



# Youth and Criminal Justice Dinner

Centre for Youth & Criminal Justice and SACRO

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## Contents

<b>Introduction.....</b>	<b>2</b>
<b>Starter: Youth Justice - Are we meeting the needs of boys?.....</b>	<b>2</b>
<b>Main Course: Effective Early Intervention.....</b>	<b>3</b>
<b>Dessert: Shame and Stigma.....</b>	<b>4</b>
<b>Coffee: Reflections from the Big Lottery Fund .....</b>	<b>5</b>

## Introduction

The aim of the Youth and Criminal Justice Dinner held in September 2018 was to give a broad range of people with an interest in youth and criminal justice the opportunity to take time out of their busy lives to reflect on the big picture together. We sought to bring people together from across policy, practice, research and lived experience; from across youth and criminal justice; and from across different levels of experience or stages of their careers.

The key question for the evening was: where are we at and where do we go next? The Centre for Youth & Criminal Justice (CYCJ) and SACRO organised the dinner conscious that there are limited spaces for people with different perspectives, ideas and experiences to come together to discuss things in a safe and open way. We also recognise that exploring issues whilst sitting and eating together can allow for conversations that do not happen in other fora.

## Starter: Youth Justice - Are we meeting the needs of boys?

Our first speaker discussed how the idea of masculinity can impact both positively and negatively. That whilst gender is not binary and each person is an individual, there are specific issues for boys, and whilst we have sought to support girls we have sometimes forgotten to think about the specific needs of boys. She explored how we assume that systems work and are designed for boys and not for girls, but suggested that they aren't designed for the means of boys either.

We know boys are different in how they learn and develop. They are often behind girls in reading skills and are more likely to have speech, language and communication needs (SLCN). They are over represented in the custodial population. They are more likely to be excluded from school, and some of the behaviours more likely to be exhibited by boys are less likely to be tolerated. They have an excess of accidents due to behavioural risk taking, levels of suicide are higher and they are more likely to be victims of violence.

The developing neuroscience research indicates that infant boys have a higher level of cortisol, which implies that boys need more nurture not less - how does that link with Scottish attitudes of masculinity and 'manning up'? We need a positive celebration of what it is to be a good man.

The speaker suggested that to have a truly equal society, the experience of young boys impacted by abuse in the home needs to be looked at, and she gave an example of how in the Equally Safe document the term 'boys' has disappeared completely.

We should be equipping boys with more feminine-based models of interaction, but it is important not to view this as making boys more like girls, or we will fail.

The questions we need to answer are:

- How can we develop boy's emotional expression and ability to ask for help?
- What kind of learning environments will boys respond best to?
- How can we better understand boys understanding of peer relationships and social isolation?
- How we can make a more gender sensitive Scottish society?
- How do we get boys really interested in parenting and their role as a father?

*'If parents were more aware of male sensitivity they might treat their sons differently'*

## Main Course: Effective Early Intervention

This input was based on recent PhD research undertaken by the speaker, who firstly gave a brief summary of Early and Effective Intervention (EEI): a partnership decision making process which aims to engage with young people who are involved in low level or early stages of offending in order to prevent further offending. The speaker explained that through pre-referral screening mechanisms, unnecessary referrals to the Children's Hearing System are minimised and a more proportionate, timely, and effective intervention can be sought.

The findings suggest that for some young people referred to EEI, support will be put in place in a timely, appropriate and proportionate manner. The benevolent aims of EEI as a holistic, multi-agency screening process will inevitably lead to some positive outcomes for young people in line with the stated intent of acknowledging and addressing young people's offending as part of their wider wellbeing.

The research argues that the benevolent aims of EEI, as a holistic, multiagency screening process, will inevitably lead to some positive outcomes for young people in line with the stated intent of acknowledging and addressing young people's offending as part of their wider wellbeing. Yet whilst there is evidence which supports the early intervention and prevention of offending through welfare approaches, there are similarly concerns that, if left unregulated and unscrutinised, negative unintended consequences could arise.

The expansionary size and density of the diversionary system can be viewed through the increased number of young people pulled into the system, the increased intensity of interventions, and the development of new interventions and processes to sustain the system.

The speaker discussed the concept of up-tariffing, where individuals are propelled further into the system disproportionate to the offences which they have committed, and how arguably we have blurred the boundaries of where the youth justice system starts. This potentially means that EEI can be applied without an understanding and appreciation of rights as the undefined nature of 'wellbeing' means that thresholds for assessment are susceptible to considerable interpretation.

These concerns around the potential for net-widening, up-tariffing and blurring of boundaries were found in the PhD research findings. Research tells us that the majority of young people will, at some point, become involved in offending behaviour as a natural part of their social and emotional development. Observation of EEI decision making in this research found information being shared on a range of issues relating to a young person's overall wellbeing. However, for the majority of young people discussed at EEI (70%) there was no available information to suggest a wellbeing concern, arguably as EEI captures young people who are characterised by their early onset of offending behaviour irrespective of context and wellbeing concern. Additionally, a tendency to consider agency intervention was evident. The decision made most frequently across the case study areas was to refer a young person to work with an agency (50.7%). Education received only 4.2% of agency referrals. Over-reliance on targeted intervention, rather than universal support or minimum intervention, may arise as a consequence of multi-agency working.

Whilst EEI will provide positive outcomes for some young people, critical analysis of practice is required to investigate potential negative implications to ensure a truly diversionary and holistic approach to young people involved in offending. The presenter suggested that a consideration of a wholly diversionary, rights-based and inclusive system is required for those involved in offending, or those who come into contact with the formal youth justice system.

## Dessert: Shame and Stigma

The prison experience has been the speaker's life for a long time and his Masters research focuses on prison and lived experience. There are a great number of improvements in the prison and justice services in Scotland. We aspire to something better, and in looking at Scandinavian models etc. and how these could work for us, we have good ideals.

As in Scottish literature, we have a polemic split personality: Glasgow is known as the friendliest place in world and also the murder capital of the UK. This two-headed monster is consistent with our desire for punishment. We cross away from our ideas of justice and begin talking about personal feelings like revenge. Punitive measures from one angle, but if we were victims of crime, would we think so? The speaker discussed appreciation that restoration is not necessarily justice. The pursuit of justice should be about being who we want to be, not a reaction to what society forces us to be.

Shame and stigma are feelings that we can't let go of as a society, and also within the institutions we represent. One third of adult males and one in nine adult females have accrued offences, and employers don't want to give those people jobs.

When talking about what those in prison are able to do, prison often sets something of a low aspiration. But there are prisoners doing university and college courses. And there are many

more wanting to do this, but they are told there is 'no more money in the pot' and they wouldn't be able to.

There's a cultural attitude in prison - if you try to do something, people will tell you that you won't be able to do it. Even if you manage to do well, you will be told you won't be able to do anything with it in the community. It's a very limiting thing. It takes strength to get up in the morning and convince yourself to try.

If you can overcome that, and acquire new skills, people will tell you that you don't deserve them. The biggest concern of employers is what the media might say. What it comes down to is that we want people rehabilitated, but we are not sure how much: returning citizens are not allowed to work in Tesco because alcohol is sold.

What is happening in the space between policy and the guys in prison? What messages are we giving? And how much trust are we willing to place?

## Coffee: Reflections from the Big Lottery Fund

As Scotland's biggest non-statutory funder of the third sector, the Big Lottery Fund makes grants of all sizes to fund a broad range of activity. This is true of our investment in the field of youth justice. The Fund has made and continues to make small grants to grassroots organisations delivering people-led work at a very local level. We have funded activity around prevention, root causes and early intervention, through to support for individuals in institutions and their reintegration into community life.

In the past five years, the Big Lottery Fund in Scotland has funded more than 50 projects which have a focus on directly supporting young people who have a history of offending or are at risk of offending. Together these projects have received almost £12m.

Many of the projects which we fund help to tackle the issues which have been identified as possible underlying causes of youth offending. Through our current Improving Lives programme alone we have given over £22m to projects which directly support Children, Young People and Families.

Projects that have been funded act as part of a bigger system, but we don't always link up to best effect. All have values and principles in common as their driver - what is it that young people need? We all need love, respect, dignity, friendship, comfort, stability, play and safety. We all draw on these things when we experience life's pressures but if you experience years of stigma, disadvantage, discrimination or exclusion then you may have experienced many barriers. We all know about the impact of adverse childhood experiences.

If we are really interested in building a youth justice system that has better impact then we need to invest in services that are underpinned by these basic human experiences and values.

There is work by a writer called Donna Hicks from Harvard University who specialises in conflict resolution, which suggests that at the very heart of human relationships is dignity and that dignity is an intrinsic human need and human value. We need leadership in services that creates teams that think differently, that creates opportunities to give people a chance and that responds to these intrinsic human needs and values.

There are threads for all of those things in the Big Lottery funded projects, but the struggle is to find the connections to the broader system. To understand a system well you need to know your place in and contribution to it. Organisations working as part of a system need to be aligned to the same purpose and goals and need to understand each other's roles, in addition to being receptive to the feedback from others in it (critical friends). To create a service system that actually makes a difference, we need to find places where we can have those opportunities and we know our part, as well as act as a critical friend to others in it.

How can Big Lottery fund help? By investing well and by contributing towards a service system that builds on what works, which is underpinned by basic human needs and values and on things that have the best possible impact.

## Next Steps

CYCJ were keen to create a space in which the purpose was conversation, rather than producing any specific output or actions. We were also keen to test out the value of this type of event and would welcome feedback about it. We would also be interested to hear from those who see value in this approach and would be interested in working with us to organise another dinner on themes related to youth or criminal justice.

Contact us at [cycj@strath.ac.uk](mailto:cycj@strath.ac.uk)