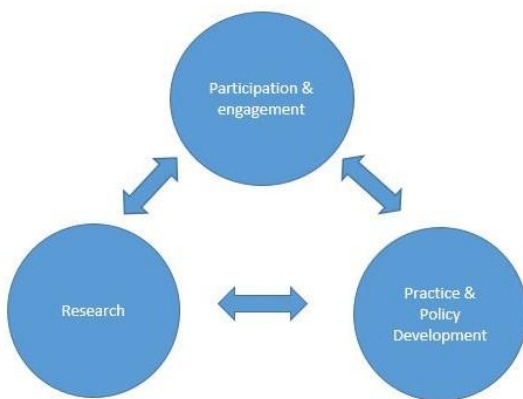


## CYCJ's Practice & Policy Strategy

### CYCJ's vision

The Children and Young People's Centre for Justice (CYCJ) works towards ensuring that Scotland's approach to children and young people in conflict with the law is [rights-respecting](#), contributing to better outcomes for our children, young people and communities. This vision represents a subtle change of emphasis, from putting practitioners and policymakers at the centre, to ensuring that children and young people are at the heart of all our activity (although supporting policy and practice remains a key mechanism for change). This shift in tone is conveyed by our accompanying change of name, to the Children and Young People's Centre for Justice. The breadth of the name continues our focus on children (aged under 18) as a distinct group who require specific provisions due to their legal status and developmental stage, but also reaffirms our position that young people do not emerge as fully mature on the day of their 18<sup>th</sup> birthday; rather, they warrant specific attention as they navigate both the justice system and the path to adulthood.

Correspondingly, CYCJ now plans to formalise the Participation work that is currently undertaken within CYCJ, into a workstream in its own right, underscoring the importance that we place on improving children and young people's participation:



### The CYCJ Practice & Policy Vision

To achieve the overall vision for CYCJ, a key area of our work is practice and policy development. During the next five years we want to continue to grow this area of work and ensure CYCJ continues to be a major driver of transformational change and continuous improvement for practice and policy, for and with children and young people on the cusp of, or in conflict with the law.

This strategy should be read in conjunction with CYCJ's Participation Strategy and Research Strategy as they are all interlinked.

### Background and context to vision

Since its inception, CYCJ has focused on how it can support practice and the youth justice workforce across Scotland. Engaging with practitioners through various forums, events and training, our service has

evolved and increased during the past six years with new creative ways and means of engagement, continually changing to meet need and demand. Production of various documents, information sheets, guides, papers, blogs etc has also improved over the years to ensure our reach and relevance to those working with children and young people on the cusp of, or involved in offending behaviour. In relation to policy development, CYCJ has become more active in this area. During the past two years CYCJ has engaged in more formal Government consultations, which has led to giving evidence in Parliament and facilitating round table discussion on behalf of the Government. Although not initially a focus of our work, this has now become integral to supporting policy and legislative changes to ensure that as a country, we are travelling in the right direction towards meeting the needs and respecting the rights of children on the cusp of, or in conflict with the law, whose involvement is integral at every stage of the process.

### **Activities/Mechanisms to achieve change**

Current practice priorities as suggested in our evaluation and through our regular stakeholder surveys include:

**1. System Change:** The [CYCJ Evaluation](#), published in February 2020, confirmed and clarified our role as a boundary-spanning organisation, located in research, policy, practice and lived experience. While this position can sometimes mean that there can be an uneasy fit within any of these communities, the boundary-spanning role is important in building relationships and connections across these spheres, as well as having a major contribution to paradigm shifts and system change.

Utilising our skills and experience, CYCJ will develop a service that offers consultancy and support in relation to systems change with a specific focus on embedding the UNCRC, youth justice and secure care standards into practice. CYCJ can support a change process, being part of negotiations, strategic planning, influencing to secure funding and can bring a new and fresh perspective on how effective changes and savings could be made. There will be four stages to this process, as follows:

**Part 1 - Rethinking and redesign:** Undertake research and collate existing evidence about needs across Scotland, and the gaps between needs and existing services; review the evidence about successful ways of responding to these specific needs, and what's been learnt in other contexts; use this analysis to propose a 'rethought' and 'redesigned' UNCRC compliant care and justice pathway for marginalised and excluded children and young people.

**Part 2 - Continuous Improvement:** Once a new approach is identified and implementation/redesign begins CYCJ will develop and support continuous improvement learning cycles on an ongoing basis for one year; writing up reflective journeys after each meeting, and sharing with the improvement team/meeting attendees; exploring a final analysis of learning at the concluding improvement session.

**Part 3 - Evaluation:** We would propose that the main evaluation activity, as distinct from the initial continuous improvement refining work, is undertaken at least two years from establishment of the new approach. This provides an opportunity to embed and refine the model before looking to evaluate and share learning beyond the project partners. During the continuous improvement phase of activity (year 2) initial evaluation foundations will be put in place through the facilitation of a workshop to agree outcomes, establish a theory of change and develop indicators to track change. The evaluation team will collect and analyse initial baseline data, where this exists and is possible to collect. Data will then be collected two years from the implementation of the new approach, to include monitoring/administrative data; outcomes data; and interviews and focus groups with children and young people, families, and key stakeholders in policy and practice. The data about outcomes and perceptions will be combined with data collected throughout the continuous improvement phase about how things are done, to provide robust evidence of what changes are occurring, and why this appears to be the case.

**Part 4 - Dissemination and sharing the learning across Scotland:** CYCJ has skills and connections to support communication work about the project throughout the process, and to support dissemination of learning at the end of the project.

**2. Postgraduate Certificate: Children in conflict with the law:** Whilst those working with children and young people in conflict with the law have often undertaken training specific to their profession e.g. social work and care, education, health, police, these courses do not provide the level or depth of knowledge and skills to equip practitioners to be able to work confidently within complex justice systems and the complex needs of children that find themselves in these (Murphy, 2018; Vaswani, 2018). Scotland's youth justice strategy - *Preventing offending: Getting it right for children and young people* - highlighted a need for supporting workforce development and encouraging a culture of continuous learning and development (Scottish Government, 2015). As part of this work *Preventing offending: Improving our approach to workforce development* was produced, a supporting document which highlighted significant gaps in development opportunities in Scotland, particularly at enhanced and specialist levels (Scottish Government, 2018). There are also significant gaps in postgraduate learning opportunities in this field in the wider UK context. A proposal for a one-year post-graduate course has been developed that is currently going through the universities procedures. Timescales for this are outwith our control so it will be 2022 before we are in a position to test the course with the aim of running it on an annual/ bi-annual basis.

**3. Expert Group:** Establish and coordinate an expert group drawing on international thought leaders to support change in Scotland. To produce think pieces, provide reflections from elsewhere and offer visible leadership for radical change. This would offer a space for creative but solution-focused work about improvement that has independence from current Scottish Government led policy and practice fora. It is notable that there is a lack of other such fora focused specifically on improving outcomes for children in conflict with the law in Scotland, and on translating theory/thinking into practical steps for improvement. Whilst the focus would be on supporting improvements in Scotland, we anticipate that other jurisdictions would also benefit from the work of this group. What we propose is making contact with a small number of potentially interested parties and work with them to develop the remit of the group further. There might also be benefits in such a group being a partnership endeavour with others, such as the Children and Young People's Commissioner. There would also need to be considerations about the benefits for those involved, whether payment would be offered, and what support this group would require.

**4. Practitioner Support Service:** CYCJ has developed the way in which support is offered to practitioners over the years to ensure a plethora of information by many different means is available. This includes offering specific advice on cases, legislation, policy, knowledge of specific areas; writing and delivering a range of roadshows; organising, chairing and contributing to NYJAG/WSA leads and SPS partners meetings, secure care group/standards champions and three specific forums; developing more interactive resources; for example, Young Persons Journey/Journey Through Justice, the Secure Care Pathway and Standards Scotland website and a wide variety of resources including: youth justice guide, information sheets on a variety of topics, case studies and blogs. More recently facilitation of round table discussions on specific Government policy or proposed legislation changes have also been held and facilitated by CYCJ. By doing this, we believe we have contributed to sharing knowledge and developing skills with the aim of improving practice, and therefore better outcomes for children and families.

The vision going forward is for CYCJ to have a further 'reach' to professions and professionals who do not currently engage in our service as highlighted as a challenge in our recent evaluation, and increase our knowledge, understanding and expertise in various different topics including child criminal exploitation, restorative justice, mental health and diversity. We will promote: prevention; support to child victims; EEL and diversion; the strengthening of family and community support; that due process is followed and a child's behaviour does not impact upon their rights. By doing this, we will continue to support practitioners, managers and policy makers to make a real and lasting difference to children and their families. Throughout this work, children will remain at the centre and their voices heard and listened to.

**5. Events/Training:** CYCJ plays a crucial role in organising and providing training in a variety of risk assessment tools (e.g. START:AV, SAVRY, AIM3) and approaches to reducing the risk of harm. By undertaking a training programme practitioners and managers are given the skills and knowledge they need to supervise and manage the risk some children present. A key focus for 2021-2025 is to ensure we can meet the extensive training requests from the workforce and to increase the accessibility of training. Work will be undertaken to convert current face-to-face training courses into online versions whilst also maintaining the discussion elements, which are crucial for learning and development. Online training in *Safer lives for all: An intervention approach for reducing harm and improving outcomes* has been developed in response to a knowledge and skills gap identified by practitioners and managers and will be rolled out over the next five years. FRAME & CARM training will be updated and revised in line with the new guidance. This will be available in an online format and will also be rolled out over the course of 2021-2025. CYCJ will be adaptive and responsive to emerging training needs as policy and legislative changes come to fruition.

CYCJ is committed to the continued delivery of roadshows to local teams/services and again, these will be developed so that they can be delivered online. Further roadshows will be developed to encompass the new sections in our youth justice practice guide. This will support practitioners by raising awareness of the most up-to-date evidence and research to allow them to use this knowledge to implement change.

As well as the more formal training events, CYCJ will review the knowledge and skills matrix in *Preventing offending: Improving our approach to workforce development* to identify where the gaps in development opportunities are at the 'Aware' and 'Skilled' levels and will collaborate with the workforce to identify the best way to meet these.

### **Practice and Policy Priority Areas**

**Secure Care:** CYCJ will have a key role in supporting the implementation of the Standards (launched in 2020) and collating evidence of the impact and difference these have made to the experiences and outcomes for children who are in, or on the edge of, secure care. A review of the Standards will be undertaken to ensure at least some of these would be fully embedded and implemented in practice for all children. The minimum dataset will provide further information on these children, their needs and usage. The STARR group will grow and develop to ensure lived experience informs, influences, advises and challenges all secure care related developments and the participation, involvement and influence of children in all decisions and plans about their care and support. The aim of the secure care work within CYCJ is to ensure secure care is fully integrated into the continuum of care and intensive community-based supports for children. All our work will contribute to achieving the vision, purpose, values and principles agreed by the Secure Care Strategic Board and children's rights, particularly to equity of services and supports being upheld before, during and after any stay in secure care.

**Restorative Justice:** CYCJ recently employed a Restorative Justice (RJ) Coordinator to support the outcomes set out in the Scottish Government's RJ Action plan whilst considering the added complexities and vulnerabilities of children in conflict with the law. This post links with Scottish Government youth justice and CYCJ priorities to support victims of youth crime and will remain central to any approaches developed. The coordinator's aim is to ensure that RJ is embedded into justice systems across Scotland over the next three years and is available to those who wish to access it at a time that is appropriate to the people and cases involved. Specific consideration will be taken to ensure that approaches are consistent, evidence-led, trauma-informed and of high standard.

**Child Criminal Exploitation:** Over the past two years the issue of child criminal exploitation (CCE), and the lack of guidance and consistent practice across Scotland, has been consistently highlighted by managers and practitioners. Since COVID-19, the issue has intensified/there is now more awareness and the number of children involved in this behaviour appears to have increased. CYCJ has submitted a proposal to host a part time practice development advisor to improve Scotland's response to CCE. The

initial priority tasks will be to develop a National Strategy (or re-draft the Home Office Guidance) for a Scottish population; to develop National Practice Guidance to support practitioners to identify CCE; and to work with and support these children and young people. Including prevention, diversion, child protection and CARM thresholds and intervention, and to develop understanding to support the implementation of policy and legislation regarding Trafficking/ Modern Slavery and Lord Advocates Guidelines principle of non-punishment to firmly position CCE within this. Following this, the training and development needs for practice will be considered and events and forums put in place to meet these. Should the proposal not be accepted, CYCJ will continue to raise awareness of the issues identified by practitioners and attend the sub-group of the DIVERT working group.

**Rights:** Collectively the [UNCRC](#) incorporation, [the promise](#) of the Independent Care Review, and CYCJ's [Rights Respecting? Report](#) articulate a clear and complementary vision of what Scotland's approach to children in conflict with the law should be, and crucially, how this could be achieved. Our focus for 2020-2025 is supporting Scotland to comply with this vision and fully embed the changes that are needed. To do this we see the importance of focusing on children as a distinct group, recognising that their legal status differs from adults and they are in need of specific protections due to their developmental stage. At the same time, we also recognise that young people, those aged 18-26, also have specific needs based on their developmental stage and sometimes pose a legal right to additional support, where they have been looked after children. Therefore, we see that focusing on young people as a distinct group is also a priority.

We will continue during this period to support policy colleagues to embed this vision into policy direction (the new youth justice strategy and proposed youth justice standards) and practice. This will be done through attendance at the Youth Justice Improvement Board and project managing all implementation groups created; attendance at ACR Advisory Group and chairing/attending all sub-groups; attendance at CHIP and 16/17 year old cross systems planning group. Additional 'expert' groups will undoubtedly be required to examine specific issues within the next five years that CYCJ should ensure it is contributing to. CYCJ's engagement in policy and practice development will allow direct links/influence on the research direction with CYCJ and wider youth justice community.

Current priorities over the next five years include:

- Extending the ACR to above 12
- Extending the Children's Hearing System to all 16 & 17 year olds
- Removing children from adult Court settings
- Removing children from Young Offenders Institutions
- Ensuring all under 18s are defined as children in Scottish Law
- Embed the Secure Care Pathway and Standards Scotland
- Ensure Child Criminal Exploitation is seen as a priority to reduce further child victims
- Ensure Restorative Justice is embedded into all youth justice systems
- Extend the Whole System approach to young people up to age 26

CYCJ will continue to be responsive to the political world, and additional priorities as they develop over the next five years. Priority areas will include child victims; deprivation of liberty only where necessary to best meet the needs of children; and the realignment of funding to support all children and young people.