

FAST TRACK HEARINGS RESEARCH

**INTERIM REPORT
NOVEMBER 2003**

The research team at the
Universities of Glasgow, Stirling and Strathclyde

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Executive summary

1. INTRODUCTION

This report outlines the early progress of a research study commissioned by the Scottish Executive and carried out by staff at the Universities of Glasgow, Stirling and Strathclyde. The study will evaluate the effectiveness of the fast track hearings pilot in processing persistent young offenders through the children's hearings system more quickly than conventional hearings. The research began in mid-February 2003 shortly after fast track started in 3 pilot areas, comprising 6 local authorities:

1. Dundee City
2. Scottish Borders and East Lothian
3. East, North and South Ayrshire

Three local authorities have agreed to act as comparison sites: Fife, Perth & Kinross and Renfrewshire. Here similar data is being gathered in relation to persistent offenders as with respect to fast track cases in the pilot sites.

COMPONENTS OF THE RESEARCH AND PROGRESS SO FAR

The main elements of the research are as follows:

1. Interviews with a key informant from each agency in the 6 pilot and 3 comparison areas twice or three times during the main fieldwork period (May 2003-July 2004)
2. Questionnaire surveys of key participants with respect to 100 fast track cases and to equivalent persistent offender cases in comparison areas
3. Collation and analysis of data provided by SCRA on fast track and persistent offender cases
4. Interviews with the young person, parent, social work and hearing chair in a sub-sample of up to 60 cases
5. Analysis of aggregate data for the years 2002-3 and 2003-4 about young people and offending in the 9 areas within the national Scottish context (plus information on earlier years where available)
6. Retrospective analysis of information on a sample of persistent young offenders for the year 2002-3
7. A cost-benefit analysis - much of the information required for this will be obtained as part of the other data gathering processes

With assistance from the Executive and the Crown Office, agreement has been reached for co-operation with the researchers by all key agencies: reporters, children's panel members, police, local authority social work and education departments, sheriffs, procurators fiscal and safeguarders. An initial round of interviews with key contacts in each of the nine authorities has taken place. A range of demographic and service information from the Executive, local authorities and the police has been collated. Statistical data has been obtained from SCRA.

The first round questionnaire survey is currently underway and the intensive case study is due to start in December.

SUMMARY OF CONTEXTUAL STATISTICS

The total population of the pilot areas is approximately 714,000 and the combined total for the comparison sites is somewhat smaller - 665,000. The 6 pilot authorities have small to medium populations compared with the Scottish average and range.

Data on unemployment and free school meals suggest that both pilot and comparison sites include a range of advantaged and disadvantaged areas, but with the former appearing to have somewhat higher proportions of children in poverty.

In recent years, reporters in the pilot authorities have received about 20% more offence referrals per annum in total than their counterparts in the comparison sites combined. Fife and Dundee handle much larger numbers than the other authorities. Two pilot authorities (Dundee, East Ayrshire) and one comparison authority (Renfrewshire) have rates of offence referral per head of population of young people aged 8-16, which are above the Scottish average.

EXPENDITURE ON FAST TRACK

The Scottish Executive allocated just under £1.5 million to fast track for 2002-3 and £3.4 million for 2003-4. Over three quarters of the 'start up' money for 2002-3 went to SCRA, whereas the bulk of the payments for implementation in 2003-4 went to local authorities. A significant sum went to the police and a smaller amount for children's panel training. To varying degrees, local authorities have passed on some of their allocation to voluntary service providers.

For the most part, agencies have spent the money as expected, though some had not been able to appoint all the staff they planned to or needed more time to bring projects into full operation.

PERSISTENT OFFENDER CASES

A considerable number of young people were on the brink of a 5th referral at implementation or more on 1st February 2003, so there was a surge of fast track cases in the pilot areas. In the first three months 101 children were identified as persistent offenders for the fast track process, with just under half as many cases (47) were so designated during the next three months. However, numbers rose slowly again in months seven and eight.

Over four fifths of the young people with fast track status were boys, as were most of the persistent offenders in the comparison sites. Most were in their mid-teens and nearly half were aged 15. Compared with other young people referred on offence grounds, the persistent offenders included a much higher proportion living in a residential establishment at the point of referral and far fewer were living at home with both parents.

The children identified as persistent offenders made up about one tenth of those referred on offence grounds in the pilot sites, but accounted for one third of the

offences referred. A significant minority of pilot area persistent offenders were also referred on non-offence grounds during the first 6 months of the pilot.

Reporters decided to refer to hearings about three quarters of young people in fast track cases (76%). This is a much higher rate than is usual for offence referrals.

TIME-SCALES

Police records do not distinguish fast track or persistent offender cases. In 2000-2, there was great diversity across the areas in the time taken for the police to notify reporters about young people following a charge. Police data indicates a significant improvement in the time-scales for submission in 2002-3.

SCRA figures show that, on average, reporters were comfortably meeting the time standards with regard to the length of time from receipt to decision for fast track cases. The time taken for equivalent cases in the comparison sites was on average only a little longer. Decisions were made much more quickly on average for persistent offenders than for other offender cases.

According to SCRA, nearly two thirds of social work reports on persistent offenders were received on time in the pilot sites, but some local authority figures indicate higher rates than this. Even so, the rate is much better than for other offenders in the same areas or for persistent offenders in the comparison sites.

ISSUES ARISING FROM INTERVIEWS WITH KEY CONTACTS¹

This report has been based on only a few months of data gathering and analysis at an early stage of a two year study, so it is important to stress that it is premature to draw any firm conclusions, particularly about the impact of fast track. It may be helpful, though, to identify a few matters that may merit further consideration.

First it is important to emphasise that the stakeholders in the pilot authorities were virtually all strongly committed to the principles behind fast track, supported the emphasis on speedier handling of cases and were pleased about the extra resources provided. Many reported good initial experiences of the first few months of the operation of the fast track system. In certain respects, benefits from the time-scale targets and additional staffing were seen to extend beyond fast track to other cases. Many would like to see the principles and resources applied to the children's hearings system as a whole. The initial training was generally well received. The evidence is that time-scale targets are largely being met and that assessments and reports have improved, although this will be examined in more detail later in the research. The police have improved their speed of referral in relation to all young offenders, not only persistent ones. Comparison sites, despite not having extra resources, are maintaining better time-scales for persistent offenders than other offender cases. The effects of action plans and programmes will be investigated during the second half of the fieldwork period.

¹ Reporters and their support staff, police, social workers, authority panel chairs, panel training organisers, sheriffs and sheriff clerks.

Alongside the generally positive accounts of the introduction of fast track, some issues have arisen:

- there is concern about whether adequate funding for fast track will be available long-term, especially with regard to dedicated provision for young offenders
- the way in which the system was started created an initial bulge of cases, which caused workload problems for many, so should perhaps be avoided if fast track is extended to other areas
- central guidance may be helpful on the sharing of police information, within the context of communication among all other relevant agencies and data protection considerations
- there is scope to improve communication with sheriffs and sheriff clerks about fast track in general and to notify them when a case has fast track status
- some of the gaps in existing services have not been addressed by fast track funding (e.g. with regard to psychiatric and specialist educational services)
- in a minority of areas pre-existing difficulties in relationships among some key stakeholders are likely to hamper implementation of fast track
- it has been suggested that a mechanism is needed to hold social work services to account when they do not deliver a report or service as required
- some authorities may need to examine the nature and timing of their budgets or their willingness to use other service providers to ensure the guaranteed availability of placements in fast track cases.
- several respondents believe that the question of how best to deal with offending in residential establishments needs careful attention
- the high workloads of authority panel chairs may well require action
- a common concern is that the focus on fast track cases by reporters, police and social workers should not be to the detriment of other components of their work
- although the SCRA RAD database has proved a great asset in many ways, some suggestions for improving its operation have been made.

CONCLUSIONS

The evaluation of fast track is at an early stage. However, the report has shown that the approach is very positively regarded by the staff in the main agencies concerned. Certain issues about implementation and information sharing need to be addressed, as might be expected in any innovation. There is already evidence of very significant improvements in the speed with which cases are being handled, while key informants have reported significant gains in assessment and access to resources. The principal data-gathering period of the research will provide data about the nature of the services provided and the outcomes for young people, which will be covered in the Final Report due early in 2005.

FAST TRACK HEARINGS RESEARCH INTERIM REPORT NOVEMBER 2003

1. INTRODUCTION

1.1 Following a preparatory period, in February 2003 a new category of 'fast track' cases was introduced on a pilot basis into the children's hearings system in 3 pilot areas, comprising 6 local authorities:

1. Dundee City
2. Scottish Borders and East Lothian
3. East, North and South Ayrshire

These 'pilot sites' were chosen on a range of criteria including the presence of a strong Youth Justice team, commitment from local partners such as the reporters, children's panel and police and usage of appropriate offending-related assessment tools (ASSET or YLS). It was also wished to embrace a range of localities on the urban-rural spectrum.

1.2 The fast track system has been introduced on a pilot basis with a set of interlinked aims for handling young persistent offenders, defined as young people referred to the reporter on offence grounds on five or more occasions within 6 months. These aims include:

- reducing the time taken both overall and at each stage of decision-making
- promoting more comprehensive assessments which include appraisals of offending risk
- ensuring that all young persistent offenders who require an appropriate programme have access to one
- reducing re-offending rates as a result of the concerted efforts made in such cases

1.3 The aims of the research are identified in the specification as follows:

“ To evaluate the effectiveness of the fast track hearings in processing persistent young offenders through the children's hearings system more quickly than conventional hearings

To assess how and to what extent fast track hearings are achieving the aims of

- Being better informed
- Providing better monitoring of young people
- Leading to better disposal outcomes

To assess the cost effectiveness of fast track hearings ”

1.4 At the end of January 2003 a research study was commissioned by the Scottish Executive to be carried out by a team at the Universities of Glasgow, Stirling and Strathclyde. The research began in mid-February 2003 under the guidance of five grant holders from the three Universities. During the first three months of the Project, Kristina Moodie was employed four days a week and Susan Batchelor one day per week to work on preparations for the fieldwork. Since May 2003, Kristina has continued her work on a half-time basis and Furzana Khan has been working full-time on the study.

1.5 Following a review of relevant demographic and youth crime data and taking account of SCRA operational considerations, three local authorities were selected and agreed to act as comparison sites. These are Fife, Perth & Kinross and Renfrewshire. Here similar data will be gathered in relation to persistent offenders as with respect to fast track cases in the pilot sites.

1.6 The main elements of the research are as follows:

1. Interviews with a key informant from each relevant agency in the 6 pilot and 3 comparison areas twice or three times during the main fieldwork period (May 2003-July 2004)
2. Questionnaire surveys of key participants with respect to 100 fast track cases and to equivalent persistent offender cases in comparison areas at initial and follow up stages
3. Collation and analysis of data provided by SCRA on fast track and persistent offender cases
4. Interviews with the young person, parent, social worker and hearing chair in a sub-sample of up to 60 cases
5. Analysis of aggregate data about young people and offending in the 9 areas within the national Scottish context for the years 2002-3 and 2003-4 (plus information on earlier years where available)
6. Retrospective analysis of information on a sample of persistent young offenders for the year 2002-3
7. A cost-benefit analysis - much of the information required for this will be obtained as part of the other data gathering processes

This report provides a summary of the work carried out by the research team up to October 2003, an outline of further work planned and some early data about fast track.

2. WORK COMPLETED AND IN PROGRESS

2.1 Negotiation of access

2.1.1 In consultation with the Executive and SCRA, agreement was reached on three local authorities to act as comparison sites (Fife, Renfrewshire and Perth & Kinross). The choice was based partly on the characteristics of these areas and partly on SRCA operational considerations.

2.1.2 With assistance from the Executive and the Crown Office, agreement has been reached that the following will co-operate with the research:

- SCRA – at HQ and in all the pilot and comparison areas
- ADSW and social work services in all the pilot and comparison areas
- The Children’s Panel Chairman’s Group² and authority chairs in all the pilot and comparison areas
- ACPOs and the 3 forces covering the pilot and comparison sites
- All except one of the Sheriffs and clerks in the pilot and comparison areas
- Each relevant education authority
- The Scottish Safeguarders Association
- Procurators Fiscal

2.1.3 Information sheets and consent forms were devised for young people and parents. Distribution of these by SCRA has commenced.

2.2 Preparation of research instruments for first stage of data gathering

2.2.1 Schedules have been prepared for the initial key contact interviews and the intensive case study. Feedback was obtained from the Executive and SCRA, which has been

² Within the children’s hearings system, the term ‘chairman’ refers to both men and women.

incorporated. Questionnaires for the first survey have been developed for reporters, social workers, panel members, teachers and safeguarders.

2.2.2 A list has been compiled of documents and area/division statistics requested from the main agencies involved. Following discussions with SCRA, key variables have been identified for which they have undertaken to transfer data in relation to fast track and comparison cases for analysis both in its own right and with respect to additional data obtained from the questionnaire survey.

2.3 Ethical approval

2.3.1 Ethical approval for the study has been obtained at the Universities of Glasgow and Strathclyde. Checks by Disclosure Scotland have been obtained on all staff involved with the research.

2.4 Meetings and interviews with key contacts

2.4.1 It is envisaged that the key contacts in each agency covering the 9 areas will usually be interviewed as follows:

3 rounds (initial, middle and final³) - reporter, police, social work, authority panel chair

2 rounds (initial and final) – sheriff, sheriff clerk, procurator fiscal, panel training organiser

2 rounds (middle and final) – programme providers

2.4.2 Some of the initial contacts have required two meetings in order to explain about the research, enlist co-operation for the survey, intensive study and provision of documents and aggregate data, then carry out the interview. It is planned that many of the middle and final contacts will be phone interviews, in order to make the fieldwork feasible and lessen the demands on the key contacts.

2.4.3 By 31 October initial meetings and interviews had taken place in each of the 9 authorities with key contacts from the reporters, children's panel chairs and social work. Brief interviews were also carried out with SCRA support staff in each area. Interviews were held with representatives of the police and children's panel training organisers covering the pilot and comparison sites and with sheriffs and sheriff clerks in most of the areas. A few sheriffs have declined to be interviewed at this stage. Contact has not yet been made with Procurators Fiscal, since approval for this occurred more recently.

2.4.4 Some of the findings from these interviews are presented in section 7 of this report.

2.5 Gathering of baseline statistics and documents

2.5.1 Data has been obtained from SCRA, the Scottish Executive and the Audit Scotland Report 2002. A summary of these is provided in section 4 of this report. Further local data has been requested from key contacts (mainly police and social work). Relevant documents such as Children's Services Plans and Youth Justice Reports have been requested. These data and items have not been received by all agencies, but a few will be referred to in this report. Relevant agencies have been asked to give details on the expenditure of their Fast Track grants to supplement information provided by the Executive (see section 6 of the Report).

³ Initial = May-Sept 2003; Middle = Jan-Feb 2004; Final = May-July 2004

2.6 Questionnaire surveys

2.6.1 It is planned that a sample of fast track and comparison cases will be surveyed twice using questionnaires. The *first round survey* has already started, with questionnaires sent as soon as possible after the initial decision. The *second round survey* on the same cases will involve distribution of questionnaires at a subsequent review hearing or equivalent later decision point. The intention is to obtain information and views first about (a) time-scales, assessment and reporting and later about (b) the services provided and the young person's progress and outcomes, particularly with respect to offending behaviour and attitudes. It is not possible to standardise the hearing and intervals at which questionnaires are distributed, because young persistent offenders often have a number of hearings resulting from continuations or new grounds and it is not always clear in advance whether a hearing will be in a position to reach a decision. Whenever possible, though, the information will be gathered at a major decision or review point. For some of the later cases, there will not be time within the research fieldwork period to do a follow up.

2.6.2 Since a considerable number of fast track cases reached the stage of a reporter or hearing disposal before the research fieldwork was due to start, a twin approach was agreed with SCRA for distributing first round questionnaires. Where a decision has already been made or when the reporter decides that it is not necessary to call a hearing, then the reporter will complete a questionnaire and ask the social worker to do so. In forthcoming cases where a hearing is called, the reporter will distribute questionnaires at or after the hearing to panel members, social workers and, where they are present, safeguarders and teachers.

3. FURTHER WORK PLANNED

3.1 Intensive case interview study

3.1.1 In this part of the research, young people and parents, the social worker and hearing chair will be interviewed shortly after a hearing. Where possible, two members of the research team will go to the hearing centre. The parent(s) and young person will be interviewed separately immediately after the hearing, unless they wish otherwise or the context is not suitable, when an arrangement will be made to see them later. Interviews with the social worker and hearing chair will usually be by phone within a few days after the hearings, unless it proves practical to see them immediately after the hearing.

3.1.2 Schedules and invitations to take part have been prepared. The latter were sent out in early November so that the interviews can start to take place from December onwards.

3.2 Costing plans

3.2.1 Cost-effectiveness analysis considers the financial inputs of any given intervention in relation to evidence about outcomes of that intervention. It recognises, however, that certain goals or outcomes of that intervention may not be easily converted into monetary units. It is necessary, therefore, to assess the quality of outcomes where little information on costs is available. An objective of this research exercise is to evaluate the cost-effectiveness (CE) of the Fast Track Hearings System. This could be undertaken as a stand-alone task. Ideally, however, it should be possible to compare the cost effectiveness of the Fast Track Hearings System with the current Hearings System. This demands that similar data is gathered on both. The main way in which this will be done in the present study is through gathering information from the three comparison sites about the handling of persistent offender cases which is as far as possible comparable to the data gathered with respect to fast track cases in the pilot areas. In doing this, it is necessary to ensure (as near as possible) that we are treating like with like in terms of the client group, including offending profiles and socio-demographic characteristics.

3.2.2 On the whole, gathering the information on costs will not be a separate exercise from the rest of the study. Rather the interviews, questionnaires and analysis of records will include a component that covers the input of time and resources by the agencies concerned. Most of this will be done in the later stages of the fieldwork, since it is too early to obtain information about completed interventions yet.

3.2.3 During the initial interviews, key contacts have been asked to provide verbal and written information about the way in which expenditure on fast track hearings is distributed, in order to elaborate on the material already provided in the Scottish Executive Guidance. In subsequent data gathering, more up to date information will be requested about the expenditure patterns of agencies engaged in the management of persistent young offenders in both systems and the costs of individual interventions. In addition measurements will be made of the time invested in particular cases for each stage of the Hearings process (by professionals, offenders, families) and the time frame of interventions (from the identification of a case to its closure). Similarly, with respect to outcome data, the research is engaged in measuring client and agency (professional) satisfaction and the impacts of intervention on the young person's behaviour and functioning, together with the associated risk and protective factors. In the long run, it will be important to trace the subsequent pathways of young people, including training, education, employment, and offending profiles.

3.3 Retrospective study

3.3.1 Discussions have taken place with SCRA and the Executive about the nature and feasibility of this component of the research. Certain information is readily available from the RAD (the SCRA computer based information system), but this is largely restricted to the early processing of cases and does not contain data about what services were offered young people on supervision or their responses to that. Such information could be obtained from local authorities but this would require complex discussions in relation to individual cases and probably extra work by social workers, who may not be in a position to do it. Further discussion is taking place about this matter. At a minimum, it should be possible to collate information about referrals and decisions in 2002-3 about persistent young offenders in the main fast track and comparison samples. This would yield some insights into differences in offending patterns and formal processing across the two years.

3.4 Preparation of further research instruments

3.4.1 These have been drafted alongside the writing of this report in October-November 2003.

4. SUMMARY OF BASELINE STATISTICS GATHERED SO FAR

We present here demographic data and information about young people, crime and hearings referrals, to indicate broad trends across Scotland and, where the data is available, identify characteristics of the nine authority areas. So far, the statistics acquired have mostly been from national sources, notably the Scottish Executive, SCRA headquarters and the Audit Scotland Report *'Dealing with Offending by Young People'* (2002). Some of these provide figures by local authority.

4.1 Population

4.1.1 The six pilot authorities have small to medium populations compared with the Scottish average and range. The most populous is Dundee (143,000) and the least is East Lothian (91,000).

4.1.2 The individual comparison authorities are more populous than the pilot authorities, for example with *Fife*⁴ having double the population size of Dundee. Thus the total populations of the three comparison sites is only slightly lower than the total for the six pilot sites (665,000 compared with 714,000).

Table 1: Population size of study authorities

| Pilot Authority | Population | Comparison Authority | Population |
|------------------------|-------------------|-----------------------------|-------------------|
| <i>Pilot</i> | | | |
| Dundee | 142,700 | <i>Fife</i> | 354,400 |
| North Ayrshire | 138,900 | <i>Renfrewshire</i> | 177,000 |
| East Ayrshire | 120,600 | <i>Perth & Kinross</i> | 133,600 |
| South Ayrshire | 113,900 | | |
| Scottish Borders | 106,900 | | |
| East Lothian | 91,300 | | |
| TOTAL | 714,300 | TOTAL | 665,000 |

4.2 Indicators of ‘deprivation’

4.2.1 The pilot areas include four authorities with quite high unemployment rates and two with low rates (Sc. Borders and E. Lothian). Two comparison authorities have intermediate levels and one low.

Table 2: Unemployment rates in study authorities

| Authority | Unemployment Rate (%) |
|----------------------------|------------------------------|
| N Ayrshire | 6.6 |
| Dundee | 5.9 |
| E Ayrshire | 5.7 |
| S Ayrshire | 5.5 |
| <i>Fife</i> | 5.1 |
| <i>Renfrewshire</i> | 4.2 |
| Scottish Borders | 2.7 |
| <i>Perth & Kinross</i> | 2.3 |
| East Lothian | 2.2 |

4.2.2 With regard to free school meals entitlement (often used as a proxy for child and family poverty), three pilot authorities and one comparison authority (Dundee, North and East Ayrshire, *Renfrewshire*) have rates above the Scottish average and a second comparison authority (*Fife*) is just below the average. Two other pilot authorities have rates slightly lower again (East Lothian and South Ayrshire), while one pilot and one comparison authority have very low rates (Scottish Borders and *Perth and Kinross*).

⁴ In this section of the report, comparison site names are in italics for easy recognition.

4.2.3 School exclusion figures show four of the nine authorities having above average rates: Dundee and East Ayrshire (pilot) and *Fife and Renfrewshire* (comparison).

4.2.4 Thus the set of pilot authorities have a similar spread in relation to the national average on these three indicators. Within the pilot authorities, Dundee and North Ayrshire have the highest rates of both adult unemployment and children entitled to free school meals. Among the comparison sites, *Fife* has the highest unemployment rate (though lower than Dundee and all 3 Ayrshires), while *Renfrewshire* scores higher than *Fife* on the free school meals indicator.

4.2.5 It may be concluded from these admittedly limited data that both pilot and comparison sites include a range of advantaged and disadvantaged areas, but with the former appearing to have somewhat higher proportions of children in poverty.

4.3 Children's hearings figures

4.3.1 For Scotland as a whole, referrals on offence grounds have provided a declining percentage of all referrals since the 1970s, but in absolute terms increased by 8% during the 1990s. Males account for four fifths of referrals on offence grounds.

4.3.2 The Scottish Executive progress report on *Youth Justice in Scotland* (October 2003) included information about trends in the different levels of offending by children. Between 1995-6 and 2000-1, the number of children referred to hearings for 1-3 offences remained constant, the number for 4-9 offences rose slightly and those for 10+ offences grew by 5%.

4.3.3 According to SCRA data compiled for Audit Scotland, in 2001-2 the pilot authorities together handled 2,060 offence cases, while the comparison sites together accounted for 1,719 (i.e. about 84% of the pilot sites total). The latest available figures are shown in Table 3. These indicate a wider gap between the total for the two groups of authorities, with 2,925 referrals on offence grounds in the pilot areas as a whole, compared with 1,866 across all the comparison sites. Dundee accounted for more than a third of the offence referrals among the pilot sites.

Table 3: Number of referrals on offence grounds, Feb 2003 to July 2003 (SCRA data)

| | <i>No of offences</i> | <i>No of referrals</i> | <i>No of children</i> |
|----------------------------|-----------------------|------------------------|-----------------------|
| <i>Fife</i> | 1654 | 1052 | 690 |
| Dundee | 1528 | 1028 | 494 |
| North Ayrshire | 866 | 689 | 369 |
| <i>Renfrewshire</i> | 642 | 432 | 293 |
| East Ayrshire | 639 | 462 | 287 |
| <i>Perth & Kinross</i> | 634 | 382 | 241 |
| South Ayrshire | 611 | 391 | 224 |
| Scottish Borders | 416 | 242 | 141 |
| East Lothian | 128 | 113 | 77 |

4.3.4 Most of the authorities taking part in the study are in the middle of the Scottish range in terms of the number of offence cases referred to the reporter. The three with the largest numbers of referrals were in order *Fife*, Dundee and North Ayrshire.

4.3.5 More up to date information about referrals to the reporter will be available shortly in the SCRA Annual Report, which was not finalised at the time of writing this report.

4.3.6 Taking account of the relevant population of young people aged 8-16, the authorities may be characterised as follows with respect to the rate of referrals to the reporter:

- Above the Scottish average: Dundee, East Ayrshire, *Renfrewshire*
- Just below the Scottish average: North Ayrshire, *Fife*, South Ayrshire
- Considerably below the Scottish average: *Perth & Kinross*, Scottish Borders, East Lothian

4.3.7 Just under half of referrals lead on to a hearing. About half the cases dealt with by hearings result in non-residential (home) supervision.

4.3.8 The proportion of offence grounds which reporters refer to a hearing varies markedly across Scotland from 10 to 47%, though the variation per child is lower (10-27%). Four of the pilot areas and all three comparison areas have above average rates, with South Ayrshire and East Lothian being the two with below average rates.

4.4 Time interval data in relation to referrals

4.4.1 The police should make 80% of referrals to the Reporter within 10 working days. This standard was met in 2001 by police in Dundee, *Perth & Kinross and Renfrewshire*. The Ayrshires and Scottish Borders had moderate rates, while *Fife* recorded just over 20%.

4.4.2 The time intervals data from SCRA for 2000-2001 indicates a wide range in the period from the incident to receipt of the referral by reporters. These figures could well be affected by the low numbers in some authorities. Much of the range is represented in both pilot and comparison authorities. There was greater consistency with regard to the time taken for reporters to reach a decision, with nearly all the authorities taking an average of 30-40 days for this. The time taken to first hearing also showed little variation, apart from *Renfrewshire*, which had the longest mean interval in Scotland. East Lothian had an exceptionally low mean gap between first and final hearing, while North Ayrshire had a high gap.

4.5 Referrals to the Procurator Fiscal

4.5.1 In the year 2002-3, young people aged 7-17 accounted for about one in ten of accused people dealt with by Procurators Fiscal (38,269 out of 333,431 = 11%). Well over three quarters of these (31,063) were aged 16 or 17. Children aged under 16 made up about 2% of all the accused (7,206). Information on these young people is not readily available on a court area or local authority basis.

4.6 Children looked after by local authorities

4.6.1 The category of looked after children includes those who are on home supervision, accommodated away from home or placed under an emergency order or warrant. At any one time in Scotland, about one child in every 100 is looked after by the local authority. They numbered just over 11,000 in 2002. Numbers have been fairly steady in recent years.

4.6.2 About half of looked after children live with their parents and a further 12% live with friends and relatives.

4.6.3 The authorities in the study mostly have absolute numbers of looked after children in the middle of the Scottish range. Five have medium to high numbers of 290 to 520 (*Renfrewshire, Fife, Dundee, North and East Ayrshire*), while four have quite low numbers of 155-180 (Scottish Borders, East Lothian, *Perth & Kinross* and South Ayrshire). More meaningful for comparative purposes, though, is the rate per 10,000. Three of the pilot

authorities (North Ayrshire, Dundee and East Ayrshire) and one comparison authority (*Renfrewshire*) have above average rates.

4.6.4 In eight of the nine authorities, the proportion of looked after children who are placed in residential care is very close to the Scottish average of 14%. The partial exception is Renfrewshire with the sixth highest rate (18%).

4.7 Criminal justice figures

4.7.1 Crimes recorded by the police have fluctuated slightly in recent years at a level somewhat below the peak reached in 1991-2.

4.7.2 The Scottish Executive figures on recorded crimes per 10,000 population for the 32 local authorities indicate that one of the pilot authorities (Dundee) has a rate well above the Scottish average. All the other pilot and comparison authorities have rates below the national average, except for *Renfrewshire* which is almost the same as the average.

**Table 4: Recorded crimes per 10,000 population in 2002
(Statistical Bulletin Criminal Justice Series)**

| | Total crimes | <i>Index with Scotland = 100</i> |
|----------------------------|---------------------|---|
| Dundee | 1,205 | 143 |
| <i>Renfrewshire</i> | 862 | 102 |
| <i>Fife</i> | 824 | 98 |
| N Ayrshire | 790 | 94 |
| E Ayrshire | 787 | 93 |
| S. Ayrshire | 676 | 80 |
| <i>Perth & Kinross</i> | 615 | 73 |
| Sc Borders | 553 | 66 |
| E Lothian | 540 | 64 |

4.7.3 Apart from *Fife*, our study authorities make up only parts of the areas covered by four Scottish police forces and their contributions to the population of those areas vary, so the nationally available figures cannot be extrapolated. However, for what it is worth the number of recorded crimes per 10,000 people in the relevant police force areas are:

| | |
|---------------------|-----|
| Lothian and Borders | 927 |
| Strathclyde | 904 |
| Tayside | 826 |
| Fife | 824 |

4.7.4 For some time the peak age of conviction has been 18, i.e. immediately after the age at which young people can no longer be dealt with by a children's hearing. 86% of those convicted of a crime in 2001 were male.

4.7.5 Five of the six pilot authorities deal with below average numbers of crime cases in court, as measured by the numbers of SERS (Social Enquiry Reports) produced per 10,000 people. The exception is Dundee with a rate over 3 times that of the other pilot areas. By contrast, the three comparison authorities cluster around the Scottish average.

4.8 Criminal justice figures for children and young people

4.8.1 Criminal justice figures in relation to court cases mainly concern adults but a minority do involve children and young people aged under 18⁵. For example across Scotland they accounted for 11% of Social Enquiry Reports submitted to courts in 1999-2000, though the proportion dropped to 8.5% in 2001-2. The number of Probation Orders made with respect to young people aged under 18 was 556 in 2001-2 and a slightly smaller number were placed on Community Service Orders (501). Far fewer in this age group were made subject to Supervised Attendance Orders (59).

5. STATISTICS ON FAST TRACK CASES AND, IN COMPARISON SITES, PERSISTENT OFFENDER CASES

5.0.1 The following key points about fast track hearings during the first few months of operation are derived from the SCRA Fast track Update documents of 3 June and 6 October 2003 plus further analysis of RAD data carried out by the research team on cases labelled fast track in the pilot authorities and those persistent offenders found in the comparison authorities at 31st July 2003. Data on the young people's offending history is not readily extractable from the RAD and will be obtained and analysed in the next phase of the research.

5.0.2 Shortly before the fast track system was introduced, it was decided that any young person referred to the reporter on offence grounds after 1st February would become a fast track case if they already had four or more offences within the previous six months so that the current referral took them over the threshold of five offences within six months. This strategy was preferred to one of waiting for young people to accumulate five offence referrals after 1st February. Since a considerable number of young people were on the brink of a 5th referral or more on 1st February, there was a surge of cases especially in Dundee and the Ayrshires.

5.1 The number and nature of fast track cases

5.1.1 In the three months from February to April 2003, 101 children were identified as persistent offenders for the fast track process. In the next three months just under half as many cases (47) were so designated. The numbers who entered the fast track process fell sharply from February (41) to May (11), reflecting the fact that in February a number of young people were poised to qualify as soon as a new referral was received. However, numbers rose slowly again in June (16) and July (18). All the cases designated as fast track were on the basis of the five offence referrals in six months criterion, apart from one. In this exceptional case, the reporter used discretion on the basis of the severity of offences although there were fewer than five referrals. Almost two thirds of young people on fast track were already on supervision at the time they became formally identified as persistent offenders.

5.1.2 On 31 July 2003, 133 children were currently identified in the pilot areas as persistent offenders by the fast track definition. The distribution among pilot sites was as follows:

⁵ Although most young people dealt with by children's hearings are under 16, those aged up to 18 can also be referred to hearings.

Table 5: Fast track cases in the pilot authorities

| | Number of fast track cases at 31 July |
|--|--|
| Dundee | 58 |
| East Lothian and Scottish Borders | 10 |
| East Ayrshire | 15 |
| North Ayrshire | 26 |
| South Ayrshire | 24 |
| Total – pilot sites | 133 |
| | |
| Equivalent cases in Scotland as a whole over the period Feb-July 2003 | 735 |

One authority (Dundee) has a higher population than the others and scores highly on deprivation indicators, so not surprisingly it was responsible for a disproportionate number of cases (43%)

5.1.3. Over four fifths of the young people with fast track status were boys (111 = 83%), which is broadly consistent with the general pattern for persistent offending (borne out in the comparison sites, too). The age range was 9 to 17 years but most were in their mid-teens and nearly half were aged 15. Compared with other young people referred on offence grounds, the persistent offenders included a much higher proportion living in a residential establishment at the point of referral (28% against 3%) and far fewer were living at home with both parents (11% against 35%). Similar proportions of both groups were living with their single birth mother, i.e. about half.

5.1.4. Nearly three quarters of the young people with fast track status came to the attention of the reporter at the fifth offence referral in relation to a single offence; in most other cases there were two offences; in four instances the young people were registered for five or more offences. The persistent offenders in the pilot areas were alleged to be responsible for an average of 10 offences each in the six months period.

5.1.5. The children identified as persistent offenders made up about one tenth of those referred on offence grounds in the pilot sites, but accounted for one third of the offences referred. Persistent offenders made up a higher proportion of all children referred for offences in two authorities than elsewhere (11-12% in Dundee and South Ayrshire, compared with 5-7% in other authorities).

5.1.6. The main offences prompting fast track status were as follows, in order of frequency: breach of the peace (25%), assault (21%), vandalism and malicious mischief (14%), shoplifting (7%) and road traffic offences (4%).

5.1.7. In no cases in the pilot authorities was domestic abuse or racial motivation recorded as an issue. In five cases the child was recorded as being under the influence of alcohol and in one case under the influence of drugs.

5.1.8. A significant minority of pilot area persistent offenders were also referred on non-offence grounds during the first six months of the pilot. Sometimes the other referral was triggered by the young person's behaviour (e.g. being beyond control of a relevant person – 16%), but care and protection issues also occurred.

5.2 Persistent offender cases in the comparison sites

5.2.1 The same criterion of five offence referrals within six months has been used by SCRA to identify persistent offender cases in the comparison sites⁶. During the same period of Feb-July 2003, 47 persistent offender cases were flagged in the comparison sites:

Table 6: Persistent offender cases in the comparison authorities

| Local Authority | Number of persistent offenders |
|----------------------------|--------------------------------|
| <i>Fife</i> | 23 |
| <i>Perth & Kinross</i> | 15 |
| <i>Renfrewshire</i> | 9 |
| Total | 47 |

5.2.2. In view of the data summarised earlier in the report about the offence referral patterns of three authorities, this figure is low, especially for *Renfrewshire*. Part of the reason for this is that the comparison site cases only include those with all their 5+ offence referrals having been made after April 7th, whereas in the pilot areas cases qualified as fast track when a young person already had 4 or more offence referrals and a fifth happened after February 1st. For comparison, the patterns of all offence referrals in 2001-2 are set out below:

Table 7: Number of fast track/persistent offender cases in 2003 compared with number of offence referral in 2001-2 (Source: Audit Scotland Report)

| Authority | Total number of offence referrals to reporter 2001-2 | Total number of fast track/persistent offenders July 2003 |
|----------------------------|--|---|
| <i>Fife</i> | 2,643 | 23 |
| Dundee | 2,337 | 58 |
| <i>Renfrewshire</i> | 1,672 | 9 |
| N. Ayrshire | 1,103 | 26 |
| E. Ayrshire | 1,073 | 15 |
| <i>Perth & Kinross</i> | 862 | 15 |
| Scottish Borders | 738 | 9 |
| S. Ayrshire | 656 | 24 |
| E.Loathian | 301 | 1 |

5.2.3 The mean age for persistent offenders in the comparison sites was virtually the same as for fast track cases (about 14½ years). The types of offences committed by persistent offenders in the comparison areas showed a similar pattern to those in fast track cases. In one case in the comparison authorities, the young person's offence was recorded as racially motivated.

5.3 Fast track cases: acceptance of grounds and sending for proof

5.3.1. In the pilot areas usually the grounds of referral were accepted. With respect to the 5th referral which resulted in a case acquiring the fast track designation, just under 1 on 10 were

⁶ There are however no equivalents to the cases with fewer than five offence referrals, which are deemed fast track by reporters' discretion.

discharged when the grounds were denied. In only a small number of instances (5 out of 133) were the grounds referred to the Sheriff for proof. When subsequent referrals in the period of February to July are taken into account, 25% of fast track cases were sent for proof at some point in that six months. This is a considerably higher rate than occurred in other offence referrals (7%).

5.4 Decisions on fast track cases

5.4.1 In the first 6 months, reporters decided to refer to hearings about three quarters of young people in fast track cases (76%). This compared with comparison sites where a smaller proportion (58%) went to a hearing. Other offence referrals were much less likely to result in a hearing being arranged (12% in the pilot areas). The main alternative decisions for fast track cases were to continue the current supervision requirement or refer the young person to the local authority for voluntary support.

5.4.2 The cumulative impact of past and post-fast track hearings was that two thirds of young persistent offenders in both pilot and comparison sites were subject to supervision requirements on July 31st.

5.5 Time-scales for fast track cases

There are a number of key stages for which time-scale targets have been set.

5.5.1 From police charge/caution to receipt of referral by reporter

5.5.1.1. The police have introduced a policy of treating all cases involving children as high priority and so requiring to be referred to the reporter within 10 working days. Their records and figures distinguish offence from non-offence cases, but do not always separate out fast-track cases, partly because the officers handling the cases do not know in advance whether a case will be designated by the reporter as a fast track case.

5.5.1.2. Information from one police force (Strathclyde) indicates that in 2002-3 there was a steady improvement towards the 10 working day targets for all offence charges of young people. The greatest change was in South Ayrshire from 54% in April 2002 to 97% in February 2003, but an increase was shown in all the study areas. The mean % figures over the year in the three fast track sites were 65%, 72% and 79%, while in the comparison area it was 86%. Data covering the whole of Tayside indicates that about 90% of information submitted to the reporter or fiscal with respect to children was provided within 15 days in 2001-2 and 2002-3. Full police information on reporting times since February 1st 2003 is not yet available, but Lothian and Borders police stated:

An additional support member of staff was appointed to work along with the existing Police Juvenile Liaison Officer ...This has been successful in as much as Fast Track offenders are generally being reported within 1-2 days and in excess of 85% of all juvenile offenders are now being reported within 10 working days.

5.5.1.3. SCRA are able to identify police time-scales with respect to 45% of police offence referrals, because the information has not been entered on the RAD in other cases. For those offence referrals where the charge or caution date is known, the average time in the pilot sites from caution to receipt of referral during the period February to July 2003 was 11.3 days for children identified as persistent offenders, compared with 12.95 days for other children referred on offence grounds. This indicates that the police are on average still one day behind the target, despite the improvements noted above.

5.5.2. *From receipt to decision by reporter*

5.5.2.1. The SCRA Fast Track Updates show that, on average, the cases were meeting the time standards for fast tracking with regard to the length of time from receipt to decision by reporter. The time in working days for the pilot sites during the first six months with respect to persistent offender cases was on average 20 days. This was well within the target of 28 days agreed between SCRA and the Fast Track Implementation Group, as well as quicker than the national average for all offence cases in 2001-2. The range was from 16 to 25 days.

5.5.2.2. Interestingly, the time taken for equivalent cases in the comparison sites, which do not have to abide by the same targets, was on average only somewhat longer (mean = 23 days). In both the pilot and comparison authorities the average time taken with other offence referrals was much longer (33 and 37 days respectively), although well within the relevant target of 50 days.

5.5.3. *Submission of reports*

5.5.3.1. Local authority Initial Assessment Reports and Social Background Reports, which are requested to assist reporters make their decisions about referrals, should be submitted within 20 days. Here the SCRA Update of October 6th shows a much more marked difference between pilot areas and comparison sites. Nearly two thirds of reports (62%) on persistent offenders were received on time in the pilot sites, by contrast with just under one quarter (23%) in the comparison sites. This fits with the fact that pilot local authorities now have dedicated staff, part of whose function it to carry out timeous assessments. In addition, the overall proportion of 'on time' submissions in the pilot sites for persistent offender cases was twice the figure for other offence referrals (62% against 30%). However the latter figure was still better than in the comparison sites for similar cases (17%).

5.5.3.2. According to SCRA data, rather more than half (56%) of the late reports in the first six months were recorded as being received within a week of the due date. 20% were registered as one to two weeks late and the rest were more than two weeks late.

5.5.3.3. It should be noted that five of the six pilot social work departments have records indicating that their 'on time' submission rates for the period February to September 2003 are much better than the 62% rate given above, with more than one claiming a 100% delivery rate. Part of the discrepancy may be accounted for by different expectations about how much time is allowed for postage and whether the reports are delivered later in the day than the RAD registers them. Also local authorities count the 20 working days allowed from the date of receipt of a request, rather than when the reporter sends it out. Such matters may be avoided once secure e-mail connections can be established for the sending of reports instantly. It has been suggested that some reporters ask for a report to be delivered within less than 20 working days, so that a report submitted after the requested date may be registered as 'late' even though provided within 20 days. Furthermore, practice varies in the nomenclature for reports and the ways that supplementary reports are treated.

5.5.4. *Reporter decision to hearing*

5.5.4.1. In two thirds of the cases designated as fast track, the reporter decision on the fifth referral was to call a hearing, while overall three quarters were referred to a hearing on account of any referral from February to July 2003. When this happens the target is for the hearing to take place within working 15 days. On average, this has been achieved in the pilot areas, although one authority slightly exceeded the expected maximum length of time. The periods taken in the comparison sites for equivalent cases were not markedly different from those in the pilot sites.

5.5.4.2. Data for the first six months in the pilot areas indicates that when persistent offender (fast track) cases were sent for proof, on average this took an additional fifteen working days. In fast track cases where the grounds were accepted (N = 89 children for whom this information is available) the cases took an average of 37 week days from receipt of referral by the reporter to final hearing. The equivalent figure when grounds were sent for proof (N = 9) was 52 week days. Allowing for the need to add on the initial period from caution/charge to referral of 10 days, these results fall comfortably within the 80 day standard for the full hearing process.

5.5.5. *Conclusions about time-scales*

5.5.5.1. It appears that the time-scale targets for each stage are for the most part being adhered to, usually comfortably so. The main exception is that a significant minority of local authority reports are late. Yet, the proportion of cases achieving the target for these reports is much better in the pilot areas than in the comparison sites, suggesting that local authorities in the fast track system are performing better than usual, especially on persistent offender cases. On the other hand, reporters in both pilot and comparison sites are achieving their targets at often similar rates with respect to persistent offender cases. Our key informants indicates that this is because reporters tend anyway to give priority to repeated referrals, while familiarity with the circumstances means that less time is needed to reach decisions.

5.5.5.2. Although the police information is less specific, it appears that they are nearly reaching the targets by an across the board improved level of work and not only with fast track cases.

5.5.5.3. It is premature to provide overall figures yet on the time taken from referral to disposal, since at the time of analysis a significant number of cases had not completed the process, while as noted above charge/caution data is available for fewer than half the cases. Such figures will be available later in the study.

5.6. **Outcomes**

5.6.1 As agreed with the Executive at the start of the study, the main data about outcomes will be gathered in the second half of the research. This is partly because the research team need to concentrate at first on gathering data about the initial processing and decision-making and partly to allow enough time to elapse for significant number of young people to have completed their programmes and for information about the consequences to be available.

5.6.2 It is possible to track trends in re-referral by means of the RAD. Detailed trend analysis has proved not to be straightforward, but the research team will collaborate with SCRA early in 2004 on a mechanism for producing the appropriate data. In the meantime, SCRA has provided data about the re-referrals on offence grounds. These show that 29% of the young people who entered the fast track process were not referred again in the period up to July 31st, but 71% had been re-referred. Those young people involved in the fast track process have by definition a recent history of a high rate of re-referral of nearly once per month at least and many were already on supervision, so it would be surprising if that trend changed dramatically and instantly before the dedicated programmes had a chance to have an impact.

5.6.3 Offence referrals often encompass more than one alleged offence. The total number of alleged offences attributed to the pilot area persistent offenders fell by 7% in the second three months of the pilot period, compared with the first three months.

5.7. Exits from fast track or persistent offender status

5.7.1 We plan to give focused attention later in the study to the issue of how many cases have exited from the fast track system or, in comparison sites, persistent offender status. However, at this stage we understand that some people are uncertain about how and when to determine that an exit has occurred or should occur. For example, this applies to some cases referred to the procurator fiscal and dealt with in court, where they are dealt with in the adult system yet may retain fast track status in the hearings. We have also been informed about circumstances where social work staff want supervision and/or fast track status to end on the basis of non-co-operation with programmes offered, when reporters believe fast track is still appropriate. [See also section 7 of this report]

5.7.2 The SCRA system for identifying cases that exit involves ‘unchecking’ the persistent offender flag on the RAD. We understand from SCRA that a number of cases that were designated fast track have now been unchecked. In some instances, this resulted from the termination of a supervision requirement. In other cases, information came to light after the initial designation to indicate that the fast track flag was inappropriate. This applies, for example, when a case jointly referred to the Procurator Fiscal and Reporter meets the criterion for fast track and so needs to be flagged, but the Fiscal subsequently retains the case, which is then unflagged.

6. EXPENDITURE ON YOUTH CRIME AND FAST TRACK

6.1 Expenditure on youth justice

6.1.1 The Executive allocated the following amounts to local authorities for youth crime measures in 2003-4:

Table 8: Expenditure by authority

| <i>Local authority</i> | <i>Allocation</i> |
|----------------------------|--------------------|
| <i>Fife</i> | <i>£628,969</i> |
| <i>Dundee</i> | <i>£413,964</i> |
| <i>Renfrewshire</i> | <i>£379,354</i> |
| <i>North Ayrshire</i> | <i>£332,509</i> |
| <i>East Ayrshire</i> | <i>£262,863</i> |
| <i>South Ayrshire</i> | <i>£179,600</i> |
| <i>Perth & Kinross</i> | <i>£162,793</i> |
| <i>Scottish Borders</i> | <i>£119,412</i> |
| <i>East Lothian</i> | <i>£129,529</i> |
| | |
| Pilot sites | £1,439,000 |
| Comparison sites | £1,171,000 |
| | |
| Scotland | £10,000,000 |

This is in addition to expenditure on children’s services more generally.

6.2 Allocation of fast track funds

6.2.1 In total, nearly £5 million were to be spent across the preparatory year and first year of implementation. Leaving to one side the start up costs, the expenditure in year 1 would be about £3.4 million. At the present rate of new cases, it seems that there will be between 200

and 250 fast track cases in the first year. This would mean that the additional expenditure 'per case' would be approximately as follows:

- £17,000 if there were to be 200 cases in the first year
- £15,111 if there were to be 225 cases in the first year
- £13,600 if there were to be 250 cases in the first year

6.2.2 The Scottish Executive Guidance Booklet of February 2003 gives details of the planned expenditure to support the pilot in relation to the 3 Pilot Sites. A summary is given in the table below (figures are in £):

Table 9
(a) Overall allocation of funds 2002-4

| | 2002-3 | 2003-4 |
|-------------------------|------------------|------------------|
| SCRA | 1,171,660 | 300,000 |
| Sc. Borders & E Lothian | 130,355 | 823,900 |
| Dundee | 13,285 | 831,108 |
| Ayrshire | 172,637 | 1,481,214 |
| Total | 1,487,937 | 3,436,222 |

(b) Planned expenditure related to the 3 pilot sites

| Pilot Site | START UP 2002-3 | | | 2003-4 | | |
|-------------------------|-----------------|--------|---------------------------|-----------|--------|---------------------------|
| | Councils | Police | Children's Panel Training | Councils | Police | Children's Panel Training |
| Sc. Borders & E Lothian | 94,803 | 17,000 | 18,552 | 741,030 | 76,500 | 6,370 |
| Dundee | 6,310 | 2,500 | 4,475 | 831,008 | 20,800 | 6,100 |
| Ayrshire | 124,281 | 45,200 | 3,948 | 1,409,214 | 72,000 | * |

* The Ayrshire panel training was funded through the local authorities

These were initial allocations based on estimates prior to the start of the pilot. Discussions are underway between the Executive and pilot areas to determine the precise level of funding needed in 2003-4. This will take account of the greater number of cases than originally envisaged and the later start than expected of certain services.

6.2.3 Evidently there was considerable variation in the overall amounts devoted to each site and the balance between the two years and among the agencies.

6.2.4 Scottish Borders and East Lothian councils planned expenditure on the following items and personnel in 2003-4:

- staff development and publicity
- improved information and IT
- 3 additional workers for specialist assessment
- enhancement of the mentoring scheme
- one specialist foster carer in each authority
- commissioning of specialist programmes and packages

attachment of a dedicated health adviser
consultancy for panel members
facilities for co-location

6.2.5 Dundee council planned to pay for:

4 new administrative posts
2 resource workers
general office costs
clerical support for the children's panel chair
external evaluation
commissioning of places on programmes and in residential care
improved community health assessment

6.2.6 The Ayrshires were to spend their allocation either directly or through partner agencies on:

| | |
|--|----------------------------|
| a social worker to concentrate on sexually aggressive young people | |
| a partnership resource worker resource officer | |
| mentoring scheme | forensic psychology |
| restorative justice service | education/training service |
| 5 residential and foster places | administrative staff |
| staff to meet time and quality standards | |

6.2.7 In October 2003, local authority social work services were asked by the research team to provide an update on their expenditure. One social work area, East Ayrshire, reported having spent their fast track budget in the way they said they would. The others reported that they had not yet been able to fill specialist posts (but were in the process of addressing this) or described delays in the introduction of or commissioning intended services.

6.2.8 Authorities pass some of their financial allocation on to voluntary agencies to provide relevant services. For example, about half of the Ayrshire allocation for 2003-2004 was transferred to NCH and SACRO. Three social work areas thought they required more resources, each for different reasons: to recruit additional social workers; to increase access to secure accommodation, and to compensate for over spending on residential accommodation services due to a high number of cases in the first six months of the pilot. The three others had no such unanticipated costs difficulties. However five social work respondents stated that in retrospect they would have applied for more funds in the light of their actual experiences of implementing fast track agreements. This mainly related to residential provision, but in one authority related to the need for a comprehensive database and in another to on-going training.

6.2.9 In the plans Lothian and Borders Police expected to appoint a dedicated full-time officer in each authority, with support costs. Tayside Police were to support a new administrative post with their money. Strathclyde intended to pay for the release and supplement of existing operational officers, case management staff, support for liaison with reporters and improved IT. Two forces have confirmed that they have spent the fast track money in the way they had said in advance and they had not experienced unanticipated costs, apart from some management and travel time. Lothian and Borders appointed an administrative worker.

6.2.10 SCRA received just under £1 million to support not only the pilots but also to secure national improvements with regard to several aspects of its work, notably with regard to information and inter-agency communication. All the fast track salary allocation was spent on staff in the pilot sites, rather than at HQ. The four offices covering Dundee, North Ayrshire,

Scottish Borders and South & East Ayrshire each acquired an additional full-time reporter and support assistant. East Lothian has had money for part-time reporter and support staff positions.

7. ISSUES EMERGING FROM EARLY KEY CONTACT INTERVIEWS

7.0.1 This section of the report is based on an analysis of the qualitative interviews carried out so far in all nine pilot and comparison areas. In each of these, at least one reporter, panel chairman and social work representative have been interviewed, sometimes twice. Representatives from the police have been seen at force and local levels, while interviews have also taken place with panel trainers responsible for the fast track sites. A few sheriffs in the relevant areas have declined to take part at this stage, so data is only available from two sheriffs and five clerks. Brief interviews have taken place with SCRA support and administrative staff about the Reporter Administration Database, which holds core case management information about all referrals to the reporter.

7.0.2 We summarise briefly what appear to be the most important points emerging at the moment, but *it is important to emphasise that these should be treated with caution*, since further data may well alter the comparative importance of points mentioned here and may well introduce completely new elements.

7.1 The use of fast track funds

7.1.1 As described above SCRA, local authority social work services and the police were given additional funding to provide resources to see fast track aims through. Most agencies reported that they have been able to deploy the resources as intended, but a few pilot areas are still waiting for posts to be filled or programmes in service provision to be set up for use. Often the expenditure has been devoted specifically to dealing with fast track cases, but sometimes the introduction of fast track has also allowed an agency to generalise the approach more widely (e.g. to improve reporting times across the board). On occasion, funds have been used indirectly, for example to recruit new staff to carry out lower priority work so that existing professional staff can concentrate on fast track cases.

7.1.2 Social work staff in several authorities have stressed that their children and family teams are experiencing great pressures. Fast track and the associated additional posts offer welcome additions, which can free up some staff time for other work. Even so, it has been pointed out that it is also vital to improve directly the mainstream services for families in order to impact on the circumstances that contribute to youth offending.

7.1.3 Panel chairs and panel members did not report any extra resources, apart from the fact that had all been given training about fast track. Yet they have experienced an increase in time spent organising hearings, reading material and attending meetings. Several emphasised the time pressures they have encountered. On the whole, though, this did not appear to detract from their positive attitudes towards fast track.

7.2 Preparation and training

7.2.1 Most social workers reported that the main reason their area opted to apply to become a pilot area was that they already had a track record in working with young offenders and/or multi-agency partnership working. They pointed, for example, to the good work of their youth justice workers or the programmes for young offenders available in their areas. In addition they saw the potential for the success of working with persistent young offenders through the implementation of the fast track model and welcomed the opportunity for additional resources. An implication of the careful selection process the Scottish Executive undertook in choosing fast track pilot areas that were well advanced is that a significant, but unknown cost

has been saved by avoiding costs associated with setting up a whole new system from scratch. Although they believed they had a good track record, social work agencies in the pilot areas saw the additional funding as an opportunity to enhance their provision.

7.2.2 All respondents have been asked about the kinds of information, training and support they have had in helping to prepare for the fast track system. The feedback on information and training has been largely positive. Some would have liked more time spent on it, while others thought there had been too much repetition. Also some reporters and particularly area panel chairs felt that a longer preparatory period would have allowed resources to be in place before the introduction of fast track and hence would have provided more co-ordinated preparation and training. One area panel chair noted that training served to confuse panel members because of extensive arguing among social workers who had not been informed of changes by senior management before attending fast track training (this was confirmed by the area's trainer).

7.2.3 It has been suggested that some issues merit further attention in training and guidance, such as non-compliance by young people and exit strategies (i.e. how and when cases will cease to be deemed 'fast track' and whether ex-fast track cases can still benefit from the associated programmes). Although the Scottish Executive has made clear its willingness to fund additional training as required, more than one respondent in different areas said that insufficient resources contributed to the failure to implement the ideal that all three panel members in every fast track case should have had fast track training. Also at the time of the early training, sometimes full information about programmes was not available, partly because the programmes themselves were not always ready.

7.2.4 Reporters have generally felt well prepared and supported. The police respondents said they had been given adequate training on fast track, though 'beat officers' had not been given formal training as such but rather had been given a 'brief' about fast track. No sheriffs or sheriff clerks had been given any fast track training. The sheriffs felt that they would like more information on fast track or at least a seminar on it. One sheriff reported that in their area a seminar for sheriffs had been organised via reporters.

7.2.5 Trainers reported good fast track training uptake by panel members despite the training being non-compulsory. Trainers noted that lessons could be learned from the stressfulness inherent in the speed in which training was assembled and delivered. It was observed that training was not best delivered when core elements of a system were not already in place before training commencement, as happened in this instance.

7.3 Understanding of fast track and its aims

7.3.1 Most reporter, panel chair and social work respondents were able to give clear and accurate accounts of fast track aims and objectives. They usually identified three key aims: to speed up the children's hearing system delivery; to reduce offending among persistent young offenders; and to define clearly programmes for disposal. The police were mainly conscious of the time-scales as being the key implication for them:

'We don't do anything different, we just do it faster'

Early indications are that some sheriffs and sheriff clerks are less well informed and not necessarily aware of which cases are fast track, even though as stated earlier about one quarter of young people within fast track have had their cases go for proof.

7.3.2 All the reporter, panel chair and social work respondents knew the basic criterion for qualifying as a fast track case (at least five offence referrals within six months), though this was not the case for sheriffs or clerks.

7.4 The number of fast track cases

7.4.1 Four of the authority reporters thought that the numbers were higher than expected and two thought that the pre-implementation estimates were about right. The authorities with the largest numbers had experienced as many cases in six months as they had expected in 12 months. However, most thought that a plateau had been reached and that the rate for new cases over the next year would be lower.

7.5 Views on the fast track approach

7.5.1 Nearly all respondents saw considerable advantages in the fast track system, often stating that, if operated properly, this was the way the children's hearing system was meant to be.

'If we can do it with persistent offenders we can do it with other young people and have a wider positive impact... in all cases including care and protection and in non-attendance cases it would benefit society by preventing re-referral, preventing staying in the system or graduating into the adult system.'

They did not see fast track as in tension with the fundamental principles of the children's hearings system: on the contrary it was helping to ensure those principles could be put into practice effectively. Several suggested that the approach was vital in improving the credibility of the hearings system as a whole. The main perceived gains were: - adequate resource provision, speed of service delivery and a better focus on offending. Panel members in particular were pleased that fast track should improve the quality of the information on which decisions are based and strengthen their capacity to ensure that young people access the resources that hearings decide are needed. Some people suggested that the better quality of work in fast track would be reproduced when dealing with other kinds of case.

7.5.2 The additional funding was welcomed and seen as crucial to success. Hopes were expressed that similar standards and support be generalised across the hearings system.

7.5.3 Social workers felt positive aspects of approaches to persistent young offenders under the fast track system included: partnership working, having designated fast track workers which has the effect of freeing time up of other social workers who work on welfare issues, the ability to focus on offenders, the use of formal risk assessments, being given adequate training, having good resources and access to programmes, having set time tables to work with and developing clearer action plans.

7.5.4 Many could also point to disadvantages or deficiencies. These mostly related to specific and sometimes temporary aspects of the system in practice rather than the principles. For example, in some areas the provision of specialist services was seen as inadequate, at least not yet. Particular reference was made to shortfalls in educational and health services, as well as insufficient numbers of social workers.

7.5.5 Quite a common concern was that the funding might be reduced or withdrawn at the end of the pilot period, which would undermine service availability and gains in effectiveness. Related to this, a danger might be of trying to generalise the fast track approach to all offence or indeed all hearings cases, but without the same level of resource commitment. A few respondents saw difficulties in relationships among key stakeholders in the hearings as likely to affect the fast track process adversely (e.g. lack of trust between panel members and social workers). Several respondents expressed fears that the whole children's hearings system might be in jeopardy if the fast track did not work.

7.5.6 One worry voiced on a matter of principle was that the emphasis on speed of processing cases could be in tension with the quality of assessment and service.

7.5.7 Social workers thought that negative effects included: the underestimate of the number of fast track cases by SCRA leading to a miscalculation of resources needed to meet demand and excessive pressure being put on fast track workers; non-fast track social workers being de-skilled as a result of having their work load reduced by fast track specialist; and a lack of recognition of how much work fast track social workers do in the fast track system. It was also asserted that updated reports provided for reporters should be counted as separate from initial reports.

7.5.8 Police, sheriffs and sheriff clerks generally supported the fast track approach, which would result in a much closer link between a young person's actions and the consequences. The police and clerks said that since all young people's cases were handled in the same speedy ways, for them fast track cases were no different from other children's cases.

7.5.9 Asked if fast track would give rise to difficulties in balancing responses to a child's needs and deeds, most felt that no problems would result, provided that all the elements of fast track worked effectively. Several valued the greater priority to addressing behaviour.

7.6 Fast track case status: issues of entry, exit and recall

7.6.1 Nearly all respondents had a clear understanding of the fast track entry criterion and the boundaries of reporter discretion, except for the sheriffs and clerks interviewed who either were unsure or misunderstood. Most respondents wanted the criterion modified to take more account of the seriousness of offences, so that young people with several 'minor' offences did not qualify.

'Stuff like littering, and kicking council trees! You wouldn't treat adults so harshly for things like that, we need to discuss who we really are targeting.'

'Its okay for a pilot but it needs moderated ... it's frustrating because petty offending gets priority over serious offending',

'... fast track is about persistence in offending not seriousness of offending and that is a shortfall.'

It was argued that including such behaviour in fast track wasted staff time.

7.6.2 A problem about offences occurring within residential establishments was noted by a number of individuals. This involved young people with no previous offending history who accumulated offences as a result of incidents in residential units, thereby qualifying for fast track even though their offences appeared to be very specific to their living situation. A few reporters thought that such offending might be compounded due to cramped conditions in establishments or staff difficulties in managing young people with a variety of different needs. No respondent felt offending in establishments should be ignored, but some reporters and authority panel chairs noted that there was a serious need for residential staff to receive training that might help to ease tensions. One reporter thought reporter discretion had been eroded because they had to record incidents in establishments as offence referrals and hence invoke the whole fast track process, even when the matter could be 'resolved' without any formal action.

7.6.3 All reporters said that the first thing they did in deciding who to fast track was to look at RAD for cases that were flagged up automatically as soon as the fifth offence referral in six months was logged. Reporters in general were pleased about having discretion in relation to fast track cases, but some concerns were raised about the time taken in having to go through the fast track process before reporter discretion could formally be administered. This resulted in a few cases becoming designated as fast track unnecessarily and for a short period only

7.6.4 All except one of the reporters seemed clear that they need not call a hearing if they thought this was not needed. One site has made considerably more use of this discretion than others. The decision that a hearing is not needed has usually been based on a combination of satisfactory support being already in place and the young person's willingness to co-operate with the plan. Reporters also believed that if a young person was already in the fast track system and continued to offend, the case did not necessarily need to go to a hearing again.

7.6.5 In general reporters have expressed a wish for greater clarity about the circumstances when fast track status ceases, i.e. young people exit. Some uncertainty exists on whether an exit should automatically result from the end of a supervision requirement or the young person reaching age 16 or 18. The Scottish Executive Guidance Booklet does not refer to an upper age limit, but describes the two main considerations for the exit strategy as completion of programmes that address offending behaviour and reduction in offending episodes. A panel chair expressed a wish for further training on exit issues, while our respondents stated that some social workers and panel members did not know that the decision about whether a young person exits is to be made by reporters, in accordance with the Guidance Booklet. One reporter described a misunderstanding with a social worker, who thought that non-compliance with supervision was a valid reason for exiting, which the reporter made clear was not the case when the young person was still offending.

7.6.6 One authority panel chair proposed that formal authority for calling emergency hearings be extended to reporters. This would apply in situations where reporters and panel members wanted to review a case but social work were unwilling.

7.7 Views on the early experience of fast track

7.7.1 Impact on practice

7.7.1.1. The respondents only had a few months of dealing with fast track but the majority were happy with how implementation was progressing. For instance, they mentioned the offences being dealt with more promptly, panel members trusting social work assessments more, guaranteed places on a suitable programme and social workers making more frequent supervision visits.

'The information we have at the hearing is a clear plan of action, and the guarantee of provision of services... in the normal system there is no guarantee of services'.

7.7.1.2. Social work respondents indicated that the capacity to deploy dedicated workers led to better assessments, an improved format for writing reports and a clearer focus to their work. For some this represented an opportunity to make a change in previous practice, while others regarded this as an extension of their existing approach. The introduction of fast track could also have valuable side effects in that the dedicated resources for fast track allowed other workers more time to devote to family support or child protection work.

7.7.1.3. It has been noted that the original plan for continuity of panel members in fast track cases has had to be modified. Practice appears to vary, but usually at least one panel member serves each time the same fast track case is heard. Also views differ on whether or not continuity is a good thing. On occasion it has been necessary to allocate a panel member to a fast track case even though they have not attended the relevant training.

7.7.2. Views on the likely effects of fast track on re-offending

7.7.2.1. All respondents hoped fast track would reduce offending rates and expected it to do so. Those who did not think fast track would have any effect on offending rates thought this was because offending rates were already going down among young people.

7.7.2.2. Most social workers and reporters felt that the fast track model would have a positive effect on offending patterns, partly because social work practice had focused more on welfare needs than offences in the past. It was also indicated that time was needed for the outcomes to be observed, so it was too early to comment on the effects of fast track on offending. Some were worried that fast track's ability to impact on offending may be hampered because of the length of time a large number of young people had already been offending with an entrenched criminal 'life style' so it may be too late to initiate changes in attitude and behaviour among this group. However, one area panel chair reported a significant drop in offending by known long term offenders while in the fast track system.

7.7.2.3. Most thought it was too early to comment on outcomes in individual cases. One person, though, believed that changes in the behaviour of young people were already evident:

'The review care plans show that the vast majority of cases are working, in that very few young people are offending.'

In contrast, another person in the same area held an opposite view that most young people on fast track were still offending and being re-referred. The diverging accounts indicate the need for better communication, as well as verification of impressions.

7.7.2.4. Others indicated that sufficient resources were not (yet) in place to judge the impact of fast track. One suggested that the absence of a suitable placement for a school non-attender might well lead to further offending.

7.7.3. Diffusion of improvements

7.7.3.1. Most reporters, area panel chairs, and social workers reported some positive 'knock on' effects on practice in non-fast track cases. This resulted from staff who applied more widely what they had learned from their work on fast track cases (e.g. social workers about clearer and more structured assessments and reports).

7.7.3.2. A separate point was that improved work or resources with young offenders could assist in family support and child protection. Some social workers noted that where youth justice teams, or specialist fast track social work teams had been adopted, there had been a reduction of work load in existing children's and families' teams, freeing up their ability to work on family issues more readily.

7.7.4. Impact on workloads

7.7.4.1. Panel chairmen were all conscious of a significant increase in their own workloads (e.g. in relation to training, advice, attending meetings, assisting with the research). It was also noted that preparing for and conducting fast track hearings took up more time than usual, as the assessments and plans are typically more complex than usual. It was said in more than one area that a fast track case typically lasted 15 minutes more than others.

7.7.4.2. The workload implications for reporters seemed more variable. In areas with few fast track cases, the impact on their work demands was not thought to be great, but elsewhere they were more conscious of the extra requirements.

7.7.4.3. Most social work key contacts described important changes in the nature as well as volume of work. They noted that the fast track approach required and supported them in carrying out assessments thoroughly but promptly and in focusing more on offending behaviour. The workload implications for courts seem to be minimal, since most of their criminal work is with adults and fast track accounts for a small proportion of their cases.

7.7.4.4. The police have introduced policies to speed up the handling of all juvenile crime referrals, partly as they usually do not know if a young person is fast track or will become designated as fast track. One force indicated that the change had been managed comfortably. Another has had long-term staff shortage and recruitment problems. As a result, they have deployed funds mainly to pay overtime so that officers work beyond the expected weekly hours in order to ensure their reports are completed promptly. Some concern has been expressed about the resulting stress.

7.7.4.5. A number of people complained about the workload and service implications of the unexpectedly high number of fast track cases. These were often critical of the way that fast-tracking was flagged at the beginning, because this resulted in a surge of cases which had been on the threshold of eligibility in February.

'SCRA⁷ thought we would have 8 cases... we calculated that we would need 2 social workers on that basis, and in reality we have 24 cases. The two social workers are under a lot of pressure...'

7.7.5. Implications for inter-agency working

7.7.5.1. Many saw the introduction of the fast track arrangements as having promoted better inter-agency co-operation. One police officer stressed the value of meeting reporters, panel members and social workers, noting that *'if it wasn't for fast track, we would never have met any of them'*. On the other hand, in three of the pilot sites, certain difficulties were described in relations among social workers, reporters and/or panel members, which though pre-dating and unrelated to fast track, nevertheless affected the climate in which it was introduced.

7.8 Information sharing, assessment and reporting

7.8.1 One police force had developed a protocol for sharing information with relevant parties in the fast track system. The level of sharing of police intelligence was an issue that other forces wanted to explore but thought they needed some guidance from the Scottish Executive on this, as well as from other relevant sources. More generally police recognised that inter-agency meetings and less often co-location assisted with communication.

7.8.2 Social work staff said that the main standard assessment tool being used was the YLS/CMI (youth level of service case management inventory), apart from one authority (Dundee) where ASSET was favoured. In general these tools were seen as covering all appropriate aspects of a young person's needs and deeds. Most social workers used these as part of the initial assessment, but did not always include them in their initial report. This was connected to the view of most social workers that initial assessment reports were preliminary, aimed at determining whether there was a need for more in-depth assessments. In five of the pilot authorities the youth justice team was involved in writing initial assessments, sometimes in conjunction with the family worker, while in the sixth this work was done by a separate children's and families team.

7.8.3 Area panel chairs and reporters mostly felt that the quality and usefulness of social work reports had improved in the fast track system where reports were felt to be more comprehensive, in-depth, timely, and focused, compared with previously or with current non-fast track cases. Some area panel chairs noted an apparent improvement in accountability of social work, as reports more often stated who was going to carry out things to be done and when.

⁷ The estimates were prepared by SCRA, but the decision about when the flagging should start was made jointly by SCRA, the Implementation Group and the Executive.

7.8.4 In one area a panel chair noted that the quality of comprehensive assessments and action plans were not acceptable where core elements of the content of reports were missing even though these elements were specified in the fast track guidelines. These issues were currently being addressed. Another comment was that mention in reports of the programme to be provided was not accompanied by the assessment on which the need for that programme was based.

7.8.5 Both reporters and panel chairs had observed some increased specificity in action plans, but others had had to push for this. Examples were given of good practice in consulting with relevant persons. It was observed that some plans still fell short of what was required in the guidelines and some area panel chairs noted that there was a need to ensure that action plans could be easily understood by parents and young people. Some area panel chairs expressed a liking for social work reports and action plans that included agreements between young people and social workers.

7.8.6 In one authority, a difference in perspective between panel members and social workers was apparent on social workers' rationales for their recommendations and whether panel members had the expertise to question and perhaps override these. This was an ongoing general issue, not specific to fast track cases.

7.9 Monitoring and the Reporter Administration Database (RAD)

7.9.1 One of the key supports to case management in the children's hearings system is the Reporter Administration Database (RAD). Reporters and their support and administrative staff are expected to enter key information about each referral at a computer terminal and they in turn can access details already put in. The RAD 'flags' fast track cases in the pilot sites and equivalent cases in the comparison sites, so they can be readily identified.

7.9.2 Most reporters and SCRA support staff affirmed that RAD was better and more efficient than the manual system it replaced, and that the system worked well. They thought that RAD helped them prioritise their work because of the 'flagging up' mechanism the program offers. Some reporters said that RAD allowed them to inform other interested parties about fast track and the children's hearing, and that it allowed them to access a young persons 'history', and reasons for fast tracking with ease. One said '*... it allows me to look at all of a young persons history and reasons for referral, reasons for fast track...background information when I need it.*' One reporter noted that the RAD assisted in providing 'evidence' to social workers showing the reasons for concern about particular young people.

7.9.3 Besides helping them know which young people they should be especially aware of in order to achieve the fast track requirements, reporters and support staff found it useful that they received statistics provided from the RAD, such as the number of referrals in a six month period. One authority reporter stated that RAD allowed them to appraise the work of other reporters to see if time scales were being met and access information about the use of reporter discretion.

7.9.4 The quality of information in the RAD was generally felt to be related to the quality of information keyed into the system by reporters and support staff. Certain deficiencies were attributed to system or human factors, so some suggestions were made about improving the RAD or its operation. One person thought that if RAD distinguished between types of social work reports this would be an improvement.

7.9.5 SCRA staff pointed out to the researchers a number of small but important operational difficulties they had experienced with RAD. These matters have been drawn to the attention of SCRA: some had already been dealt with and the others will be addressed.

7.9.6 Several staff felt that it would be more efficient if they could calculate statistics at a local level instead of having it done centrally. This would mean they would be able to access up to date statistics as required, rather than having to wait for these to be sent after requesting them.

7.9.7 Most police reported that they were in the process of developing some form of database for monitoring purposes, but only one area had already done so. All sheriff clerks reported that they operated manual systems. One suggested that monitoring of fast track cases, including the time taken up with proofs, would best be done through RAD as it was better equipped for this task than their own information systems.

7.10 Time-scales

7.10.1 Generally all of the main agencies have indicated comfort and confidence about meeting fast track time scales, although the police have noted some concerns among beat officers having to complete reports as overtime. The general view was that the time-scales were reasonable and should be achieved, though some suggested that a shortfall could result when there was staff sickness or during holiday time.

7.10.2 The Audit Scotland report (2002) showed that the main shortfalls in meeting time-scale standards on offence referrals in general before the introduction of fast track occurred in police reporting and the provision of social work reports. Our interviews with reporters in the pilot authorities have largely corroborated the picture of the SCRA Update that time-scales are being adhered to or nearly in most cases. The reporters gave overall compliance rates ranging from 70% to virtually 100%. Those who were not fully compliant mostly attributed this to being held back by reports from other agencies arriving late. From a different perspective, some social workers indicated they did not have enough time to prepare satisfactory reports due to 'last-minute' requests from reporters.

7.10.3 For the most part, insufficient time has elapsed yet to judge the time-scales with respect to hearings dates. Some anxiety has been expressed about the effect of influences outside the control of reporters or social work services, like delays in receiving specialist reports. One reporter stated that there was a need for a formal agreement about how SCRA should follow-up the non-delivery of social work reports on time. Although the RAD system has been set up to flag such cases up, reporters do not have the authority to ensure the problem is quickly rectified.

7.10.4 Most police reported that they now processed young people's cases more quickly than before. They are now given the same priority as 'custody' cases. This was said to be working well as regards young persistent offenders. However, one police authority noted that a backlog had accumulated in their other work because of their force concentrating efforts on fast track cases and other priority areas, though they were now seeking to overcome that problem. A further unintended consequence noted by some sheriff clerks about cases in general was that a backlog had occurred in their area due to problems with a new data base system the police had introduced. Again this was being rectified.

7.10.5 Panel chairmen have pointed out that there may be adverse effects from the increased time pressure on panel members. Some panel members already devote large amounts of time to this voluntary work on top of a full-time job. Another possible consequence reported in our interviews was that other parts of social work activity may lose out when priority is given to fast track cases.

7.10.6 Most of the reporter respondents considered that proof hearings would adversely affect compliance with expected time-scales. On the other hand, sheriff clerks have indicated that arranging dates in accord with the time-scales should not be a problem. One sheriff clerk

made a general point about time targets. This clerk noted that where resources were inadequately provided, some areas (not their own) operated a 'ghost diet' system where dates for hearings were set to meet time scales with the full knowledge that a deferment of some kind was inevitable. The effect of this system was that official records of meeting time scales were perfect, but in reality the quality of the service delivered was less than desirable.

7.11 Court-Related Issues

7.11.1 Most reporters and social workers thought that proof hearings would have a negative impact on meeting fast track time scales, and that factors affecting these were outwith their personal control. Some had already had experience of this. One reporter described how some of the cases going to proof '*held things back by 6 weeks*'. This was further complicated when more than one offence allegation were being contested at the same time. However, most sheriffs and sheriff clerks noted that they had already been giving priority to all young peoples cases. Clerks were often not clear whether a case was formally fast tracked, so tended to treat all hearings cases the same as regards time-scales. Several sheriffs and clerks felt it would be helpful if reporters and procurators fiscal let them know which cases are fast track in order to aid prioritising of early hearing dates. Furthermore they would welcome more information on fast track in general.

7.11.2 Sheriffs and sheriff clerks noted that different factors affected how long proofs and appeals took. These included reporters and or solicitors asking for more time to provide evidence, the availability of witnesses and the need for sheriffs to have enough time to consider large numbers of documents according to the complexity of cases. A sheriff noted that delays were caused by inadequate resourcing of the reporter and procurator fiscal service locally, as well as hitches in the legal aid system.

7.11.3 One sheriff noted there was a problem of delay in dispensing appropriate placements through the children's hearing system or implementing the sheriff's order. In particular, regardless of who orders or recommends a young person should go to a secure unit, the lack of places may mean that the young person is sent home. He did not know if such cases were part of fast track, but observed that they probably should be and that the problem was persisting despite the introduction of fast tracking.

7.11.4 In one court, both the sheriff and sheriff clerk said that an increased proportion of grounds were being accepted since the introduction of fast track.

7.12 Programme development and delivery

7.12.1 Most reporters and panel chairs were aware of a range of relevant services for fast track cases in their areas. They knew of provision from previous experience and word of mouth. Most but not all also had access to a directory or database, though this was not always as comprehensive as they wished. Information about some services was seen as vague (e.g. what does 'intensive' social work mean in practice?). There was a desire to have more information on services, including details of aims, accreditation and outcomes. Usually reporters, panel chairs and social workers were not aware of local audits being conducted in their area on youth offending. Most police officers had directories of community policing work their force was involved in at local levels and access to leaflets about projects for young offenders.

7.12.2 The services available were described as dealing with varied issues in a range of ways (e.g. restorative justice schemes; alcohol misuse programmes; diversionary projects; intensive community based support; anger management). Everyone felt there were gaps. These included: detoxification of drugs; alcohol; befriending; mentoring; respite; mental health; education; rape victim support; leisure and recreation; specialist resources of all kinds;

general community based support, and residential intensive support. Desirable mental health service provision ranged from accessing reports from mental health professionals within a reasonable time frame (let alone within the fast track time scales) to having inpatient beds for young people.

7.12.3 Several respondents were unsure if services they thought should be provided were in fact available (e.g. anger management, cognitive-behavioural programmes). One person observed that there was a lack of support in the evenings and at week-ends. Some also described how a young person's access to services could depend on the council's current budgetary situation. One reporter said they were concerned that anger management services were not being delivered by appropriately qualified people but that this was being addressed.

7.12.4 Only a few areas had dedicated services or groups to meet the needs of young women. Most social workers were confident that where there was a need to provide services tailored to the needs of young women they would be able to address this. However, one area panel chair noted that the only service their area could access for a young women that was appropriate to her needs was 310 miles away.

7.12.5 No respondents reported services tailored to meet the needs of ethnic minorities. This was explained by reference to the very small number of black and minority ethnic children appearing before panels, if any⁸. One social worker, who did not currently have access to a policy on this, recognised a need for one.

7.12.6 In the main, respondents were aware of new provision already available or soon to be, as a result of fast track funding. In some instances, schemes were being developed from scratch and there were delays in obtaining suitable sites and buildings. One area panel chair noted that there generally were very few services available at all in their area, even though fast track had provided money to fund access to resources. It was felt that this was compounded by the high number of fast track cases. In another area, the panel chair noted use of the fast track money to train and employ local authority staff carrying out a range of work including fast track, but the pressures of other commitments could undermine social workers' ability to give adequate time and guarantee service provision for fast track cases. There was some evidence of this happening, despite a low number of fast track cases. A few respondents pointed to budgetary procedures either holding up individual young people's access to services or possibly leading to geographical disparities in access to resources.

7.12.7 One reporter and panel chair noted that the spending of fast track money on private sector services might alleviate some of the problems in accessing resources in local areas. Indeed one panel chair noted a distinct reluctance by local authorities to spend money on private sector services even although alternatives in the public and voluntary sectors could not be found.

7.12.8 Despite the difficulties noted in relation to some services, our respondents reported that usually a suitable offending-related project or placement was normally available for fast track cases, although sometimes this was not immediately available. Precise details on individual young people's access to recommended programmes will be ascertained in the questionnaire surveys and intensive case interview elements of the research.

7.12.9 Some respondents observed that certain persistent offenders were so used to non-compliance that they were refusing co-operate with the programmes offered. A reporter

⁸ Across all nine authorities in the study, only one persistent offender was recorded as having a minority ethnic background on the RAD, although in some cases the information about ethnicity is missing.

thought that motivation to conform might be enhanced by the incentive of being able to exit the fast track system.

7.13 Family awareness of fast track

7.13.1 We do not yet know the extent and manner to which family members are made aware of fast tracking, although it is already clear that a number of parents and young people are conscious of the distinctive status. Some respondents admitted to a fear that this would lead to stigma or resentment, but reported that experience has so far been positive. One respondent thought it helped children and parents realise the seriousness of the situation. Another commented:

‘ ... we thought it would be a badge of honour but it’s not happened... Parents? In fact they hope fast track will help the young person as other options have failed.’

7.13.2 One reporter believed that there was not enough emphasis on explaining to young people why they had come into the fast track system.

7.14 Differences in approach among pilot local authorities

7.14.1 Respondents normally felt that their area had some distinguishing features from other areas in Scotland as regards youth crime. For instance one area had a high proportion of female persistent young offenders.

7.14.2 The local authorities in the study all had children and families teams (not always with that name) carrying out ‘mainstream’ child care and protection work, as well as youth justice teams. Generally authorities have far fewer youth justice staff, as illustrated by figures below from 2 authorities:

Table 10: Examples of social work staffing

| <i>Authority</i> | Children & Families Teams | | | Youth Justice teams | | |
|------------------|--------------------------------------|-------------------|--|----------------------------|------------------|-------------------------|
| A | 4 seniors | 11 social workers | | 1 senior | 2 social workers | 2 youth justice workers |
| B | 37 seniors and social workers | | | 1 team leader | 3 social workers | 1 social work assistant |

Authorities normally had several vacancies for children and families social workers.

7.14.3 The structural relationships among the two types of team and worker varied considerably. Most areas did not have, or did not intend to have, separate youth justice teams, but rather youth justice workers were attached to children’s and families’ teams. Only one area had an entirely separate youth justice team. This authority was however, taking steps to ensure children’s and families’ teams became more ‘offending-aware’.

7.14.4 As a result of the introduction of fast track, most of the pilot area social work departments had provided specialist fast track staff to implement much of the work for fast track cases. Usually these were located in children’s and family teams, often as youth justice workers, but one authority kept youth justice and fast track organisationally separate from children’s and families.

7.14.5 One authority had not created a youth justice or fast track team but instead trained existing children’s and families to deliver fast track work. The rationale for this was to treat the young people as ‘*children first and offenders second*’. At the same, both social workers

and reporters in other areas have also emphasised their commitment to children's welfare as the paramount consideration.

7.14.6 Practice varied from area to area and case to case with regard to the involvement of the 'original' caseworkers. Sometimes the children and families worker withdrew, at least temporarily, whereas in other instances both the youth justice (fast track) worker and children and family team worker stayed involved, but with different roles. In some social work areas, children's and families' teams were not required to work on fast track cases unless they were specifically asked to by fast track social workers.

7.14.7 Besides these differences in fieldwork service organisation, the approach to youth offending varied. For instance, one authority had a 3-tier framework for dealing with young offenders. In another pilot area, the multi-disciplinary nature of the work was emphasised:

'The team is multi agency and multi disciplined. We have social workers [from different teams and specialist backgrounds]... we have [another person from a different discipline] running a police warning scheme and we have a trainee youth justice worker ... We have [a team specialising in meditation and reparation] formally joining us, and a community worker who specialises in young people with problems...'

7.15 The position in comparison sites

7.15.1 Staff in the comparison areas usually had only a partial understanding of the fast track system, which is not surprisingly as it did not affect how they worked. Some have been sceptical about fast track and seen it as intended to achieve political aims, but even so have seen its potential to improve services for children. Others, despite their relative lack of understanding of fast track, wanted the fast track model to be adopted in all children's hearing cases because they felt that it would mean better resources for addressing the needs and deeds of young people and greater accountability.

7.15.2 Key contacts in comparison sites have been asked about their work with young persistent offenders. In one comparison area there was no formal definition or use of a definition of persistent young offenders, even though RAD flags up persistent offenders defined by the main fast track criterion. One comment was *'..it has not definitive meaning here...the term is more descriptive than definitive. A definition is needed for priority purposes'*. Several respondents indicated that staff tended to use their own judgement and experience when thinking about which young people counted as persistent offenders, while a few were sceptical about the value of the term at all.

7.15.3 Police generally thought that they were keeping reasonably well to their time scales while social workers acknowledged that they were not with only one area believing they had no difficulties in meeting time standards. Just one of the comparison social work departments was using a formal assessment tool (YLS), though another had plans to introduce this. Reporters tended to be critical of the quality of social work reports and only one panel chairman described them as good, but all acknowledged that improvements had taken place. Action plans were seen as usually not very helpful.

7.15.4 Most respondents in comparison sites indicated that they had access to services for persistent offenders, but also that they these were usually not adequate. Suggestions have been made about issues that should be addressed with respect to persistent offending. These include social work's concentration on needs more than deeds, greater accountability in relation to service delivery to hearings, better provision for young offenders particularly in relation to secure accommodation, and improved services for 'middle range' offenders (some felt that persistent offenders were catered for adequately). Better information sharing between

partnership agencies is seen by some as a vital need, perhaps fostered by the Scottish Executive. Several of these points echo those made by contact people in fast track areas.

7.15.5 Some comparison respondents felt that their resource needs had not been recognised, but others have indicated that they were expecting an increase of staff provision.

7.16 Summary of key issues to arise so far

7.16.1 This report has been based on only a few months of data gathering and analysis at an early stage of a two year study, so it is important to stress that it is premature to draw any firm conclusions, particularly about the impact of fast track. It may be helpful, though, to identify a few matters that may merit further consideration.

7.16.2 First it is important to emphasise that the stakeholders in the pilot authorities were virtually all strongly committed to the principles behind fast track, supported the emphasis on speedier handling of cases and were pleased about the extra resources provided. Many reported good initial experiences of the first few months of the operation of the fast track system. In certain respects, benefits from the time-scale targets and additional staffing were seen to extend beyond fast track to other cases. Many would like to see the principles and resources applied to the children's hearings system as a whole. The initial training was generally well received. The evidence is that time-scale targets are largely being met and that assessments and reports have improved, although this will be examined in more detail later in the research. The police have improved their speed of referral in relation to all young offenders, not only persistent ones. Comparison sites, despite not having extra resources, are maintaining better time-scales for persistent offenders than other offender cases. The effects of action plans and programmes will be investigated during the second half of the fieldwork period.

7.16.3 That said, here are some issues that have arisen:

- there is concern about whether adequate funding for fast track will be available long-term, especially with regard to dedicated provision for young offenders
- the way in which the system was started created an initial bulge of cases, which caused workload problems for many, so should perhaps be avoided if fast track is extended to other areas
- central guidance may be helpful on the sharing of police information, within the context of communication among all other relevant agencies and data protection considerations
- there is scope to improve communication with sheriffs and sheriff clerks about fast track in general and to notify them when a case has fast track status
- some of the gaps in existing services have not been addressed by fast track funding (e.g. with regard to psychiatric and specialist educational services)
- in a minority of areas pre-existing difficulties in relationships among some key stakeholders are likely to hamper implementation of fast track
- it has been suggested that a mechanism is needed to hold social work services to account when they do not deliver a report or service as required
- some authorities may need to examine the nature and timing of their budgets or their willingness to use other service providers to ensure the guaranteed availability of placements in fast track cases.
- several respondents believe that the question of how best to deal with offending in residential establishments needs careful attention
- the high workloads of authority panel chairs may well require action
- a common concern is that the focus on fast track cases by reporters, police and social workers should not be to the detriment of other components of their work
- although the SCRA RAD database has proved a great asset in many ways, some suggestions for improving its operation should be considered.

8. CONCLUSIONS

The evaluation of fast track is at an early stage. However, the report has shown that the approach is very positively regarded by the staff in the main agencies concerned. Certain issues about implementation and information sharing need to be addressed, as might be expected in any innovation. There is already evidence of very significant improvements in the speed with which cases are being handled, while key informants have reported significant gains in assessment and access to resources. The principal data-gathering period of the research will provide data about the nature of the services provided and the outcomes for young people, which will be covered in the Final Report due early in 2005.