Tell us about the sources and the types of projects.

Mr Davidson: On the back of that question, could each organisation tell us the percentage of annual revenue that is used up on trying to renegotiate and extend funding? Is the figure 5 per cent, 10 per cent or what?

Mr Raffan: How much is spent on staff time too?

Mr Davidson: I am talking about total resources, including staff costs.

The Convener: Would the witnesses like to give us a response to that in writing?

Mr Hamilton: Yes.

The Convener: I see that the other witnesses are also indicating agreement.

Mr Raffan: I want to return to my final point about hypothecation and ring fencing, which local authorities are never keen on—and with some justification. I question whether the powers that exist to ring fence resources for services for 16 and 17-year-olds in the children's hearings system should be used for criminal justice social work. Do witnesses take the view that that would harm other children's services?

The Convener: Any volunteers? I think that you have stunned everybody, Keith.

Mr Hamilton: Some aspects of ring fencing can be helpful. My colleagues working for local authorities are not here, so they cannot defend themselves, but there is some sympathy for that view.

Mr Raffan: We are asking you for your view.

Mr Hamilton: We have much sympathy with the view that there is sometimes a requirement to divert resources elsewhere. The points raised earlier were valid in several respects.

Mr Carberry: The introduction in 1990 of national standards for ring-fenced funding has ensured that services have a greater focus on people who offend. However, we all recognise the significant pressures under which local authorities operate.

The Convener: We now move to the subject of finding social work staff.

Margaret Jamieson: COSLA gave evidence on the difficulties experienced with the employment of qualified social workers. It is alleged that staff in the voluntary sector are not rewarded at the same level as local authority staff, but the report suggests that voluntary organisations are attracting staff away from local authorities. Why does that happen and what are the long-term implications?

Mr Simpson: It is certainly not the case that our pay and conditions for staff are more attractive than those of local authorities and that we attract people on that basis; the situation is quite the reverse. Some staff come to us from local authorities, but they are in the minority. We also have some qualified social workers but, again, they are in the minority.

Like other voluntary sector organisations, we pay increasing attention to in-service training for our staff. Particularly when we develop new approaches on which there is limited experience in the country, it is up to us to provide training, which puts a considerable burden on our budget. Such training is beginning to cause a problem with local authority purchasers, who say that we are too expensive. Our burden of training costs is proportionately greater than that of local authorities, which poses a problem.

I do not see any evidence that we attract qualified staff away from social work departments. Not all of our work requires qualified social workers or people with other recognised professional qualifications, but particular skills are necessary. We have chosen to go down the route of vocational qualifications and to tie that in with the training, supervision and performance appraisal of our staff. That is an expensive and involved process, but it is necessary to ensure that our staff deliver the required quality of services.

Mr Connolly: Until recently, we have not had much difficulty recruiting staff. Our staff receive similar terms and conditions as those in local authorities do and most of them are qualified in social work, or have equivalent qualifications in community development or community education. It is difficult for all organisations to recruit, especially in rural areas, but we are beginning to find that fewer and fewer people are available and that we work with the same pool of people when we set up services in particular local authority areas.

One example is our fast-track initiative in the Ayrshire councils, which we set up in partnership with other organisations. Rather than attracting local authority staff, we looked for a mixed economy of qualified and unqualified staff for that initiative, but we costed the unqualified staff at the qualified rate and built in training for the tasks that the staff will undertake, which involves them taking SVQ levels 3, 4 and 5.

I think somebody mentioned earlier a woman who was the chair of a children's panel but who wanted to transfer her experience and work on the other side of the fence by providing services. We recognise the difficulties, but we aim to attract people who have the necessary experience and qualities to provide the services. We have put in place training for such people who, when they become qualified, will go through a bar and be paid as qualified workers. We are costing that in at the moment. That is our strategy for the future.

Mr Hamilton: I am not sure about the situation previously, but Barnardo's is beginning to experience problems with recruiting staff, particularly in the youth justice field. The difficulty is finding suitably qualified and experienced staff to take on the specialist work with which we are involved. As far as I am aware, some criminal justice social work teams are still able to recruit because, as the first group of witnesses said, that is a specialist area. The teams that are losing out are those in the children and families area.

That impacts not just on youth justice but, as was mentioned earlier, on child protection right across the board. That is the big issue. We are finding that there is a negative impact on our services, because of the lack of children and families social workers in the area in which we are working. The service was set up based on the fact that we would provide support in addition to what the social work department was offering. That support is no longer available from the social work department, which has put additional strain on our projects to deal with tasks that they would not otherwise have had to deal with. The big issue is children and families social workers. The Scottish Executive social work action plan strategy has highlighted that and the issue must be addressed as a priority.

16:45

Ms Matheson: It is vital that we manage to get more training money in our local authority contracts or directly from the Scottish Executive in the section 9 grant. As well as the specialist work that has been referred to, we have increasing demands on us in relation to regulation that is coming in on 1 April and compliance requirements. We have to train our staff in health and safety, equal opportunities and data protection. We have to ensure that they know how to comply appropriately with a raft of legislation, but we are not given extra resources to train them.

Someone referred to the fact that local authorities can pay staff to do Open University courses or to go to college. As a voluntary organisation, we cannot do that. We have staff asking about it. We could give them the time, but we do not have the resources to pay their fees. As the work force becomes more thinly stretched, resources should be made available for the people who want to be trained either on the job, in college or on other courses.

The Convener: Are you saying that voluntary organisations are not attracting staff away from mainstream services?

Mr Carberry: We recognise the pressures that local authorities are under. The solution that we reached recently was based on the fact that if we were developing new services in local authorities, there was no point in our poaching their staff, because that would create a gap in what they were trying to do. We have tried to develop a mixed economy of qualified, experienced workers who will support unqualified workers. Training will be put in place, such as SVQ levels 3 and 4 in community justice. We see that as a way of developing a work force while not undermining the work of local authorities.

Clearly, there is no substitute for an experienced social worker. The work that we do is with serious and persistent offenders, which is difficult and challenging. We recognise the problem and I hope that there is a positive solution. We do not want to undermine what local authorities are trying to achieve in their objectives, but we want to retain our front-line experienced staff. As Susan Matheson said, we have to reward those staff. There must be incentives for them, such as post-qualifying training, which we cannot afford.

The Convener: I am still trying to get clarification. I did not use the word "poaching." Is there a flow of staff from mainstream services into the voluntary sector—yes or no?

Mr Connolly: It is a bit simplistic to ask that. People go both ways. We have people who move into a job that attracts them in a local authority and people from local authorities look at the kind of

jobs that we have and find them attractive. It depends on the job.

The Convener: The report suggests that there is such a flow. I am trying to find out what the reality is. Are you saying that there is not such a flow?

Margaret Jamieson: It would be helpful if we knew how static your work force is. If you have a huge turnover, that might cause us difficulty and we might see it as part of the flow. I am concerned that if you are unable to recruit for certain projects, in turn you will not be able to meet the outcomes that are expected of you in your contract. We then get back to the problem that we raised earlier about funding.

You are in a vicious circle. There is no way on earth that you can deal with that as individual organisations. I do not think that the voluntary sector can deal with it collectively, because the paymaster—the local authorities—is not giving you anything. What percentage, on top of your contract, should be specified for staff development, professional development and continuing training? Do you have a figure for that, or do you want to go away, have a think about it and write back with the information?

Mr Connolly: That would be helpful. Historically, we have always charged 4 per cent, which goes towards training. Training has always been a high priority in the organisation, but the kind of training that I have been talking about today is additional. The training implications are massive, particularly for residential services. For example, we are introducing a big residential service programme in the Ayrshires, which is linked into fast-track training initiatives and is an alternative to secure accommodation. However, the training implications of the programme will have to be costed properly. I hope that we have done so.

Margaret Jamieson: I hope that you will get it right, because it is coming to my constituency.

Mr Davidson: Do the contracts that you bid for contain a firmer specification in relation to staff qualifications and, if so, does that put any pressure on your resources?

Mr Simpson: Not in our case. Our service level agreements tend to say that a person should have an appropriate qualification, or appropriate training or experience. We resist any further specification because of our difficulties in guaranteeing the recruitment of qualified staff. For example, we recently recruited about a dozen youth justice staff for our restorative justice services, but only one of them was qualified. Although the rest had relevant experience, they had to undergo a considerable amount of training.

Mr Connolly: As far as the contracts are concerned, we sometimes develop things on a

partnership basis. We tend to determine the level of qualifications and number of staff that we need to deliver a particular service. According to the money that is available, sometimes everything fits. However, when things do not fit together, we might simply have to walk away from the contract. We will not fall below a certain level of quality, and we usually stipulate the staffing levels that we need to provide a specific service.

Mr Lloyd Quinan (West of Scotland) (SNP): Paragraph 188 of the Auditor General's report says that some youth justice teams do not involve enough senior officials and that some of the important key agencies are not participating. How well are key agencies engaging in multi-agency work, including youth justice teams? Secondly, are all the relevant local authority services involved at an appropriate level?

Mr Carberry: I welcome the introduction of the multi-agency youth justice teams. Indeed, as I said earlier, there are more partnerships now than we have seen before. It is important that the teams are made up of people who can make decisions and who have an overview of what is happening in a particular local authority. There is no point in having a director in charge if he does not have a grasp of what is happening below him. Perhaps a senior manager should be in his place.

Gaps still exist. We have already discussed inconsistencies in sentencing across the country. I have to say that I have not seen any of the judiciary involved in youth justice teams. Other players in the Crown prosecution system, such as fiscals, might also opt out, although there have been some positive partnerships with the fiscal service. However, all the players in the criminal justice and youth justice systems should have ownership of the issue.

We need to consider other issues such as health, and the Audit Scotland report highlights some statistics in that respect. Although we continually hear about the number of young people who have significant drug and alcohol problems, I am not sure that the NHS and others that provide treatment services are part of the multi-agency approach to the problem. Such a gap is significant. After all, if young people are offending because of acute substance misuse problems, it makes no economic sense for them to wait eight months or a year to receive treatment simply because they have been prosecuted within the criminal justice system. Such an approach is just not efficient.

Mr Quinan: Does there need to be greater co-ordination—indeed, a specific interface—between youth justice teams and ADATs?

Mr Carberry: Youth justice teams should be part of children's services planning in local

authorities and those teams should feed into ADATs. Health services must also be part of that. Anybody from health will talk about their concerns and ask why young people who offend should have access to treatment before people who do not offend. The reality is that those people face custody and their circumstances are more acute. The potential exists for their children to be taken away from them and looked after. Treatment should be available when necessary. That is an important gap in the system. I am not saying that prescribing is the answer for everybody, but it is part of our armoury, as it should be.

Mr Quinan: Who would be the appropriate individual from health to work with youth justice teams or the ADATs?

Mr Carberry: The consultant on public health could be appropriate. We need whoever can free up resources and ensure that somebody is available to provide treatment when appropriate. That might be a dedicated GP who is attached to an arrest referrals scheme, or anyone who can make the decision and ensure that a genuinely multi-agency approach is taken and that we deal with all a young person's needs in relation to their offending, and not just their offending behaviour, their employment training needs or their housing needs. Addiction is a significant part of young people's offending. Why are we not addressing that issue?

Mr Quinan: What is Mr Connolly's experience of multi-agency working and could such working be improved?

Mr Connolly: As I said, multi-agency working should happen and should not be left to chance. I described the model of youth offending teams that operates down south. Under that model, it is the chief executive's responsibility to ensure that people are round the table. When multi-agency working works, it is great. Keith Simpson talked about good partnerships. When all the relevant players are round the table, that makes things happen and creates the continuum. If we do not have that, everything is patchy and ad hoc. Paul Carberry is right to say that people who can make decisions are needed.

Mr Quinan: Should national guidelines be used to guarantee the outcomes?

Mr Connolly: They might have to be. There is good practice in places, but how can we make it happen elsewhere? Unless we have a guideline that says that such practice should be in place, it is unlikely to happen throughout the country.

Rhona Brankin: This is a bit of a question to hit you with, but I am interested in your initial thoughts on how the effectiveness of interagency working is judged. You talked about what happens when it works. Major issues relate to the research evaluation of interagency working.

Mr Connolly: Our internal processes for judging effectiveness involve quality measures. Creating partnerships and having agencies working together involve putting services in place. I will give an example of that. Health, housing, education, social work—all the key players—and us as a major provider work with the Western Isles Council. Because it is a small authority, everybody wants a slice of the action. When all the bodies came round the table, a leap of faith was made. In freeing up money, a leap of faith sometimes has to be taken. People have to say, "We are paying X amount for expensive places out of the authority, but we want to have a range of services in the authority from the cradle to not quite the grave."

Money has to be gambled. The authority said that it was going to move the money—although the money was tied up at that time—and it did that, which cut down expensive out-of-authority places. A range of services runs from early-age prevention to work with families in the community, work with young homeless people, a children's unit on Lewis and advocacy work on the other islands.

We are considering an external evaluation of that approach, but our internal evaluations show that the approach works and is effective. A needs-must approach was taken. A small authority said, "If we are going to deliver effective services, we have to do it in this way." I hope that that answers your question.

Rhona Brankin: It partly answers my question. You are talking about setting up structures and processes, but the proof of the pudding is what the outcomes are down the line.

17:00

Mr Connolly: The outcomes are about quality, keeping young people on the island and services that prevent young people from getting caught up in the residential setting. Outreach workers can be used to stop young people being admitted to residential care and there are respite care services so that kids do not have to travel from Barra to Stornoway for respite care. Supports can be put in place. The approach strikes me as working quite well.

Mr Hamilton: I want to say something on how we know what works, partnership working and multi-agency working. The national voluntary children's forum, which involves the Scottish Executive and national children's agencies, has wrestled with the issue of partnership for a while. I am not sure where the forum is with the issue, but a conference or a seminar was held last year that brought people together to consider such issues. There will be a Barnardo's publication on what works in partnership working—I will give it a wee advert here—which, I hope, will come out later this year. Research is being done.

Margaret Jamieson: I want to pick up on the partnership issue and the term “leap of faith”, which was used by Mr Connolly. A holistic approach to young people should be used. That goes back to what we discussed earlier—barriers between professions, organisations and so on. Do you get a sense that people forget that, at the end of the day, the same public pound goes to the various places in question, but that people are not joining up to provide the best outcome for those with whom you work?

Mr Carberry: I think that there is increasing integration and coming together of services. The partnership project that I mentioned is an integrated service that involves NCH Scotland and Apex Scotland, which is an employment training agency. Glasgow City Council is one of the key partners. In some respects, I suppose that the council gave away some power to allow two voluntary sector agencies to develop what is, in effect, the biggest criminal justice project in Scotland. NCH is the lead agency in managing the partnership, but there is a joint management arrangement—we manage Apex staff and vice versa. In Dundee, for example, we integrated our alternatives to custody project with the work of the local authority criminal justice team and we are seeing better outcomes. Throughout the country, where there is good partnership and people are interested in outcomes for children, young people and communities rather than a narrow view of partnership and demarcation lines, we see greater multi-agency work, greater integration and better outcomes.

The question about partnership is, would outcomes be better if things were done separately rather than together? I always see better outcomes if we work together. Increasingly, throughout the country, we have to create and develop models and ensure that we do not have a purchaser-provider approach to delivering services. There should be partnership and truly integrated services.

Mr Quinan: What is the impact of the new criminal justice social work groupings of local authorities on work with young offenders?

Mr Hamilton: I was not aware of the impact, but I asked one of my colleagues about it. Our experience of the Freagarrach project, which works with Falkirk Council, Stirling Council and Clackmannanshire Council, is that it has been useful and helpful in relation to 16 to 18-year-olds in those areas. At this stage, we can give fairly positive feedback on that one area.

Mr Simpson: Our experience is that the groupings have worked positively, although there is variation in different parts of the country. Some partnerships have made a good start and are working well; others have barely made a start.

Mr Quinan: I do not know whether you know the answer to this question—I certainly do not. What is the evaluation process for the groupings? Is there an independent evaluation of their work?

Mr Simpson: That is not my understanding; my understanding is that the Scottish Executive will probably carry out an evaluation. I am not aware of the details of that, however.

Mr Connolly: There is a voluntary sector and local authorities grouping called the getting best results group, which is looking to carry out monitoring. We are involved in a number of the groupings. Among those that we are working with, there is a positive will to make things happen.

The Convener: We are now reaching the end of the public session on this particular market day, which is certainly wearing late. I offer everyone a final chance to comment, although they do not have to if they do not wish to.

Mr Carberry: The Audit Committee is considering effectiveness in alternatives to custody. All the evidence and research will tell you that there are more constructive ways of working with young people than sending them into custody. The programmes, the services and the potential are there to reduce crime and offending. We whole-heartedly endorse some of the recommendations in Audit Scotland's report.

Mr Connolly: I echo what Paul Carberry said.

Mr Hamilton: I am pleased that the committee is examining effectiveness. Too much of the political debate around this subject has been on questions of hard or soft options. The key question of effectiveness is addressed in the Auditor General's report. The committee's report into this subject needs to be placed alongside everything else that the Parliament is doing, including the Justice 1 Committee's inquiry into alternatives to custody and the Justice 2 Committee's work on the Criminal Justice (Scotland) Bill. Let us have some joint working among the different committees. I think that the Audit Committee has an important role in developing the debate and creating a system that is effective and which works for young people. I hope that you can do that.

The Convener: On behalf of the committee, I thank Mr Hamilton, Mr Connolly, Mr Carberry, Ms Matheson and Mr Simpson for their attendance and evidence. The voluntary sector has an important part to play in seeking out solutions on behalf of our wider society, and we thank you all for being witnesses today and for your contribution, which should inform and help our investigation.

17:07

Meeting continued in private until 18:11.

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