

The Whole System Approach for Children and Young People who Offend: An Evaluation of Early Stage Implementation

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This briefing summarises the findings from an evaluation of the early implementation of the Whole System Approach for Children and Young People who Offend (WSA). The evaluation was conducted at the very outset of the national rollout of the WSA and provides an historic account of this critical period in the implementation of the system, and the negotiations taking place between the key partners in the different local authorities in Scotland. The findings presented here form the basis for ongoing research on the WSA, and recommendations are provided for future practice and evaluation.

Introduction and context

The Scottish Government Whole System Approach for Children and Young People who Offend (WSA) was formally launched by the Cabinet Secretary for Justice in September 2011. The WSA is based on strong evidence which shows that the long term outcomes for young people involved in offending behaviour could be better served by diverting them away from statutory measures, prosecution and custody and instead implementing early intervention and robust community alternatives (McAra and McVie 2007). Furthermore, research has shown that persistent serious offending is strongly associated with victimisation and social adversity, which need to be addressed alongside offending behaviours (McAra and McVie 2010). Consequently, the aim

of the WSA is to achieve positive outcomes for some of the most vulnerable young people in Scotland, helping them to fulfil their potential and become valuable contributors to their communities. Positive outcomes are to be achieved through:

- integrated processes and services across child and adult services;
- streamlined and consistent planning, assessment and decision making processes for young people who offend, ensuring they receive the right help at the right time;
- effective ways of working with high risk young people involved in offending;

- diversion of young people from statutory measures, prosecution and custody;
- increased opportunities for community alternatives to secure care and custodial sentences;
- a consistent approach to risk assessment and risk management;
- better support for young people attending court;
- and improved services for young people in custody and reintegrating into the community

This evaluation, funded by the Scottish Government and conducted between February and April 2012, provides a brief scoping review of the youth justice landscape within Scotland that forms the platform for the Whole System Approach (WSA). The specific objectives of this research were:

1. In those LAs where WSA is adopted, examine the process by which WSA is being implemented;
2. In those LAs where the WSA is not adopted, explore the reasons for this;
3. Establish baseline data on what youth justice services exist and how to develop this data to capture comparable outcomes in all LAs.

Research methods

The research team developed two brief questionnaires for distribution to named contacts within each of the 32 local authorities in Scotland. The first questionnaire provided a series of questions around the adoption and implementation of the WSA within the local authority and the data gathering mechanisms in place. The second was

intended to be completed for each service available within the local authority that could be used as a disposal for young people who were offending. This was to map the provision of service across the different local authorities. Questionnaires were sent to the local authority contacts on 28th February 2012, with a deadline for return of the first questionnaire set at 13th March 2012 and a deadline for returns of the service mapping at 27th March 2012. A reminder email was sent out by the research team on 9th March 2012.

Response rate issues

The response rate to the email surveys was low. By the initial deadline, only eight local authorities had completed the survey and three had responded that they were not in a position to complete the survey yet (due to the early stage of development of a WSA within the local authority). Seven local authorities had completed the service mapping questionnaire and one had responded that it was too early a stage in the process of development to provide the information required. In short, 20 local authorities did not respond to any of the initial requests for information regarding their WSA.

Key issues

Following up the initial requests, made it apparent that there were two key issues hindering local authorities' participation in the evaluation and the service mapping exercise: timing and communication/understanding.

i. Timing

Most crucially, the timeframe allowed for this evaluation was too short. Thus the amount of time local authorities were given to complete the service mapping

exercise was unrealistic. This issue was compounded by the early stages the majority of local authorities were at with regards to implementing their WSA. The research team had been led to believe during the design phase of the evaluation that local authorities were advanced with their planning of the WSA and were already beginning to implement their proposals. It was also anticipated that service mapping and review, a recommended element of the planning process, would already be underway in the local authorities. However, the majority of local authorities were actually in the very early stages of planning for the WSA and had not yet conducted or completed their service mapping and review. To start a service mapping exercise and co-ordinate responses from a range of service providers across a local authority was apparently just not possible within the timeframe allowed in this evaluation.

ii. Communication/ understanding
From the service mapping returns received, and a query received from one local authority, it appears that there may have been a degree of confusion as to what the service mapping exercise was seeking to achieve. For example, some local authorities provided a single return describing their youth justice social work team or equivalent, and some described the local police force and local criminal justice social work as services drawn upon by the WSA. Another detailed return discussed disposal options in the most general sense, such as diversion from prosecution, rather than the services drawn upon. The varying responses received highlight that the request for service mapping to be undertaken may have been left open to interpretation. It is also possible that the variance reflects a

degree of divergence between local authorities in the interpretation of the WSA guidance more generally and the availability of existing services. Again, more time was needed to establish this aspect of the evaluation.

Revised approach

It was agreed that a revised approach to the research be adopted. The research team suggested that a simple telephone survey of the non-responders might better establish the position of these local authorities vis-à-vis the adoption, development and implementation of the WSA. This revised approach allowed the research team to contact all 32 local authorities, and to gather information from 25.

Response to revised approach

In total, 15 survey responses were received and 14 telephone interviews with key contacts were conducted (see appendix 1 for a summary table of responses). Four local authorities contacted the research team by email to provide the requested information and 9 provided returns for the service mapping exercise. The level of detail provided in these mapping returns varied greatly, which, once again, is likely to be a reflection of the different stages of WSA development the local authorities were at. Critically, it became apparent that these returns provided an incomplete picture of the support available for young people in these areas.

While the service mapping exercise was a valuable exercise to undertake in establishing the state of play amongst the local authorities at this early stage in the implementation and development of the WSA, it is recommended that this process

be repeated at a later stage. This would provide a more complete picture of services, allowing provision for children and young people to be fully assessed and for gaps in provision to be identified and addressed. However, to provide the detail required by such an exercise, and to compile and co-ordinate responses from a range of agencies, requires the dedication of time and support from a number of individuals. The scale of the exercise originally proposed was not fully accounted for at the outset, and this brief evaluation was not the appropriate vehicle for its completion.

A further four local authorities however reported, at the time of research, having commissioned independent research consultants to undertake service mapping and review exercises and are different stages in this process. Feedback to the research team from these local authorities suggested that the independently conducted reviews will provide highly detailed reports. It is likely that they will also provide a useful guide for the Scottish Government as to the types of data that might be collected so as to evaluate service provision.

Research findings

Overall, the response from the local authorities to the survey on adopting and implementing the WSA was very positive and supportive to the proposal and guidance produced by the Scottish Government. A number of practitioners described their enthusiasm for the underlying principles and goals, and their shared belief in the values of the WSA. Many described previous attempts in their practice to adhere to these shared beliefs as being met with difficulty, and one identified the national policy

commitment to addressing the issues surrounding practice with at-risk young people as very welcome.

However, it became clear from the early responses to the evaluation requests for information that the WSA was still very much in its infancy in practice, and that the local authorities were at various stages of development of their own WSA. The draft Implementation Plan for the WSA (Scottish Government, 2011) identifies three key stages in the implementation process. Stage one involves the establishment of relationships between WSA partner agencies and gaining commitment to take the WSA forward within the local authority. At this stage it is recommended that existing procedures and services in respect of each of the core strands of the WSA are reviewed to identify gaps in provision and areas for streamlining case processing. This review informs the development of a project plan, to be approved by the Scottish Government WSA team. Stage two involves the detailed development of the WSA project plan, with the creation of protocols, alignment of existing services and the design of new services to meet identified needs. At this stage, the application for funding support from the Scottish Government is submitted. The final stage three is the introduction of the WSA in practice across the local authority.

In practice, the linear vision of implementation has not been rigidly adhered to, and the evaluation identified that a number of local authorities were still in a preceding pre-implementation stage, and that some had reached an advanced implementation stage within some strands of the WSA but not within others. The different stages achieved by

the local authorities at the point in time of the evaluation being conducted are discussed below under the following headings: Whole System Approach not adopted; Stage One – early implementation; Moving towards full implementation; and Stage Three – full implementation.

Whole System Approach not adopted

Six local authorities reported that they had not adopted the WSA. Two provided unique geographical reasons for a difficulty in adopting or implementing any national policy. Both stated that the very low numbers of young people offending within the small and dispersed populations served by the authorities precluded full adoption of the requirements and structures of the WSA. Both authorities agreed in principle with the values of the WSA and regarded the WSA framework as a useful guide for future development work, but felt that existing GIRFEC-led practice arrangements and existing investment in a range of services for young people were sufficient to cope with the current prevalence and demand.

Similarly, another largely rural local authority voiced agreement with the principles of the WSA as proposed, but believed their existing Integrated Practice Model and services were able to meet the objectives outlined. Moreover, proposed restructuring within the local authority meant that key individuals did not know what their future role within their agency would be and, therefore, could not fully commit to taking forward development of a new policy initiative, and that the key agencies did not know what new expected procedures for multi-agency

working might be. Thus it is argued that, at this point in time, the state of flux within the local authority meant it was not possible to implement the WSA yet.

A fourth local authority with a small geographically dispersed and isolated population of young people, stated that, while in agreement with the WSA principles, there was uncertainty as to how well the structures and requirements fitted with their population need. With very few young people currently identified as high risk, and very few 16&17 year olds going to court or detained in custody, it was felt that in-house scoping needed to be undertaken to establish which elements of the WSA might be feasibly adopted within the authority.

The final two local authorities in this category both stated a commitment to the implementation of WSA in the near future. One was moving towards working in partnership with a neighbouring authority and had recently been informed that a Youth Justice Manager for both had been appointed to lead on the development of the WSA. The other was keen to take forward implementation but had commissioned an independent review of their current provision, which had highlighted a number of service gaps. Filling these gaps was recognised as essential to meet the WSA requirements, but also difficult to achieve with existing resources. From this informed basis, the team here were seeking to develop a plan for implementation with the Scottish Government WSA team.

Stage one – early implementation

Ten local authorities could clearly be identified as within stage one of implementation, with a clear commitment to moving forward with the development of WSA and with the required planning processes underway. Four of these early stage local authorities described how existing multi-agency strategic fora were providing a vehicle for developing plans for the WSA. All four had achieved consensus and agreement through their various youth justice related partnerships and groups and had set up smaller working groups to take forward the development of project planning for the WSA. All of these authorities had established key service gaps that needed to be addressed, particularly in relation to provision for 16 and 17 year olds, although two had only just begun their mapping processes, with one having recently contracted an independent research consultant to undertake a formal review of their service provision to inform the development of their WSA.

Two further local authorities in this broad category responded that they had recently formed a partnership for delivering the WSA and that key workers to lead on its continued development were shortly to be appointed. Similarly, another authority had gained full commitment from its existing multi-agency Youth Justice Strategy Group and the Heads of Children's and Criminal Justice Services, and had three new posts planned to provide overall co-ordination and delivery of key elements of the WSA. Each of these authorities' responses stressed that until these posts had been filled, it was not possible to provide speculation on how their WSA plans would further develop.

A further four of these early stage local authorities reported that the EEI element of the WSA was already 'up and running' and that work to achieve formal multi-agency sign up to deliver on the other core elements was underway. All had established their EEI practices, but had yet to gain the formal support of criminal justice agencies to take forward the full WSA. The final authority reported progress in this regard, having appointed a new manager was in post to take the same task forward there.

Moving towards full implementation

There is a blurring in the cases presented above of the distinctions between stages one and two of implementation. The WSA has so many different elements that progress in one strand was often not matched in another. Thus, in reviewing the information provided by local authorities, it was often hard to distinguish in those far advanced in stage one, whether stage two had been reached, or even achieved for some elements of the WSA. In practice, it appears that the developments required by stages one and two often occur simultaneously and that both are, in fact, the early stages of implementation.

Four local authorities appeared to have achieved a great deal in respect of the governance structures for the development and delivery of the WSA, and in service provision across the key strands. However, while certainly having moved a long way forward from the early stages of implementation, all four acknowledged critical gaps in their provision that needed to be addressed before full implementation could be reached. Nevertheless, all appeared well

placed, with the existing work and investment, to begin to achieve this.

One of these was clearly well advanced in its multi-agency working practices and its level of service provision by virtue of its 'economy of scale'. The size of the population covered by this particular local authority had allowed funding to be made available for a number of services and community alternatives recommended by the WSA prior to its roll out. Nevertheless, diversion from prosecution was not yet available and the supports for the transitions from care and custody were underdeveloped. Given its existing investment in research and development, and in multi-agency practices, it would seem that this local authority was well placed to assess its needs and to deliver strategies for addressing these gaps.

Similarly, the other three local authorities in this category reported strong infrastructure to manage and support the WSA in each of the authority areas, and all provided a wide range of services for young people at risk. All had key strengths in their existing provision, such as an established successful diversion programme in one and strong links with Polmont and Cornton Vale in another, but all acknowledged critical gaps. To address identified gaps, one reported that development of its support for transitions and reintegration and alternatives to secure care and custody was underway, while two others discussed ongoing development of bail support and supervision and the provision of support for 16 and 17 year olds in court. Once these gaps are addressed, it would seem likely that these local authorities will achieve full implementation of the WSA.

Stage three – full implementation of WSA

Four local authorities appeared to have fully implemented the WSA. All were well advanced in terms of the structures in place for governance and operation, and all reported providing packages of support and services across the key strands of the WSA for 8-18 year olds. Two of the four had achieved implementation by working in partnership for development and delivery. Critically, all four of these local authorities stood out in terms of their achievement of good working relationships between youth justice and criminal justice. All reported engaging well with procurators fiscal and sentencers, and achieving 'buy-in' and support from these criminal justice professionals to facilitate changes to traditional working practices and responses to 16 and 17 year olds.

It is important to note however that all of these local authorities had the advantage of additional investment in recent years, enabling relationships to be built and changes to be made. One had been selected as the pilot site for the WSA and received substantial investment and endorsement from the Scottish Government to develop itself as a practice model. Freed from the resource constraints experienced in other local authorities, it had been able to enhance its provision and practice for young people. Another had received investment from the Scottish Government during the piloting of structured deferred sentencing in 2005, and this was credited as having allowed both the development of a culture of trust and respect and the recognition of shared values between sentencers and social work. Moreover, this particular authority had recently

committed to continued investment in youth justice related social work posts previously supported by short term funding from the Scottish Government. This level of commitment and official endorsement of the work of the team was seen as reinforcing the positive image that had been developed. Finally, the partnership local authorities credited the Hamilton Youth Court as having facilitated strong working relationships with local sheriffs. The different investments in these local authority areas appeared to have had a critically important role in facilitating their successes in implementing the WSA.

Overall comments

The response from the local authorities regarding the WSA was overwhelmingly positive. Four key stages or levels of acceptance and implementation were identified and it would seem that even where local authorities feel that investing or reconfiguring resources as per the WSA guidance was not justifiable, there was support for and acceptance of the key underlying principles. Where local authorities were moving forward in their implementation of the WSA it appeared that existing multi-agency strategic groups were providing the key vehicle for doing so. However, a number of critical issues were hindering progress. These were identified as:

1. *Staff illness and turnover*

Several local authorities reported staff long-term illness/ absence and staff turnover as holding up progress in the development of the WSA. When key individuals with essential expertise are absent the process is delayed, and when key individuals leave their posts there is

further lag before replacements are instated.

2. *Population size*

A substantial proportion of local authorities in Scotland have small populations of young people, meaning that the numbers of young people at risk are very low. Moreover, certain local authorities experience geographic isolation and a widely dispersed population who have difficulty accessing services. These are issues that challenge the viability of service provision and require flexibility in the continued development of the WSA.

3. *Finance and resources*

A number of local authorities in the early stages of implementation identified themselves as lacking in service provision across the strands of the WSA. Most of these local authorities highlighted the difficulty in attempting to fill these gaps with existing resources. Many will need to seek financial investment from the Scottish Government in order to fulfil the requirements of the WSA, and it is clear that the implementation process for these local authorities will be lengthy as a result.

A number of local authorities also raised the issue of sharing resources across agencies whose funding is drawn from different budgets or sources. The bridging of the gap between youth and criminal justice, and the moves to provide for 16 and 17 year olds under a 'youth' rather than an adult criminal banner, is controversial in this respect, as budgets are allocated on the basis of calculations around case load. This financial management issue presents a real barrier to the ideal implementation of a WSA, and it seems imperative that these issues

be resolved centrally in order that the WSA can proceed without such constraint.

4. *Securing 'sign-up' and participation from agencies*

Existing multi-agency practices have largely facilitated the beginning of the implementation of the WSA across the local authorities. However, securing 'sign-up' and participation from *all* the relevant agencies has been cited as a key stumbling block within some local authorities. Key partners identified as not fully participating or engaging with the process were health, the Crown Office and Procurator Fiscal Service (COPFS) and the courts. As demonstrated in the research findings above, a lack of engagement from and between core agencies, particularly those at the heart of the criminal justice processes targeted by the WSA, is critical to the achievement of full implementation. Efforts must be focused on securing engagement and participation in the areas where this is yet to be achieved.

Limitations and recommendations for further research and evaluation

This evaluation has provided a brief snapshot of the early stages of implementation of the WSA in Scotland. The short timeframe for the project has precluded an in-depth examination of the implementation processes in any one local authority, and has relied upon single contacts within the local authorities to speak on behalf of all the partners involved. Future research could usefully provide more in-depth investigation and draw upon the perspectives of all key

partners. This may help develop models for implementation and practice for use in areas where difficulties were encountered, and may be of particular value in demonstrating to partners who do not fully engage with the WSA how it has operated elsewhere.

There is also a need to develop a strong and robust data framework for ongoing evaluation of the WSA, to ensure that outcomes for children and young people can be meaningfully captured. The Scottish Government are already developing mechanisms for ensuring data collection at both a local and a national level, and it will be important to facilitate data collection and management practice within the local authorities to keep data 'fit for purpose'.

Moving forward

Early 2012 heralded a number of successes across Scotland in terms of the implementation of the WSA. The WSA, in addressing the needs of children and young people under the age of 16, has built upon existing practices and philosophies and implementation successes appear to have used these as the key cornerstones in the development process. For young people over the age of 16, the WSA has more to achieve and is more challenging to implement. The greatest successes here appear to have been in those areas where prior investment has facilitated the development or extension of working relationships and cultures of shared values between the youth and criminal justice fields.

The 'buy-in' and support of criminal justice agencies, most critically COPFS and the courts, is imperative to the successful

implementation of the WSA to children and young people who offend. Previous research on the use of diversionary practice in Scotland, such as that required by the WSA, has shown that competing priorities within COPFS allow 16 and 17 year olds to 'slip through the net' (Fraser and MacQueen, 2011; Bradford and MacQueen, 2011). Moreover, research on the introduction of alternative community based sentences has highlighted that sheriffs and justices of the peace need to be persuaded that new alternatives are robust and effective at achieving positive outcomes. Without efforts to do this through serious and sustained dialogue and engagement, alternative practices are not likely to be embraced or adopted (Curran et al, 2007).

It seems clear that greater commitment from COPFS to prioritising key diversionary practices for 16 and 17 year olds, in conjunction with the development of meaningful options for diversion within local authorities, and greater engagement with the courts, and between the criminal and youth justice spheres are required to secure the successful implementation and operation of the WSA over the short and longer term. Greater join-up in the development and delivery of youth and criminal justice is imperative to ensure young people involved in offending are dealt with in the manner proposed by the WSA. Having an integrated national level approach to criminal justice, such as that offered by the Scottish Government Reducing Reoffending programme, should provide a vehicle for achieving this although it is crucial to the success of the WSA that this high level guidance is translated to practice and action 'on the ground'.

Further information

Up to date information on the WSA can be found on the Scottish Government website:

<http://www.scotland.gov.uk/Topics/Justice/crimes/youth-justice/reoffending>

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Appendix One

Table 1: Local authority evaluation responses

<i>Local Authority</i>	<i>Survey returned</i>	<i>Telephone interview</i>	<i>Email feedback</i>	<i>Service mapping returned</i>
Aberdeen City Council	✓	-	-	✓
Aberdeenshire Council	✓	-	-	Commissioned own
Angus Council	✓	✓	-	-
Argyll & Bute Council	-	✓	-	-
Clackmannanshire Council	✓	-	-	✓
Dumfries & Galloway Council	✓	-	-	✓
Dundee City Council	✓	-	-	✓
East Ayrshire Council	-	✓	-	-
East Dunbartonshire Council	-	-	-	-
East Lothian Council	✓	-	-	✓
East Renfrewshire Council	✓	-	-	-
Edinburgh City Council	✓	-	-	✓
Falkirk Council	-	✓	-	Commissioned own
Fife Council	-	-	-	-
Glasgow City Council	✓	-	-	✓
Highland Council	-	✓	-	-
Inverclyde Council	-	-	✓	-
Midlothian Council	-	-	-	-
Moray Council	-	✓	-	Commissioned own
North Ayrshire Council	✓	✓	✓	-
North Lanarkshire Council	✓	✓	-	-
Orkney Council	-	-	✓	-
Perth & Kinross Council	✓	✓	-	Commissioned own
Renfrewshire Council	-	✓	✓	-
Scottish Borders Council	✓	✓	-	✓
Shetland Council	-	✓	-	-
South Ayrshire Council	-	-	-	-
South Lanarkshire Council	✓	-	-	✓
Stirling Council	-	✓	-	-
West Dunbartonshire Council	-	✓	-	-
West Lothian Council	-	-	-	-
Western Isles Council	-	-	-	-
Total	15	14	4	9