

CYCJ Stakeholder Consultation 2018

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Introduction

The CYCJ Stakeholder Survey takes place every two years, in order to ensure that the work we do (such as our training, events and research) best serves the people who need it. Our main stakeholders are the workforce (the social workers, police, third sector workers, panel members, teachers, health staff and anyone who works with young people in conflict with the law). But we are also keen to listen to and find ways to support other stakeholders, such as children and young people, parents and carers, and the general public more widely.

The 2018 Stakeholder Survey has focused predominantly on the views and needs of parents and carers. Parents and carers are sometimes an overlooked element of the wider youth justice 'response', yet they are often an important support to their child, frequently the first response to any problematic behaviour and, where possible, should be a key element of any care plan that is in place. However, we wanted to continue to provide an opportunity to capture the views of the workforce, as well as listen to children and young people, and so a small selection of their views are captured within this survey.

This short report presents the main findings from our Stakeholder Survey and how we plan to address these.

Method

Parents and Carers

A short and anonymous survey was designed for parents and carers, in order to document their experiences, feelings and ideas for the support provided by the youth justice workforce and from CYCJ. The survey was mainly completed online, although several parents and carers completed the survey in hard copy. The survey was live between November 8 and 28, 2018. A total of 38 completed surveys were received.

Young People

A focus group was held with six young people who had experience of the justice system and were currently resident within one secure unit in Scotland. Young people were paid £15 as a thank you for their participation.

The Workforce

A short postcard survey was developed, encouraging participants to reflect back on a situation where CYCJ had made an impact on their knowledge, their thinking or their practice, and on the reverse of the postcard participants were asked to outline their priorities for CYCJ over the next two years. Postcards were distributed at meetings and events throughout November 2018. A total of 18 completed postcards were received.

What parents and carers told us

Twenty-two parents or carers¹ provided details about their child's age, which was on average 15 years and eight months, and ranged between age eight and age 23. Out of 25 responses where the relevant information was provided, around one-third of parents or carers were responding about their daughter (36%), and two-thirds about their son (64%).

Parents and carers were asked which parts of the system their child had come into contact with, and all parts of the system were reflected in their feedback. The most common responses were: referral to the Children's Reporter (n=19, 63%); attendance at a Children's Hearing (15, 50%); referral to the Procurator Fiscal (n=15, 50%); or a verbal police warning (n=15, 50%). Eleven children had been to court (37%). The opposite ends of the justice system (EEI) and the use of remand, or a custodial sentence were the least used, with five children having experience of each (17%).

Parents and carers were asked to provide three words or phrases that helped to describe how they felt about their child's contact with the system. Parents and carers clearly found this contact a very distressing experience. The most commonly used words² are presented in Figure 1 below, which depicts their experiences as mostly frightening, overwhelming and disempowering. Parents and carers were often disappointed, typically in their child's behaviour but also in the system that seemed to show a lack of understanding. Worryingly some parents felt that the system was discriminatory against children with disabilities, commonly meaning a lack of knowledge about Autistic Spectrum Disorders. There were some positive terms used to describe the contact with the justice system, such as: "fair" and "relieved", although these tended to refer to the services that contact with the system brought about, rather than the justice process itself. One parent describes "shock initially, due to charge and how child was treated, put more at ease by the involvement of services".

Twenty-four parents described their role in supporting their child in relation to their contact with the justice system. One-third (n=8, 33%) said they were there to support and guide; (n=6, 25%) felt that their role was to advocate for their child, and two parents described themselves as the expert in their child's particular circumstances and that they had to educate the professionals accordingly: "To be his advocate, to protect him and voice his rights." Other roles were to keep them safe, or simply to be 'Mum'.

Participants were asked what professionals could do to help them or their child, and 21 parents or carers responded. The most common response (n=5, 24%) was to develop greater awareness and knowledge, typically around Autistic Spectrum Disorders: "be trained in understanding how to support people with autism and pathological demand avoidance". Other responses were to listen, to respect young people and their families and to provide the supports that young people were entitled to. Some parents and carers referred to the voluntary provision arising from contact with the justice system in different terms to what was seen as the wider, more formal system: "the workers did everything they could to support, we wouldn't have managed without them."

¹ Two parents who provided an age of 32 were excluded, as it was not clear if they had provided their own age or the age of their adult child

² A small number of words were amended to align different words to the stem word etc i.e. 'shocked' and 'shock'



Figure 1: How parents and carers felt about their child's contact with the justice system

When asked how professionals should *be* (rather than what they should do), the most common feedback was to be compassionate and understanding (n=8, 35%): “treat us like human beings and see the young person as a person not an offence.” Even simple actions such as recognising the pressure on families, or not rescheduling meetings at short notice when parents have work commitments was felt to be lacking: “I’d like staff to have insight into the stress on families, self-care is being promoted to social service workers. There is never any thought to the stress on families”. Parents and carers also often felt that professionals were not always as open and honest with them or their child as they could be (n=7, 30%), and there was a definite element of mistrust: “They should be more honest and not give false promises”. Parents and carers also wanted the workers to be supportive, and to provide a person-centred service that took into account the child’s circumstances, including their age: “remember the age of my child, who was interviewed by Police and with a lawyer on her own for two hours.” Other suggestions were to listen and to be professional: “timely reports which have not been cut and pasted from previous client information.”

Around one-third of parents (n=11, 37%) were already aware of CYCJ prior to the survey taking place. Intention to use CYCJ’s resources in the future was higher among those with prior knowledge, perhaps as they had a better understanding of what was offered. However, 16 out of 23 parents or carers (70%) said that they would use CYCJ resources, most frequently referring to the website (n=8, 35%); events and conferences (n=7, 30%); research reports (n=6, 26%); and Facebook (n=6, 26%).

What young people told us

We spoke to six young people who were currently living in secure care. We asked them what was working well about the youth justice system in its entirety, not just secure care. For these young people they felt that not that much was working and that the system was a 'pure riot'. However, when prompted, young people could describe some positives, mostly in the relationships that they had made and the care from some professionals, although their experience varied quite widely between workers: "Some social workers are sound and you can have a conversation." The other positives they mentioned about contact with the system seemed to be things that should be a basic human right for any child, such as education, activities, qualifications and even food and other essentials: "you get a clothing allowance and Christmas money."

The young people told us that their experiences with the system were mostly negative and felt like the system was mostly concerned with "punishment" rather than welfare. From first contact with the Police who "talk down to you", or "take their power for granted" and "abuse their power" young people felt disrespected, not listened to and powerless. Similarly they felt that the Children's Panel did not listen to them, or if they did listen did not do anything about it: "They talk about you as if you aren't there" and "it's just three people who don't know you reading making a decision on your life from a bit of paper." They also felt that the Panel wielded significant power over their lives: "at least with a sentence you have an end date, if you are sent to secure from the panel you don't know when you are going to get out." There were mixed views on social workers, some of whom were "snobby", "inconsistent" and "jobsworths". Even with a supportive social worker that they "could talk to", many young people felt that "you can't get hold of them when you do want to talk". Social workers were also viewed as "having more power than the Police" and similar to the experience of parents and carers, young people felt that professionals "just lie to you".

Young people felt that going to a Children's Hearing was easier than going to Court where "they [court] don't even pretend to listen to you". However many viewed the Children's Hearings System as a "get out of jail free card" and felt that the system was more suited to deal with "young people who are a risk to themselves." Although they found the adult court system adversarial, young people felt that at 16 "you're an adult" and the Children's Hearings System was only for those who were not mature enough. However, some young people also recognised that systems and services were trying their best but "they can't change the way you think" and that young people need to be in a position to want and be able to change themselves. Similarly they were aware of the influence that wider aspects of their lives had on them and their behaviour, such as where they lived, their backgrounds and who they socialised with, and that interventions could do little to change these influencing factors.

There were lots of practical things that young people wanted the system to do, such as "understand trauma", teach "coping strategies and life skills", provide "opportunities, activities and interventions" and "set goals". Young people wanted the workforce to be non-judgmental and "human", to "spend time with you and get to know you" and to form relationships based on mutual respect and trust. Most of all, they wanted to be heard and to be listened to.

What the workforce told us

The response from the workforce was limited and varied, and there was little in the way of discernible trends. The 11 comments made about the impact that CYCJ had made on knowledge or practice tended to be very practical and related to gaining concrete skills and tools. CARM was mentioned twice, as was risk assessment training in SAVRY and START:AV, perhaps reflecting the risk management focus of youth and criminal justice social work. Other areas mentioned included EEL information, support to write a Diversion from Prosecution report, trauma-informed practice training and a conference on loss and bereavement.

When asked about priorities for the future, again the response was very varied. Risk assessment and management was mentioned three times, and 'good news' stories and information on what works well was mentioned twice. Other suggestions included: continued general support; violence in younger children; relationship-based practice; and managing criminal justice orders in a child-centred way.

What we will do now

We take what our stakeholders tell us very seriously and plan to spend some time reflecting on what people are telling us and what we should do about it. However, in the short term we have taken the following actions:

- Our **workplan** for 2019/2020 will include specific actions to help incorporate the United Nations Convention on the Rights of the Child (**UNCRC**) into Scottish youth justice practice. These include actions that will encourage a system that more consistently listens to, respects and supports children in conflict with the law, and their families. The workplan will be published on our website once it has been finalised in consultation with the Scottish Government in March 2019 (who fund CYCJ's core workplan).
- Specifically for **parents and carers** we will consider developing resources, tools and events to support and inform parents and carers, recognising them as key supports to young people. We will disseminate the findings from this survey to other organisations who work with children in conflict with the law and/or their families in order to ensure that their messages are heard.
- As a centre we feel quite strongly that **16 and 17 year olds** should not have to attend an adult court, especially one which has not been significantly adapted to children's differing needs due to their age and levels of comprehension. We also know that many 16 and 17 year olds feel mature enough to do so. Other research also tells us that young people in custody often reflect back and think that the care system was more appropriate for them than the adult justice system, but that the Children's Hearings System is not without its problems. We are interested in continuing the discussion and debate on the issue of 16 and 17 year olds in the justice system over the coming year, with young people, policymakers and practitioners. We will also continue to conduct research into the experiences of 16 and 17 year olds in the justice system, for example into the use and effectiveness of bail and remand.

- Our **workplan** will aim to meet the varied needs of practitioners, for example by providing a focus on trauma and adversity in childhood; sharing best practice case studies about what is working well and providing the general support and advice that is so highly valued. We also have a big emphasis on **risk** including training and refreshers on training, and refresher sessions on CARM, Safer Lives, SAVRY and START:AV.