

Scotland's Action Programme to Reduce Youth Crime 2002



SCOTTISH EXECUTIVE

Making it work together

Scotland's Action Programme to Reduce Youth Crime 2002



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FOREWORD



Youth crime creates a very real blight on the lives of too many individuals and communities in Scotland. It represents a tragic waste and a lost opportunity to harness the skills and talents of many young Scottish people.

Youth crime is also extremely expensive. Audit Scotland has estimated that the property offences committed by young people cost Scotland's businesses, individuals and the public sector £80 million a year. Then, there are the costs borne by the police, social work and children's hearings in dealing with young offenders and the financial and personal costs experienced by the victims of youth crime.

Firm and decisive action must be taken to prevent youth offending and to stop it re-occurring. Our children's hearings system is successful in the majority of cases in helping to prevent re-offending. Also, where children over the age of 8 commit serious crime or persist in offending, the Lord Advocate or Procurator Fiscal may prosecute the matter in the criminal court, if it is in the public interest to do so. We are considering the Scottish Law Commission's recommendations for change in this area.

But, we also need to understand some of the underlying causes of youth crime and the lack of opportunities for some young people to achieve their full potential. Our social justice agenda has made clear that we will tackle the

waste of underachievement, isolation and exclusion that blights too many young people's lives. Young people need to be able to make positive choices about their lives and a positive contribution to society.

I believe there is widespread consensus across Scotland about the action that we must take to prevent crime among children and young people:

- **Increasing public confidence in Scotland's system of youth justice.** Our children's hearings system is unique and has served Scotland well for over thirty years. However, there is room for improvement in dealing with youth offending. Children who offend can be helped to stop offending – but if they continue to offend, effective measures must be taken. Our £23.5 million investment to develop and enhance community-based programmes for persistent offenders represents a start, but there is much more work to be done.
- **Giving victims a greater stake in Scotland's system of youth justice.** The Executive launched the Scottish Strategy for Victims of Crime in early 2001. This provides the foundation for increasing confidence among victims that we take offences by anyone, including young people, seriously and that action will be taken to help prevent re-offending.

- **Easing the transition between the youth justice and the adult criminal justice systems.** We have announced our intention to legislate for pilot projects to test whether it is appropriate to deal with 16- and 17-year-old minor offenders within the youth justice system. We will also examine the findings of Audit Scotland's review of criminal and youth justice in relation to children and young people up to the age of 21 and consider the improvements that can be made.
- **Providing all young people with the opportunity to fulfil their potential.** We need to ensure that educational, cultural, sport and voluntary activities are available and accessible to children and young people. These activities offer positive opportunities for young people who might otherwise be drawn into offending. Where they are in place, young people must be supported and encouraged to become, and remain, involved.
- **Early intervention.** We can prevent many young children from offending by early intervention measures aimed at tackling the root causes of offending behaviour, through a co-ordinated partnership of local authority departments, the police, parents, schools, health and the voluntary sector.

We are very grateful to members of the Advisory Group on Youth Crime for their proposals, most of which are either already in place or are being taken forward. Several reports have been produced on youth offending and we have drawn from many of their findings to produce this action programme. Multi-agency youth justice teams are in place in every local authority. More community-based programmes are available to prevent persistent offending. We need to strengthen this activity and forge closer links with the Executive's wider Social Justice agenda.

This is an annual programme. It will be co-ordinated by the Scottish Executive with the help of a national multi-agency youth justice steering group. We will report on progress at the end of 2002 and also consult on our priorities for 2003. I intend this action programme to achieve a reduction in youth crime and increased public confidence that our approach to youth justice works well. Scotland deserves nothing less.



Cathy Jamieson
Minister for Education and Young People

INTRODUCTION

The Scottish Executive's Programme for Government target is to aim to reduce re-referrals on offence grounds to children's hearings by 10% by 2004. We also want to reduce harm to individual victims and fear of youth crime in communities. We aim to divert young people from offending and to transform the lives of young offenders who might otherwise be condemned to the margins of society.

Several detailed reports have been produced recently on Youth and Criminal Justice. These include *Rethinking Criminal Justice In Scotland* by the Scottish Consortium on Crime and Criminal Justice; the Advisory Group on Youth Crime's report, "*It's a Criminal Waste*"; the *CoSLA/NCH Think Tank* and Audit Scotland's baseline report: *Youth Justice in Scotland*. The Scottish Executive has welcomed this solid foundation of work that identifies the problems, explains many of the reasons for youth offending and how we can best address them.

We must now concentrate on setting the priorities that the local multi-agency youth justice teams, the Scottish Executive, and other agencies will achieve in our common goal of reducing youth crime.

This Action Programme is aimed at children and young people up to the age of 16 who are offending and to those 17 year olds who are under a statutory supervision requirement. We recognise the need for a more integrated approach between the youth justice and adult criminal justice systems. Our proposals on page 10 identify the first steps in achieving this.

The action and priorities that we have detailed in this programme aim to address the five key challenges that need to be tackled if youth crime is to be reduced:

- **Increasing public confidence in Scotland's system of youth justice.**
- **Giving victims a greater stake in Scotland's system of youth justice.**
- **Easing the transition between the youth justice and the adult criminal justice systems.**
- **Providing all young people with the opportunity to fulfil their potential.**
- **Early intervention.**

Youth Crime in Scotland

It is important to acknowledge the nature of the problem of youth crime in Scotland:

- In 1999/2000, over 14,000 children were referred to the Children's Reporter on offence grounds.
- The majority of children and young people who offend, do so only once and are then successfully diverted from offending.
- There are a small, but growing, number of children and young people who are responsible for a disproportionate number of offences. In 1999/2000, 890 children and young people had 10 or more offences reported to the children's reporter. An increase of around 20% from the 741 referred in 1998/1999.

- The peak age of offending varies depending on the offence. For crimes such as vandalism and arson, the peak age is 14 for males and 15 for girls. For violent offences, the peak age is 16 for boys and girls.
- Young people are responsible for a high percentage of high-volume crimes. In 1999, young people aged 21 and under represented:
 - 66% of people prosecuted for car theft;
 - 56% of people prosecuted for thefts from a lock-fast place;
 - 45% of people prosecuted for housebreaking; and
 - 44% of people prosecuted for vandalism.

Clearly, reducing youth crime will make a significant contribution to reducing overall crime levels in Scotland.

How can we achieve this?

Following the Scottish Executive's announcement in June 2000 of a four-year, £23.5 million investment in preventing youth crime, a multi-agency youth justice team was set up in every local authority area. We consider these teams to be the key to success in reducing youth offending.

While their shape may vary across local authority areas, all will have the key role of developing the strategic plan for reducing youth offending in their area. All will have senior representation from the relevant agencies involved in youth justice. At present, chief executives of several local authorities chair these teams. In addition to this strategic and co-ordinating role, they will have close links with the relevant youth justice practice and operational teams. They should include relevant local authority departments, health services, the voluntary sector, the police, the local children's reporter, and any other appropriate agencies. They will also wish to establish links with, or have representatives from, the community.

Specialist services for children and young people who offend are part of a wider network of children's services. It will be critical that youth justice teams action plans form a substantial section of the authority's children's services plan and community plan. The links with the area's social inclusion agenda, education plan, criminal justice plan, community safety and crime prevention strategies, for example, should also be evident.

THE 2002 ACTION PROGRAMME

Increasing public confidence in Scotland's system of Youth Justice.

Our Programme for Government target: "to aim to reduce re-referrals on offence grounds to children's hearings by 10% by 2004" underlines our commitment to reduce youth crime. We do not believe that any major revision of the children's hearings system is needed. However, there is a need for improvement.

We intend to do this in five ways:

1. Preventative approaches:

We will set up a multi-agency group, reporting to the Youth Justice Steering Group, to develop the use of effective preventative approaches by the police, social work, schools, relevant health professionals and others, that avoid the need for children and young people to attend a children's panel. It will be asked to report by the end of 2002.

2. Improving the effectiveness of the children's hearings system by

- Developing a framework of standards and objectives for youth justice practitioners and outcome measurements for youth justice programmes by December 2002.
- Examining whether accreditation arrangements for this framework should be introduced and arrangements for implementation. The group will be asked to draw on the lessons of the Objectives and Standards for Social Work Services in our adult Criminal Justice system and from other countries.

- Taking forward proposals for training and information on youth justice issues to appropriate groups, such as panel members.

This work will be progressed through the multi-agency group mentioned above.

3. Closer integration between the youth justice system and an authority's service planning for vulnerable children

A modular information and assessment framework for vulnerable and deprived children, as recommended by the Action Team on better integrated children's services, is being developed. This will cover youth justice and will include the development and co-ordination of agencies' databases to identify at an early stage, children and young people who are at risk of offending.

4. Strengthening the role and work of Youth Justice teams, including increasing and developing the number and range of community-based programmes for young offenders

- We will complete a mapping exercise by March 2002 and publish an interim progress report on the use of the first slice of the £23.5 million three-year investment in community-based programmes to prevent re-offending.
- Core expectations for the work of the youth justice teams will be discussed with local authorities and the appropriate agencies, but at a minimum, they should include:

- (a) Setting a target to reduce re-referrals to children's hearings on offence grounds by at least 10%.
 - (b) Every local authority area will have at least one programme in its area that can tailor its services to the needs of girls and young women who persistently offend, in operation or under development.
 - (c) Where appropriate, programmes should include on-going involvement and support for parents and families of young offenders.
 - (d) Every local authority/children's hearing area will work towards setting a local target for reducing the number of children referred for a place in secure accommodation on offence grounds by the children's panel. We recognise that this can only be implemented once effective community-based programmes are in place.
 - (e) We will ensure local arrangements are in place to evaluate the local youth justice strategy. Key measurements and outcomes should include whether re-offending has reduced or improved participation in both education or training and in social activity.
5. **We will help youth justice teams learn more about the appropriate programmes to address particular offending behaviours**
- At its most basic, programmes for violent offenders will be different from those who are shoplifting. We also need to know more about the need for, and role of, addiction services for young people. Our first priority will be drug misuse. The Effective Interventions Unit, part of the Scottish Executive's Substance Misuse team, will be examining the effectiveness of drug prevention programmes for young people. The Unit currently has work underway to identify effective models of treatment for those children and young people who have developed serious problems with illegal drugs.
 - The Criminal Justice Social Work Development Centre for Scotland will take forward its key role in disseminating information about effective interventions with young people who offend.

Giving victims an appropriate place in Scotland's system of youth justice.

Victims, whether adults or children, neighbourhoods or communities, should have confidence that Scotland's system of Youth Justice will serve them well.

The Scottish Strategy for Victims of Crime was launched in early 2001. The strategy provides the framework against which the Executive is taking forward the objective of putting victims at the heart of the criminal justice system.

There are specific restrictions on involving the victims of those passing through the youth justice system, principally under the Children (Scotland) Act 1995. These include confidentiality and the frequent need to discuss personal issues relating to the family.

However, we believe there is scope to take forward new initiatives, which are both in line with the Scottish Strategy to support the needs of victims of crime irrespective of the age of the person involved in the offence, and which tackle offending behaviour by children and young people. Furthermore, we believe that sensitively managed restorative justice approaches can be in the best interests of many of the children and young people who offend and their victims.

There are four key areas where we will make progress in 2002

1. Giving victims an appropriate place in the youth justice process.

A multi-agency group reporting to the Youth Justice Steering Group will be asked to identify:

- Improvements to the information on the details of the offending and the impact on the victim provided to hearings. This will help ensure this is a factor in the consideration of the next steps in the individual's case;
- The information that can lawfully be disclosed to the victim, victims and/or community on the action taken by the reporter, local authority, police or children's hearing in response to the offence;
- Any proposals for legislation to give victims an appropriate place in the youth justice process.
- We will consult on this group's proposals, together with options for introducing the proposals to the hearings system. If legislation is required, we will set out a timetable for this to be achieved.

2. Supporting the confidentiality of children who are victims of crime

The Scottish Executive is already taking forward the recommendations arising from the Lord Advocate's Working Group Report on the Support for Child Witnesses and we will consider any additional proposals for child victims within both the adult criminal and youth justice systems. We will prioritise the scope for improving confidentiality for children and young people who are victims of crimes committed by children and young people being dealt with through the children's hearings system.

The 2000 Scottish Crime Survey (SCS) has shown that 50% of the young (12-15 year olds) people surveyed reported they had been a victim of at least one incident of crime. The most common offence was harassment (22%), followed by bullying (19%), assault (19%) and theft (15%). Young people who admitted to committing offences were more likely to be a victim of crime (65%) than non-offenders were (41%).

3. Supporting the extension of restorative justice approaches across Scotland

We wish to encourage the expansion of young offender mediation and reparation schemes. Sixteen local authority areas have such projects in place and evaluation indicates they can help prevent re-offending. They can also go some way to restoring confidence of victims in our system of youth justice. To support youth justice teams' development of restorative justice approaches, we will commission a review of such schemes to help identify what works.

4. Building on community and neighbourhood safety programmes to reduce offending

- Over the longer term, we will consider the lessons of current work on addressing youth crime and improving community safety in many of Scotland's Social Inclusion Partnerships, programmes funded through the Better Neighbourhood Services Fund (BNSF) and others.

These offer useful models of communities defining the issues and action that should be taken to prevent offending and to make their neighbourhoods safer. Three-year Local Outcome Agreements under the BNSF were agreed with the Scottish Executive in December 2001. We will ensure that the lessons learnt from these projects are disseminated to youth justice teams, the police and others.

- We will also identify examples in Scotland and in other countries of intergenerational practice that brings together older people and children and young people to help reduce the fear of crime and increase mutual understanding.

Easing the transition between the youth justice and adult criminal justice systems.

There will be two elements to this work:

1. A more integrated Justice system for 16 and 17 year olds

- We will legislate to establish at least two pilot areas in 2003 to test whether 16- and 17-year-old offenders could be dealt with more effectively through the children's hearings system.
- Where a child or young person over the age of 8 commits a serious crime or persists in offending, the Lord Advocate or Procurator Fiscal is still able to prosecute the matter in the criminal court, if it is in the public interest to do so, although urgent consideration is being given to the Scottish Law Commission's recommendations for change in this area.

2. We will identify any further means of easing the transition between the youth justice and criminal justice systems

- We will review carefully any recommendations for change made by Audit Scotland's performance review of Scotland's System of Youth Justice for children and young people up to the age of 21, which is expected in the autumn of 2002. We will pay particular attention to the following areas:
- Audit Scotland's baseline report published in June 2001 stated that there was significant variation between reporter areas in the percentage of offence referrals that go to a children's hearing. It identified a range from almost 50% in one area to less than 4% in another. We recognise that there will be complex reasons behind this variation and we welcome Audit Scotland's intention to investigate this more closely.
- Any additional proposals for bridging the transition between the youth justice and criminal justice systems.

All children and young people should be valued and encouraged to thrive.

A variety of educational, voluntary, cultural, sporting and other activities should be available and accessible. Such activities offer positive alternatives to young people and can assist in diverting them from offending.

Across the Scottish Executive, action is being taken on all these fronts. Five areas are worth highlighting:

1. Linking youth justice strategies more closely with other strategies supporting young people

Every youth justice team will produce an annual report highlighting progress in joint working with those strategies and initiatives that address the needs of young people, such as its Drug Action Team strategy, its alcohol strategy, its arts, culture and sports strategy and its policy on truancy and school exclusions. Its report should also cover the links with the work of youth workers within their area.

2. Developing the role of youth work

- Youth-related functions were recently transferred from Community Learning Scotland to Youthlink Scotland. Following this, we will seek views on the future priorities for the development of youth work in Scotland in early 2002.
- Youth work, encompassing a wide range of social, sporting, educational and voluntary activities, has a crucial role in the personal and social development of young

people as individuals and citizens. We want to boost the profile of youth work and to support young people to exercise their rights, to fulfil their responsibilities and to achieve their aspirations.

3. Making stronger connections between youth justice and education

- The links between a local authority area's work to meet the five national priorities for Education and preventing youth offending should be highlighted through the local authority area's children's services plan and specific actions in the youth justice team's annual report.

- Supporting Pupils in Schools. A number of recommendations made by the Discipline Task Group and followed up through the jointly agreed Action Plan are of direct relevance to Youth Justice Teams. A key recommendation is that:

All schools should have a designated member of staff who is responsible for the care, welfare and tracking of progress of looked after children. There is a clear role for this member of staff in supporting colleagues in caring for the interests and welfare of looked after children.

(Recommendation 25 of the Action Plan). Similar recommendations were also made in the HMIE/SWSI Report on the education of looked-after children.

- This also ties in with the recommendation from the Action Team on Better Integrated Services for vulnerable children that each child should have a named individual responsible for monitoring their wellbeing.

- There should be close working links between this designated person and practitioners within the area's youth justice team for those looked after children who have offended or are at risk of offending.
- Other recommendations to be found under, the section "Supporting Pupils in Schools" are of particular relevance for youth justice teams to consider. The Discipline Task Group recommendations of June 2001 can be found at <http://www.scotland.gov.uk/library3/education/rdtg-00.asp>. The Joint Action Plan of the Executive, CoSLA, ADES and ADSW is at <http://www.scotland.gov.uk/library3.education/pbis-00.asp>

4. Reviewing access to mental health services

The particular needs of young offenders or those at risk of offending will be included in the Scottish Executive's response to the SNAP (health needs assessment) report on child and adolescent mental health services, due in mid-2002. This will help identify any deficiencies in these services. There is also the need to reconsider the role of these services in how 'conduct disorders' are diagnosed and 'treated' at present and also how their emergence may be prevented. We also need to review access to appropriate mental health services for the most serious and persistent young offenders including those in secure accommodation.

5. Enhancing the role of sport, the arts and cultural opportunities in building young people's self-esteem

Up to £21.75m of the total of £87m available from the New Opportunities Fund will be committed to facilities and programmes designed to promote the role of sport in diverting young people from re-offending or to prevent their offending. Youth Justice teams should develop good working links with those involved in the planning and provision of sports facilities and programmes at local level. Equally, those involved in developing local strategies for sports development should draw on the experience of their youth justice teams in evaluating how best sports opportunities can be provided for young people, who have offended or are at risk of doing so again.

Effective Early Intervention can work

There is general agreement on the risk factors that can lead to offending behaviour. Those who offend are often victims themselves – of crime including physical, emotional or sexual abuse, of living in families where there is drug or alcohol misuse, of neglect, of poor physical and/or mental health and other factors.

The Executive strongly supports more effective and integrated preventative services for children and young people. Following the report of the Action Team on better integrated children's services (*For Scotland's Children*), a Cabinet Committee, chaired by the First Minister, has been set up to drive forward progress on this agenda.

The Changing Children's Services Fund has been established as a catalyst for change to support local authorities, the NHS and voluntary organisations in delivering better outcomes for the most vulnerable and deprived children. We have also issued guidance on taking a more integrated approach to planning children's services, which proposes key aims and outcomes for all children.

In relation to offending, the importance of early intervention is obvious. A study in the year 2001 of young prisoners in Scotland showed that 80% had experience of the hearings system. Another study showed that children referred for offences were likely to have first come to the attention of children's reporters between 5 and 11 years of age and

many of these had been referred on non-offence grounds, most commonly for non-attendance at school or care and protection issues.

1. **The action we have identified on page 6 will aim to contribute to the wide range of early intervention approaches that are required to reduce offending.**

Additional work will focus on:

- Identifying the best way for evaluating the impact that individual social justice programmes can have on reducing youth offending.
- Assessing the need for supplementary development materials on youth justice for nursery and pre-school care staff and relevant health professionals. Early education and childcare play an important role in developing positive attitudes and there may be scope to use these services more effectively. Experience from the national demonstration project for promoting child and family well-being, Starting Well, Sure Start Scotland will also inform this work.

CONCLUSION

We will report progress on the actions outlined in this programme and summarised below by the end of 2002.

Summary of Actions

Increasing public confidence in Scotland's system of Youth Justice.

- A multi-agency group will report in autumn 2002 on:
 - Enhancing preventative approaches.
 - Developing a framework of standards and objectives for youth justice practitioners and outcome measurements for youth justice programmes.
 - Examining how best accreditation arrangements for these should be introduced and arrangements for any introduction.
 - Taking forward proposals for training and information on youth justice.
- **Building closer integration between the youth justice system and an authority's service planning for vulnerable children**

A modular information and assessment framework for vulnerable and deprived children, as recommended by the Action Team on better integrated children's services will cover youth justice.
- **Strengthening the role and work of Youth Justice teams.**

We will complete a mapping exercise by March 2002 and publish an interim progress report.

- We will support the development of evaluation toolkits for preventative programmes and for restorative justice approaches for youth justice teams.
- **Giving victims an appropriate place in the youth justice process.**
 - A multi-agency group will be asked to identify:
 - Improvements to the information on the details of the offending and the impact on the victim, provided to hearings.
 - The information that can lawfully be disclosed to the victim, victims and/or community by the reporter or panel.
 - Any requirement for legislation.
- **Supporting the confidentiality of children who are victims of crime**

We will prioritise the scope for improving confidentiality for children and young people who are victims of crimes committed by children and young people being dealt with through the children's hearings system.
- **Supporting the extension of restorative justice approaches across Scotland**

We will encourage the expansion of young offender mediation and reparation schemes.

We will commission a review of the schemes that are currently in operation to help identify what works.

Building on community and neighbourhood safety programmes to reduce youth offending

We will consider the lessons from these for reducing youth crime and improving community safety.

Easing the transition between the youth justice and adult criminal justice systems.

○ A more integrated justice system for 16 and 17 year olds

We will legislate to establish at least two pilot areas in 2003 to test whether 16- and 17-year-old offenders could be dealt with more effectively through the children's hearings system.

○ We will identify any further means of bridging the transition between the youth justice and the adult criminal justice systems

We will review carefully any recommendations for change made by Audit Scotland's performance review of Scotland's System of Youth Justice for children and young people up to the age of 21.

All children and young people should be valued and encouraged to thrive

○ Linking youth justice strategies more closely with other strategies supporting young people

Every youth justice team will produce an annual report highlighting progress in joint working with its area's strategies and initiatives that address the needs of young people and achieving its youth justice objectives.

○ Developing the role of youth work

We will seek views on the future priorities for the development of youth work in Scotland in early 2002.

Making stronger connections between youth justice and education

- The links between an authority's work to meet the five national priorities for Education and to prevent youth offending should be highlighted through the local authority area's children's services plan and specific actions in the youth justice team's annual report.

○ Supporting Pupils in Schools

A number of recommendations made by the Discipline Task Group and followed up through the jointly agreed Action Plan will be of direct relevance to Youth Justice Teams.

○ Reviewing Access to Mental Health Services

The needs of young offenders will be included in our response to the SNAP report on child and adolescent mental health services.

○ Enhancing the role of sport, the Arts and cultural opportunities in building young people's self esteem

Up to £21.75m of the total of £87m available from the New Opportunities Fund will be committed to facilities and programmes designed to promote the role of sport in diverting young people from re-offending or to prevent their offending.

Effective Early Intervention can work

- We will identify how best to evaluate the impact that individual social justice programmes can have on reducing youth offending.
- We will assess the need for development materials on youth justice for nursery and pre-school care staff.

A national multi-agency Youth Justice Steering Group has been set up to help the Scottish Executive review and consult on progress and to identify the next steps for 2003.

This partnership between the Steering Group and the network of Scotland's Youth Justice teams and other organisations that we will support will ensure that we have a committed and dynamic approach in Scotland to reducing youth crime.

Appendix The Advisory Group Report on Youth Crime: Recommendations

| Recommendations | Scottish Executive Response June 2000 | Progress as of December 2001 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For early implementation: | | |
| <p>Expansion of the range and availability of effective, quality assessed, community-based interventions and programmes for persistent young offenders which can be used by reporters and the hearings.</p> | <p>Accepted. The Scottish Executive agrees that this recommendation is central to the development of measures to address youth crime and to provide credible and effective alternatives to custody. This will require new resources.</p> <p>Longer-term decisions will be taken in the context of the Spending Review. However, from September 2000, an additional £3.5m will be made available through the Children's Services Development Fund (CSDF) for local authorities to develop and deliver multi-agency programmes.</p> <p>Local authorities will be advised shortly on the allocation of this additional funding. To access the funding, local authorities will be required to deliver programmes in line with the report's recommendations. The prime focus should be on risk assessment and addressing offending behaviour.</p> | <p>£5m total made available for 01/02. A further £5m in 02/03 and £10m in 03/04.</p> <p>Mapping of the youth justice programmes in Scotland will be completed by March 2002.</p> |

| Recommendations | Scottish Executive Response | Progress as of December 2001 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For early implementation: | | |
| <p>There should be access to the new range of interventions and programmes by procurators fiscal and the courts for persistent young offenders up to age 18.</p> | <p>Accepted. The Scottish Executive considers it important that suitable services bridge the transition from the children's hearings system to the criminal justice system. Addressing offending behaviour requires tailored and often intensive approaches which are appropriate to the maturity and background of the young person. These should be available by whatever route the young person comes to the attention of the authorities.</p> | <p>Progress will be assessed through: the mapping exercise to be completed by March 2002; through monitoring of the action programme; and 16-17-year-old pilots.</p> |
| <p>A renaming of the Children's Hearings system: one option would be simply to drop the reference to children.</p> | <p>Accepted in principle. The Scottish Executive invites views on what the name should be. The children's hearings system is well known as a unique welfare and justice process in Scotland. From the outset it has dealt with babies, children and young people up to age 18 in certain circumstances. Any new name would need to cover the age range of children and young people, and the welfare and justice elements of the hearings system.</p> | <p>The 16-17-year-old pilots will, for practical purposes, use the term "the hearing".</p> <p>Changes to regulations would be required to rename the children's hearings system.</p> |

| Recommendations | Scottish Executive Response | Progress as of December 2001 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For early implementation: | | |
| <p>Expansion of bail information and supervision schemes to all 16-17 year olds.</p> <p>Expansion of pilot diversion schemes to all 16-17 year olds.</p> <p>Develop the range of tailored community-based disposals for under 18s coming before the courts in order to avoid custody.</p> | <p>Accepted. The Scottish Executive already supports bail information and supervision projects and pilot diversion schemes in certain areas. From September 2000, the plans are to reallocate funding to increase resources for criminal justice social work by £0.5m to fund an extension of these services and the tailored alternatives to custody. A further increase of £0.5m will be made in 2001-2002.</p> | <p>Funding has been made available to all local authorities for implementation of diversion from prosecution schemes. Will allow all procurators fiscal access to local schemes.</p> <p>Funding has been provided to all authorities for roll-out of bail information and supervision schemes.</p> <p>Guidelines for operation of diversion and bail information and supervision schemes will be issued in January 2002.</p> |
| <p>A detailed examination of the feasibility of a bridging pilot scheme which would refer as many 16-17 year olds as possible to the hearings system.</p> | <p>Accepted. The extension of the hearings system to include 16-17 year olds to the hearings system has implications for many agencies, including the hearings themselves, the Crown Office and the courts. Detailed examination of these implications needs to be undertaken, including whether any legislative changes are required to enable a pilot scheme to be introduced.</p> | <p>Legislation will be introduced in 2002 to enable pilot areas to be established.</p> |

| Recommendations | Scottish Executive Response | Progress as of December 2001 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For early implementation: | | |
| <p>A national strategy based on core objectives which delivers a consistent framework for local activity and addresses training needs.</p> | <p>Accepted. Views on what the strategy should cover are invited. A draft National Strategy will then be drawn up and issued for consultation later this year with a view to it being in place no later than April 2001.</p> | <p>Effectively overtaken by the Action programme to reduce Youth Crime 2002.</p> |
| <p>Adapt the national framework to develop inter-disciplinary strategic local plans, where they do not already exist, which will deliver the necessary repertoire of services.</p> | <p>Accepted. This will fall to local authorities to consider and implement once the National Strategy is finalised.</p> | <p>All Local Authorities have developed strategic local youth justice plans. These will be submitted to the Scottish Executive, as part of our mapping exercise, due to report in March 2002.</p> |
| <p>Establish multi-agency teams to consider all youth crime issues, covering preventive measures as well as rehabilitative programmes or interventions, and to oversee implementation of the local plan.</p> | <p>Accepted. The Scottish Executive will reallocate funding of £1m per annum in a full year to increase GAE to support activity at local level. Detailed arrangements concerning this funding will be announced shortly.</p> | <p>Multi-agency Youth Justice teams have been set up in all Local Authorities.</p> |
| <p>Undertake audits of demand, resources, funding and training needs across the court and hearings system.</p> | <p>Accepted. The audits should be completed by December 2000 and first local plans in place by March 2001.</p> | <p>Youth Justice Audits have been completed by all Local Authorities.</p> |

| Recommendations | Scottish Executive Response | Progress as of December 2001 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| For early implementation: | | |
| Implement the local plan and report on progress to the Scottish Executive. | Accepted. The first progress report will be asked for by March 2002. | A progress report will be available in March 2002. |
| A national resource to disseminate best practice, commission relevant research and accredit programmes or interventions for tackling persistent offending by children and young people. | Accepted. The Scottish Executive is already supporting a comparable resource for criminal justice social work services with a Unit being developed at Edinburgh University. We propose to expand the Unit's remit to cover offending by children and young people. | Funding has been provided to expand the remit of the Criminal Justice Social Work Development Centre to cover youth justice issues. |

| Recommendations | Scottish Executive Response | Progress as of December 2001 |
|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For medium- to longer-term implementation: | | |
| Review the case for raising the age of criminal responsibility to 12 years. | Accepted. The Scottish Executive will consider how best to review the age of criminal responsibility and the issues which might arise from any change. | The Scottish Executive is giving urgent consideration to the Scottish Law Commission's recommendations on this matter. |
| Review the use of the fine as a penalty for young offenders to reduce the level of custody for fine default. | Accepted. The Scottish Executive is carrying out research on the "Enforcement of Financial Penalties" and the use of Supervised Attendance Orders. The reports of these reviews will be published early in 2001 and special consideration will be given in this work to issues related to young offenders. | Legislative amendments to current provisions in respect of breach of Supervised Attendance Orders are proposed in the Criminal Justice White Paper. Consideration is also being given to piloting of existing legislative provision for mandatory use of Supervised Attendance Orders rather than custodial sentences for fine defaulters. |
| In the light of any bridging pilots, consider the case for rolling out these arrangements across Scotland. | Accepted, subject to the findings of the feasibility study. | The pilots are expected to start in 2003 and any further roll-out will be subject to the feasibility study. |