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### **Food, Clothes and Shelter? Welfare provision for young people at risk of offending in North Wales**

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# **Food, Clothes and Shelter?**

**Welfare provision for young people at  
risk of offending in North Wales.**

**By**

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A thesis submitted for the degree of Doctor of Philosophy  
in Social Policy for the Bangor University, March 2008





## Introduction

In 2002, working as a Court and Accommodation Co-ordinator for a youth offending team in Yorkshire, I had an experience that was to influence my approach to youth justice and persuade me that I could no longer continue working in a team that was struggling to meet welfare need effectively. As Remand Court Duty Officer, I met a sixteen year old young person who had considerable welfare problems: no accommodation, problem drug use, bereavement after losing both parents (and witnessing one of them dying suddenly), suspected prostitution and at serious risk of a custodial remand due to repeat shoplifting offences whilst on bail. 'Penny' was not so very different from many of young people on the YOT case load and I approached the case as any diligent key worker would. Prioritise the need, manage the immediate crisis and put together a programme of intervention that would lead to long term solutions and reduction in offending behaviour. The first step was to reassure the court that with the help of housing services, we would be able to access emergency accommodation on release from court that very day and thus protect 'Penny'<sup>1</sup> from going to custody. A previous managerial fight over policy had led to, a somewhat fragile, agreement with the court that they would '*in certain circumstances*' agree to a bail condition to '*attend an emergency housing appointment and reside as directed by the housing department at an address that would be given to the court by the end of the working day.*' Subsequently, having successfully argued the case in court I accompanied Penny to the housing department, sustained her through the interview and provided a YOT support worker to take her to a new home in a Bed and Breakfast hotel in the centre of the city. The next day I received the support worker's report on how things had progressed.

On entering the hotel room 'Penny' and the support worker had noticed there were a lot of personal items lying about. They reported this to the landlord who told them that if they didn't like it they could always just clear them into black bags and leave them by the rubbish. As they were doing this, 'Penny' opened a drawer under the bed and found a blood-covered used needle and other drug

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<sup>1</sup> All names in this thesis have been changed to protect identities

paraphernalia. Furthermore, after attending to that problem and finally getting ready to leave, the support worker discovered the lock on the door of the room did not work and, as they were unable to find any staff, she was forced to advise Penny to ensure she put a chair behind the door to prevent anyone from coming into the room during the night. As I was reading the report on this, I was horrified at my own involvement in a system that had so comprehensively failed to protect a vulnerable young person when she was most in need. It was a turning point for me. On that day, I acknowledged 'Penny' would have been safer on remand in prison custody and realised why many of my colleagues genuinely felt that a custodial option was preferable in some cases. However, this was a conclusion I could never support as, for me, it is all too apparent that youth custody is an anomaly in a civilised society. As Court officer, I had signed the forms for many youths to be sent to custody and I knew what it was to say farewell to a troubled child, only to be confronted on the next occasion by a blank face that clearly belongs to a more hardened individual. In this way, not only does prison fail fundamentally in cutting long term criminal behaviour but it is also a singularly inhumane and wasteful option. The Youth Justice Board for England and Wales has reported that one youth with half a year in youth custody costs £21,000, a figure that is comparable with the yearly fees for a place at Eton College, the renowned Berkshire public school.

Conversations with other practitioners at national conferences and seminars convinced me that anecdotal evidence suggests the experiences we had in our team were not unique. A passion now developed in me about contributing to a much stronger empirical argument and on coming back to my home area, I was delighted to receive ESRC funding to seek evidential information on the subject. The proposed study would build on skills that had been gained whilst completing a BA Sociology and Social Policy dissertation on '*Youth Service Provision in Britain: specific issues for rural youth work.*' As the ESRC funding requires postgraduates to complete an MA before PhD research starts, there was also an opportunity to conduct secondary research to chart the history of youth justice in England and Wales: '*Dangerous Children: An analysis of welfare provision for juvenile offenders in England and Wales from 1150 –*



1901.’ These experiences informed my preparation for the research process and helped me to decide on a relevant research design.

This thesis seeks to tell the story of welfare provision for young people at risk of offending in one area of North Wales. Its main focus is on the views of young people from the largely rural counties of Conwy and Denbighshire area, who have been referred to the youth justice services for their convictions in court or their ‘at risk’ behaviour. From Youth Justice Board evidence and other research studies, we think we know what factors contribute to the risk of offending, which welfare agencies are used and how many times these young people are referred to them. This work aims to look at provision from a qualitative perspective; a primary site of interest for this thesis is whether the service helped, if it was appropriate and how relationships developed. As the study progressed it became clear that a key area of originality lies in its study of youth justice and welfare provision in post devolution Wales. In addition, the focus on North Wales provides an extra dimension in its rurality and distance from the power bases in Cardiff and London. For example, the juxtaposition between Welsh Assembly social policy and Westminster Government driven criminal justice creates policy tensions that may be intensified when the rurality and geographical isolation is factored in. Part one of the thesis examines existing literature on young people, youth policy and youth justice services and a review of relevant literature does indeed uncover a sense of unease in the differing approaches of the two administrations. Cardiff Bay aligned with a progressive universalism in social policy whereas Westminster, under the Tony Blair Government had pursued a risk based agenda in its fight against crime.

In order to gain a sense of how youth justice services have developed in England and Wales, the chapter 1.1 gives an historical account from early Victorian times when the ideas around the children of the ‘perishing and dangerous classes’ and ‘juvenile delinquency’ first appeared in government policy. It considers the various approaches that have been used over the decades and introduces the ‘welfare vs. debate’ in youth justice. Ending with Tony Blair’s 1993 pronouncement whilst in opposition, that New Labour would be ‘*Tough on crime, tough on the causes of crime,*’ the chapter takes the story of youth justice in England and Wales up to a change in government in 1997.

Chapter 1.2 sets welfare provision and youth justice in England and Wales within a theoretical framework. Recognising that responsibility for youth justice policy has not been devolved to Cardiff, it provides a debate on the welfare paradigms that are present in New Labour social policy. It theorises on how these approaches affect young people involved in the youth justice system and whether policy aims and personal needs can be met and considers how these issues affect practice in Wales.

Chapter 1.3 examines the position of young people in New Labour's social policies towards the new millennium. In common with the policies, it focuses on young people with troubles and those considered to be 'at risk' in some way or another. It then goes on to look at the way this has influenced the general attitude towards young people. The public perception of crime, with its focus on the visible offences such as public disorder and vandalism, inevitably places youth crime high on the government agenda. Researchers and policy writers have recognised how this puts youth in general at risk of demonisation. The chapter will also show the position of young people in the UK is marginalised by over-regulation of their behaviour. In fact many adults no longer feel at ease when young people are merely standing in a group on the street – increasingly they are seen as a sort of 'threatening other' that should be contained somewhere out of the public space.

Chapter 1.4 reflects on the Government's response to the perceived 'threat to society' posed by young people. A review of policy shows that many services have been implemented to identify risk factors and reintegrate socially excluded young people. However, with regards to youth justice in particular, it is clear that New Labour has introduced 'stealth welfare' into a system preoccupied with risk. Thus, the 'tough on the causes of crime' agenda can be found in working in practice but the rhetoric coming from Westminster and the Home Office is almost entirely focused on being 'tough on crime.' In comparison to this approach, some divergence can be identified in the way that the devolved Welsh Assembly Government (WAG) in Cardiff has attempted a return to a rights based approach to youth policy in Wales. However, it is also recognised that the WAG has limited powers to construct legislation and resources and finances are, ultimately, driven by Westminster. This chapter also postulates on



the recent change in leadership of the Labour Party and the new directions that PM Gordon Brown may pursue in addressing the welfare needs of young people in the youth justice system.

Chapter 1.5 concentrates on the regional issues that are relevant to the youth justice system in Wales and gives a descriptive account of working policy and practice. It also investigates how the system tries to manage competing demands from Westminster and Cardiff and gain the necessary attention of European Union funding streams. The flagship youth policy document '*Extending Entitlement*' is a driving force in provision for young people in Wales and although it is early on in the process, a formal evaluation has taken place and this is used to assess whether WAG policy is transferring effectively into practice.

Part two of this thesis provides data and analysis of the empirical study on welfare provision and the wellbeing of young people at risk of offending in Wales. The study took place in the Conwy and Denbighshire area with the local cross boundary Youth Offending Team. Chapters 2.1 and 2.2 of this section provide background information about the study, research design and methodology. Using grounded theory, emergent themes were identified from the analysis process and as such information has been presented thematically in the data chapters 2.3-2.7. The final discussions in chapter 2.8 and 2.9 will therefore draw on the background theory of the literature review chapters and consider it against emergent theory provided by the empirical study. Thus, '*Food, Clothes and Shelter? Welfare provision for young people at risk of offending in North Wales*' aims to provide valuable insight into the relationship between welfare services and young people in one area of North Wales and it will ensure that the debate has been properly contextualised within the wider debate about the youth justice system in England and Wales.

## **Contents**

Title page	i
Introduction	ii
Contents	vii
List of tables and glossary of terms.	viii
Acknowledgements	ix
Author's declaration	x
Abstract	xi
<b>Part One - Setting the Scene: a contextual analysis of the youth justice environment in England and Wales</b>	<b>1</b>
1.1 The historical response to the welfare needs of young people who offend	2
1.2 Theoretical debates and discussions	13
1.3 Marginalisation and Misspent Youth	21
1.4 New Labour, well-being and welfare provision in England and Wales	32
1.5 Youth Justice Policy in Wales	49
<b>Part Two - Telling the Tale: listening to the welfare stories of young people at risk of offending in North Wales</b>	<b>56</b>
2.1 Background to the study	57
2.2 Research Design & Methodology	59
2.3 Living Arrangements – Housing, homelessness and wellbeing	82
2.4 Education, training and employment (ETE)	103
2.5 Local Area, Money and Transport	121
2.6 Wellbeing & Health Services	153
2.7 YOT Orders and partnership working	182
2.8 In a Dreamworld: ideas emerging from this study	206
2.9 In the Realworld: conclusions and reflections	213
Appendices	217
Bibliography	257

## **List of Tables**

Table 1.4.1	The Solid Facts – Social determinants in health	33
Table 1.4.2	Extending Entitlement key principles	41
Table 1.4.3	Priority Groups for Personal Advisor Intervention	43
Table 1.4.4	Young Person Partnership tasks	44
Table 1.4.5	Membership of Young people’s Partnerships	45
Table 1.5.1	Key policy documents	52
Table 2.2.1	Ethical issues identified by the ESRC Ethics Guidelines Checklist	71
Table 2.2.2	Responses to the ethical issues raised by the ESRC Checklist	72
Table 2.4.1	Barriers to Education	108
Table 2.5.1	DfELLS – Towards a National Youth Service strategy for Wales	124
Table 2.7.1	NESS: Barriers to Engagement	185
Table 2.8.1	Welfare Agencies most mentioned in the data	207

## **Glossary of terms**

<b>ABC</b>	Acceptable Behaviour Contract	<b>LAC</b>	Looked After Children
<b>ASB</b>	Anti Social Behaviour	<b>NEET</b>	Not in Education, Employment or Training
<b>ASBO</b>	Anti Social Behaviour Order	<b>PACE</b>	Police and Criminal Evidence
<b>ASSET</b>	Youth justice assessment tool	<b>PAD</b>	Prevent & Deter
<b>CAMHS</b>	Child and Adolescent Mental Health Services	<b>PAYP</b>	Positive Activities for Young People
<b>DARRT</b>	Drug Alcohol Rapid Response Team	<b>PYO</b>	Persistent Young Offenders
<b>DTO</b>	Detention & Training Order	<b>YISP</b>	Youth Inclusion & Support Panel
<b>EPQA</b>	Effective Practice Quality Assurance	<b>YJB</b>	Youth Justice Board
<b>ETE</b>	Education, Training & Employment	<b>YPP</b>	Young People’s Partnership
<b>ISSP</b>	Intensive Supervision & Surveillance Programme	<b>YOI</b>	Young Offender Institution
<b>KPI</b>	Key Performance Indicator	<b>YOT</b>	Youth Offending Team



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Most importantly, I would like to thank all the individuals who agreed to tell their stories and I hope that the data in this thesis fully reflects the experiences and views that were gathered during the fieldwork period. Final thanks must go to 'Al<sup>2</sup>' along with my sincere hopes that reading this thesis will convince him that someone has listened.

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<sup>2</sup> All names in this thesis have been changed to protect identities

## **Abstract**

This thesis considers the wellbeing of young people at risk of offending in North Wales, whether it is protected by welfare services and how this manifests within the youth justice system.

Over the last decade, Westminster government policy has contributed to an ethos of personal responsibility for even the youngest of children who offend. The abolition of the legal convention of *doli incapax* in early years of New Labour, the continued use of ASBOs and the recent 'Respect' agenda have all reinforced the message that society is at risk from children and young people. Yet academics and policy makers recognise that welfare risk factors influence young people's offending behaviour. Therefore the debate can be viewed from a different perspective where children and young people are the ones at risk from a society that is unable to meet their welfare need. It is no surprise that youth justice practitioners have been at the mercy of a 'welfare versus justice' debate for many decades. For Welsh youth justice practitioners, devolution and the Welsh Assembly Government has added a further dimension to this conflict.

The All Wales Youth Offending Strategy, states 'there is no contradiction between protecting the welfare of young people in trouble and the prevention of offending and re-offending.' This principle will be tested using qualitative data gathered from empirical research and a review of relevant literature on the state of youth justice in England and Wales. Based in the North of Wales, this study is uniquely placed in its aims to give a voice to young people, parents and professionals working with a cross -county rural Youth Offending Team.

# **Food, Clothes and Shelter?**

**Welfare provision for young people  
at risk of offending in North Wales**

**Part One – Setting the Scene:**

**A contextual analysis of the youth justice  
environment in England and Wales**

## 1.1 The historical response to the welfare needs of young people who offend

*Dear old gent passing by,  
Something nice takes his eye.  
Everything's clear, attack the rear!  
Get in and pick a pocket or two.  
You've got to pick a pocket or two, boys,  
You've got to pick a pocket or two.*  
Lional Bart – Oliver! The Musical

The wayward behaviour of the young in Britain has preoccupied the minds of policy makers and the public from the earliest of times. Although Margary (1978) suggests juvenile delinquency was invented in the nineteenth century and there is a mass of Victorian legislation (shown in appendix 1.1) to support this opinion, anecdotal evidence from the early modern period shows that street behaviour of the young was already on the public agenda:

*The greatest Disorders in any Neighbourhood do most commonly proceed from the Folly of Children.* (White, 1706)

That working class youth, especially those belonging to poor families, were particularly feared is an historical testament to a belief that they lacked moral instruction. In Victorian times they were to be considered as ‘*ownerless dogs*’ or ‘*savages*’ – terms used in the pejorative sense. (Greenwood, 1869) This view can be traced back to a change in perceptions as earlier Tudor society became urbanised and inequalities in wealth more apparent. Jones (1992:168) comments: ‘*When the propertied people began their gradual ‘retreat into respectability,’ the rest of society looked more and more deviant.*’ By Victorian times, a new form of street policing was increasingly criminalising the behaviour of these young people; youths were being brought to court for shouting, whistling, throwing snowballs or riding their bikes inappropriately (Neal, 2004: 45). The emotive language used in literature and journalism of the time fuelled a popular belief that everything about lower class youth was threatening.

*In parts of Spitalfields, in Flower and Dean Street, and in Kent Street, and many other streets that might be enumerated, they are the terror of small shopkeepers... they swarm like mites in rotten cheese.*  
(Greenwood, 1864)



Welfare need was recognised as a contributory factor in offending behaviour; theft was by far the most popular juvenile crime and poverty, hunger and neglect were often cited in court. As Victorian policy makers were persuaded that something must be done, a number of prominent individuals emerged with theories about youth crime and ways to prevent it. By the middle of the eighteenth century, the dichotomy of '*perishing*' and '*dangerous*' classes was born. The terms were first used by Mary Carpenter in her 1834 essay *Reformatory Schools for the Children of the Perishing and Dangerous Classes and for Juvenile Offenders* and underpinned the content of the *Youthful Offender's Act* in 1854 (see appendix 1.2 one for a list of all relevant Acts). Carpenter believed that welfare need and lack of education played a significant role in offending by the young and proposed a statutory system of Reformatory Schools. The aim was to provide care and education to set the juvenile delinquents - '*dangerous*' children - on an appropriately moral pathway. Further legislation was passed in 1857 to provide Industrial Schools for the children of poor and destitute families - '*perishing*' children - seen to be at risk of falling into criminal behaviour because of their circumstances.

Alongside this statutory development, many charitable and voluntary organisations were concerned with the plight of children at this time. In education, the Ragged School Union provided the first free schools to the poor and destitute. In housing, Octavia Hill and industrialists such as Joseph Rowntree and Sir Titus Salt raised awareness about the need for adequate housing of the poor and working class. Eminent physician, Dr. James Kay, supported the Public Health movement with social enquiries into the health of working populations. The origins of the social work profession can also be found at this time in the work of the Charitable Organisation Society (COS). There was a common obsession about how to improve conditions for the mass population and it is evident the reformers and philanthropists of the Victorian period were largely driven by humanitarian values. However these early attempts at addressing the welfare problems faced by poor families, many of whom contained the '*dangerous*' or '*perishing*' children that Carpenter was concerned with, were fundamentally judgemental. The idea that welfare provision was to be administered to the morally degenerate in order to transform 'them' into 'us' has been one of the major barriers to effectiveness. In

an environment where particular family forms are favoured over others, control tactics are employed to encourage compliance with the preferred one. Therefore, Victorian welfare provision often ignored the importance of family bonding within communities which did not subscribe to the societal model. Indeed, popular opinion suggested the only hope for them was to be removed from undesirable influences and reprogrammed with appropriate morals that could only be provided by their betters. There can be little doubt that this condescension has impacted on the subsequent development of youth justice in England and Wales. As the twentieth century arrived, the justice system took these ideas about juvenile offending and added the speciality of psychology with pathological, medical and subnormal constructions leading the debate.

The establishment of the juvenile court in England and Wales in 1908 marked the point at which youth justice could be considered a separate discipline, with a host of professionals dedicated to the business of eradicating juvenile crime. This development may be considered to be clearly following a welfare pathway but Platt (1969:176) argues otherwise. Considering similar issues in the juvenile courts of America, he sees this new approach as enabling a high level of supervision and intervention in the lives of working class juveniles in the name of 'child-saving.' Muncie (1999:78) recognises the growing number of juvenile crimes during the 1920s coincided with a concurrent rise in unemployment *'Young people may have been without jobs, but according to a growing medico-psychological discourse, what they really required was a stable and protective home.'* Here there is evidence to support the argument that positivist principles were given greater credence than social justice in the fledgling youth justice system. The work of Cyril Burt (1925: 599), applied psychologist advising London Magistrates at this time, concluded there was *'no single universal source, nor yet two or three'* causing crime and proposes a *'multiplicity of contributory factors.'* However, he stresses:

*Of environmental conditions, those obtaining outside the home are far less important than those obtaining within it; and within it, material conditions, such as poverty, are far less important than moral conditions, such as ill discipline, vice and, most of all, the child's relations with parents.'* (Burt, 1925:607)

This continues to situate the families of juvenile offenders as unfit; something further illustrated by the 1933 Children and Young people's Act:



*Every court dealing with a child or young person who is brought before it either as an offender or otherwise, shall have regard to the welfare of the child or young person and shall in proper cases take steps for removing him from undesirable surroundings and for securing proper provision is made for his education and training. (section 44)*

The Victorian courts had previously gained considerable experience of assessing the needs of children - offender or otherwise. Giller (1999:397) recognises '*Three times as many children were under the control of industrial schools at the start of the juvenile court's operations than were in reformatories for offending.*' The continuing attempt at social control is evident; Macmillan and Brown (1998:56) note this agenda in the Molony Committee report that had informed the Act.

*The Committee recognised the importance of the welfare of young people who could be victims of social and psychological conditions and who required individualised 'treatment.' In this respect, the Committee felt there was little to distinguish the delinquent from the neglected child. (Brown, 1998:56)*

The 1933 Act ensured the juvenile court became a major participant in access to welfare services and consideration of the circumstances of the child was taken against the perception of 'desirable' or 'undesirable' surroundings. Here, it is relevant to ask who made the decision on where to draw the line. Muncie (1999:79) writes '*Considerable responsibility was given to probation officers and social workers, recruited mainly from the Charity Organisation Society (COS).*' Whilst the workers of the COS had come from a tradition of careful scrutiny and assessment criteria, its function at its inception in 1869 was agreed to be '*Organising Charitable Relief and Repressing Mendicity*' (Rooff, 1972:29) – the latter, perhaps, not the most impartial of perspectives. Thus the new legislative provision for welfare assessments led to a doubling in the number of children and young people committed to juvenile courts after the Act was implemented. Pearson (1983:216) comments on the '*rippling 'crime wave' effects in subsequent epochs*' when legislative and administrative changes have occurred. He cites *The Times* newspaper of the period which stated '*it was not that children had become more wicked, but that the legal machinery had become more efficient.*' However, that efficiency manifested in the numbers



brought into the system rather than access to services. Despite the expanded attempts by the 1933 Act to consolidate services for children and young people, welfare provision continued to be piecemeal and juvenile crime rates escalated. In 1946 the Curtis Committee was tasked with reviewing the system and recommended a network of departments within local government infrastructure. The 1948 Children Act allowed local authorities to assume parental powers if children were found in need of protection and the juvenile court, thereafter, was less likely to be used for welfare measures (Giller, 1999:397). During the 1950s, the debate evolved into a question of age; younger children who offended perhaps more likely to come under the jurisdiction of the civil court, older children to the criminal court as recommended by the Ingleby Committee 1960. A determinant of age had, in fact, been in use since ancient times through the convention of *doli incapax*. Established in the 14th century, those under the age of ten (later revised to the age of seven), were not expected to answer for their crimes and would not be committed to trial or convicted of an offence. (Neal, 2004:1) The Ingleby report was not heartily approved by the Conservative government of the time and as a result, the subsequent 1963 Children and Young Person's Act was limited in range. It did, however, raise the age of criminal responsibility to ten and provide local authorities with the duty to undertake preventative work with children and families.

As with the changes in the early youth justice system, it was the driving force of child psychology that underpinned discussions through the 1960s. Bowlby's report to the World Health Organisation in 1951 had an enormous influence on social work practice at this time. As a psychologist, his thoughts placed deprivation and neglect high on the list of determining factors for resultant delinquent and maladjusted behaviour. Although his work, with its emphasis on simple motherly love, is rather dated, his conclusions resonate through the decades. He criticises Western countries for failing to take deprivation seriously and recognises the twin problems of the scarcity of social workers '*skilled in the diagnosis of psychiatric factors*' and the lack of political and professional recognition that '*mother-love in infancy and childhood is as important for mental health as are vitamins and proteins for physical health.*' (1951:158) Further he proposes that the administration of children's services will only be successful within a multi-agency environment:

*Family and child-care services must in future be closely associated not only with each other but with mental health services; for the ultimate aims of all three are identical, their techniques growing more alike, their activities are becoming intertwined.’ (Bowlby, 1951:152)*

These arguments helped to fuel ideological discussions that were already being held within the context of a post war consensus where state welfare provision was seen as perpetuating a healthy and productive nation. Increasingly children were viewed to be at the mercy of their environment and it was now accepted that economic deprivation played a significant role in family life and culpability for youth crime could not be simply laid on the family or the offender.

The 1965 White Paper *‘The child, the family and the offender’* attempted to position the youth court process firmly in the guise of welfare tribunal. In 1968, *‘Children in Trouble’* a further White Paper, *‘subordinated the criminal jurisdiction to that of the civil’* (Giller, 1999:398). This is the only period in Britain that came close to a fully conceived welfare approach to youth crime; one that did not seek retribution for wrongful actions but truly attempted to understand the problems of immaturity and address the issues.

*Juvenile delinquency has no single cause, manifestation or cure ... Early recognition and full assessment are particularly important in these cases. Variety and flexibility in the measures that can be taken are equally important, if society is to deal effectively and appropriately with these manifold aspects of delinquency. (Children in Trouble, 1968)*

Haines and Drakeford (1998:36) see the Labour government of the time as *‘formulating a policy towards the juvenile court underpinned by a single and thoroughgoing welfare- oriented philosophy’*; this culminated in the Children and Young Person’s Act (CYPA) of 1969. The intentions of the Act would have, indeed, paved the way for an emphasis on meeting the needs of children and young people who offend and diversion away from custodial sentences. Unfortunately a change of government guaranteed that the Act was never fully implemented and what resulted was a mishmash of new and old systems. Although not specifically directed in the 1969 Act, Intermediate Treatment (IT) was introduced as a concept – the idea that focused, individual, intervention could take place with children and young people ‘in trouble.’ IT was not a sentence in itself but was often attached as a condition to Supervision Orders



and sometimes agreed under a voluntary arrangement. By its nature it was diverse, but then any intervention that aims to meet individual need would be expected to be so. However, this diversity strayed into the more dangerous territory of inconsistency, something that was exacerbated by the continued reliance on incarceration. Under the intentions of the CYPA, prison sentences for youths were to be phased out but in practice, the government retained both detention centres and borstals. As custody was still being used as a sentencing option, the range of those suitable for IT was unclear; in reality most intervention went on with younger and less prolific offenders.

The positive outcomes achieved by Intermediate Treatment were, therefore, overshadowed by criticisms of its lack of clarity, accompanied by a growing concern that wrongly targeted interventionist treatment programmes were ineffective, and possibly damaging. Indeed, with the benefit of hindsight, Clarke (1985) is not convinced that the 1969 Act was based strongly on welfarist principles and argues that, in fact, the welfare oriented provisions have been overstated. In fact as a new system which was merely grafted to an old one, Clarke suggests the outcome was an expansion of youth justice and a greater number of children and young people referred to the system. What cannot be disputed is that the Act did allow the opportunity for youth justice professionals to work intensively with young people to divert them away from crime, however, this development did come at a cost. A more troubled, younger child who was now 'treated' by the justice system had a higher likelihood of failure and each return to court sent them higher up the ladder towards custody.

Despite the enthusiasm that flourished during the 1970s, the system relied on the *ad hoc* working arrangements of a divergent group of professionals and Thorpe et al (1980:3) make the point that *'the wrong decisions were made about the wrong children at the wrong time.'* This anxiety was heightened by an increasing bifurcation of government policy; an approach exacerbated by sentencing powers introduced in the 1972 Criminal Justice Act. A normalisation of petty offending was achieved through a plethora of diversionary tactics and treatment programmes targeted on those *'dabbling'* in crime. For those with a more entrenched involvement in crime, the seriously deviant, the attitude was hardened, often resulting in custody. Pitt's (1988:29) notes *'a bifurcated policy allows governments to get tough and soft simultaneously'* and so create an impression of addressing the issues. As this policy is born out of *'political*

*pragmatism and an attempt to minimise state expenditure*' (ibid:29) little attention is given to those who are caught up in the harsher end of sentencing. The welfare consensus that had prevailed during the 1960s was replaced with a fervent discussion on how the 'welfare vs. justice' debate might be resolved.

The 1980 White Paper 'Young Offenders' shifted the agenda away from the needy child and focused on the juvenile as offender (Brown, 1998:65). The new government wanted to be seen as strongly punitive in court sentencing systems whilst at the same time reducing the public funding required to support an overcrowded prison system. The resulting 1982 Criminal Justice Act took a justice based approach to youth offending and introduced some limited but significant changes. For the first time young people were guaranteed legal representation and a 'Social Enquiry' report would give an account of the social factors that were relevant for appropriate interventions. Sentencers were to be required to give reasons for their choice of Order and one of three specific criteria had to be highlighted before a custodial sentence could be passed.

These justice principles increased the range of court sentencing powers but conversely gave practitioners a newly prominent pre-sentence role within the youth court, though Haines and Drakeford (1998:46) suggest '*social workers were slow to realise this potential.*' Influential academic research coming out of Lancaster University at the time encouraged the use of 'systems management' to effect a change in sentencing habits. As Social Enquiry Reports increasingly argued individuals were suitable for community sentencing, the youth court 'system' was 'managed' into lower custody rates and a professionally driven anti custody orthodoxy prevailed. As noted, this suited the reductionist, neo-liberal government of Margaret Thatcher; the stark reduction in custody rates was countered by heavy supervision and intervention in the community, much cheaper by comparison. Although the professional drive to reduce custody rates had been ideologically unassailable, youth justice workers became entangled with the political machinations of process (discussed in Thorpe. et al, 1980). In the attempt to win the support of magistrates, report writers promised treatment that was behaviourist in nature, with an emphasis on offence-focussed work. Supervision became a monitoring role rather than one concerned with the meeting of acute welfare need; thus practitioners were distanced from their welfare oriented roots. In addition, the pressure of workloads with prolific offenders and fears over net-widening also led to a shift



at the lower end of the spectrum. First and second time offenders were increasingly diverted from the court by way of repeated police cautioning, something that offered no statutory service at all, welfare or otherwise. Therefore, during the 1980s, IT specialists became juvenile justice workers focusing on criminogenic behaviour and reducing re-offending rates. Custody and youth crime rates were falling but the underlying welfare problems of many young people were still not being met.

In 1993, two events occurred that were to have a lasting effect on the future of youth justice in the England and Wales. In February, James Bulger, a three year old boy, was brutally murdered by two ten year old boys. Using CCTV evidence the boys were caught and sent to a November trial against a backdrop of public and media disbelief and disgust. Found guilty, the trial judge sentenced them to custody *'for very, very many years to come'* and this was later clarified by the Lord Chief Justice as a minimum of ten years. The public was outraged, having expected harsher sentences. In the interim between the murder and trial, England and Wales had been presented with a new Home Secretary, Michael Howard, who became famous for his sound bite *'prison works.'* Citing the strength of public opinion he intervened, stating the minimum sentences would be fifteen years, something that again would be overturned by the Court of Appeal in 1997. That the Bulger case had a severe impact on the way juvenile crime was viewed is irrefutable, how significant that impact would have been if Howard had not reinforced the public rhetoric towards punishment is debatable. Jordan (1999:197) argues that the government used the case and subsequent public horror to pursue its *'back to basics'* agenda. Prime Minister John Major's 1993 speech to the Tory Party Conference made a plea:

*"It is time to get back to basics: to self-discipline and respect for the law, to consideration for others, to accepting responsibility for yourself and your family, and not shuffling it off to the state."*

Jordan (1999:193) sees this as a communitarian proposition that was *'backward-looking, nostalgic, authoritarian and focused on social control'* further, he suggests that its influence has also steered New Labour's thinking, informing their social agenda both at that time and presently. *'Back to basics'* signalled a climate of personal responsibility with retribution and punishment for those who transgressed and it was not only supported by the public but heartily encouraged by them. As a result, the justice services were continually criticised

for the 'soft' treatment of the Bulger killers in Local Authority Secure homes. Yet indications are that treatment has made a difference; in Lord Woolf's 2000 High Court recommendations for release of the boys after eight years, he notes the '*striking progress in the secure units where they have been detained*' and cites this as a clear reason for their release on life licence rather than a move into the prison estate. Lord Woolf asserted;

*Being 18 they would be due to be transferred to young offenders' institutions. The reports make clear that the transfer would be likely to undo much of the good work to which I have referred. Having been living in an unnaturally protected environment, they are unprepared for the very different circumstances in which they would be detained in a young offenders' institution. They are unlikely to be able to cope, at least at first, with the corrosive atmosphere with which they could be faced if transferred. (House of Commons 2001)*

Rather than a celebration of rescue from a life of crime, reports at the time were again damning, suggesting that this was another example of 'soft' juvenile justice. Again the public and media perception was that the boys had not been punished enough and this view superseded any concern with rehabilitation. The Bulger case, held as it was in an open Crown Court, clearly represents the predicament of youth justice in England and Wales. These were 10 year old boys who had lost their rights to childhood because of the terrible actions of one day. The European Court in 1999 ruled that the procedures prevented the boys from participating effectively in their trial and violated Article Six of the European Convention on Human Rights. Retribution is not the only possible response to such a brutal killing as other countries have dealt with these incidents quite differently. In Norway a strikingly similar killing occurred in October 1994; a five year old girl, Silje Redergard, was battered to death by two six year old boys. In Norway, no child under 15 is prosecuted so the boys received treatment within their own community even returning to their local kindergarten. Laurence Lee (2000), the defence lawyer in the Bulger case, writes '*The police, the local community and even Silje's mother were united in believing that they shouldn't be punished.*' Trje Lund, the policeman who investigated the case stated "*I really don't like to hear that you can put children, ten years old, into custody. I think it's meaningless*" (cited in Lee, 2000). However, Lee sounds a note of caution when thinking about transferring such a welfare oriented system to the



UK: “*Clearly their system works for them, the statistics prove it. And maybe there are some things they can teach us.*” He fears however, that the social problems in English cities are now so entrenched that ‘*we’ve missed our opportunity.*’ (Lee, 2000)

Lee’s view is illustrative of the urban bias that is prevalent in youth justice policy in England and Wales. Part of the success of Redegard case is that the local community were close knit enough to accept the young killers as one of their own and take responsibility for what was to become of them. In fact, some villages in rural Wales are so similar in nature that may be in a position to react in just such the same way; however, the legislation in this country just would not allow it. Thus, as a new millennium loomed on the horizon, it appeared that Lee’s view on Britain as a standardised, urban society was shared by UK policy makers. Soundbites such as ‘*three strikes and you’re out*’ for repeat burglars and ‘*short, sharp shock*’ boot camps for young offenders, became bywords for criminal justice. The language was not restricted to right wing politics, as New Labour promised at the 1997 elections, they too would be ‘*tough on crime, tough on the causes of crime.*’ (Labour Manifesto 1997)

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This look at the history of youth justice in England and Wales has revealed a system that has long since been in dispute and the underlying welfare vs justice argument has consistently underpinned policy and working practice. A problem with welfarist principles is that they do not sit comfortably within a court system that is about retribution and punishment. When considering the welfare of a child who offends, there is always a fear over courts ‘being soft’ or of the convicted ‘getting away with it.’ By the 1980s, the lack of certainty in English and Welsh youth justice helped to lay a pathway for neo-liberalist social policies that were emerging from Conservative government thinking in Westminster and mirroring developments in USA social policy. The next chapter will investigate these debates in order to provide a context for the youth justice policy that is evident in England and Wales today



## 1.2 Theoretical debates and discussions

*We see homeless people there on the street  
 Can't find a bite or nothing to eat  
 Shelter they want and shelter they need  
 While everybody's living in a world of greed.*  
 Jagger & Richards – Gimme Shelter

It is symbolic that this chapter, in introducing the theoretical debates and discussions that are relevant to youth justice in England and Wales, is forced to take a national perspective on the subject. Driven by Westminster government and largely informed by English and urban experiences of youth crime, youth justice policy has been homogeneous in character and there is a sense that a Welsh perspective has not existed as a separate entity until very recent times. The theoretical debates and discussions have been applied to England and Wales youth justice policy without consideration of difference or regional need. This is also true of the welfare paradigms that are so keenly championed by social policy writers. Traditionally, the United Kingdom has been difficult enough to place into a particular paradigm without the further complications of regional difference. Perhaps it is a feature of a Welsh identity that is growing in status, that the question of distinct welfare need and policies is now hotly debated.

When looking at youth justice systems in England and Wales, it can be tempting to suggest that the policies come and go only to re-emerge again on the social policy roundabout. However, a little like the return of eighties clothes to the high street shops last winter, the new incarnations have slightly different features that are enough to ensure that the originals are in fact still way out of fashion. In social policy, these often take their lead from a particular welfare standpoint and in the UK over the last three decades, neo-liberal perspectives have gained momentum; the youth justice system has been inevitably bound up to these changes. Essentially, many people in the UK fell out with the ethos of 'welfare state' in the early 1970s. A political and ideological change took place where it was viewed as too expensive and was responsible for encouraging dependency. The scene was set for the public to develop new perspectives on how social welfare should be provided. Prior to this time an established social norm directed the belief that it was only right the state took responsibility for the

welfare of the family and community. This was part of an, essentially socialist, ideology which brought together work, welfare and the economics of the country. In fact, it can be argued that the UK never actually achieved this ideological version of the welfare state as the middle classes did not actually fully incorporate themselves into the system. Esping-Anderson (1990:31) recognises how Anglo-Saxon nations like the UK '*retained the residual welfare-state model*' and that '*in class terms, the consequence is dualism.*' Thus the welfare state in the UK has always primarily focused on the poor and the working class and the stage was already set for those outside of those groupings to resent the taxpayer's money that was spent on the 'others' in society. The situation of young people and families in the youth justice system exemplifies this scenario.

In the story of youth justice, there is a tendency for parents to be cast as the villains of the piece. After all, if they had brought their children up properly in the first place, they wouldn't be in the situation they are today would they? This argument is rooted in Burt's medico-psychological discourse of the 1920s discussed in chapter 1.1 of this thesis and is one that has gained momentum in recent policies. Walters and Woodward (2007) note how the public policy focus on poor families manifests by ignoring the behaviour of professional and middle class parents and letting them get on with it without intervention.

*For example, parents who work in senior corporate positions that demand 100 hours a week and who are continually absent from the lives of their children are not placed on parenting orders. (2007:7)*

These families don't appear to the authorities as troubled as they are able to 'buy themselves out' of difficult situations or have an extended network of support from family and friends. Consequently, it is to be expected that research shows a higher proportion of low income families are involved in the youth justice system and welfare services. This dualism goes some way to explain why many UK people in 1979 were primed to accept a government whose leader would later report '*there is no such thing as society, only individuals and families*' (Thatcher 1987). This re-positioning away from the responsibility of the



state onto individuals and families has been a driving force in recent social policies in the UK.

Throughout the period of Conservative governments in the UK between 1979 and their defeat in 1997, social policies were strongly influenced by American systems and policy writers. Annersley (2003) states '*Undeniably, the New Right approach to American welfare in the 1980s particularly shaped successive Conservative party government policies of welfare retrenchment* (Pierson, 1994; King, 1995; Dolowitz, 2000).' As Esping-Anderson (1990) had earlier revealed, the UK had generally operated as a kind of watered down, residual welfare state but this was somewhat different to the liberal regime that was evident in America. However, the relationship between the New Right policy writers and the ministers in Margaret Thatcher's government was to shift the balance towards neo-liberalism with its free market principles, emphasis on individual responsibility and belief in laissez faire principles. Discussion thrives on how far these American New Right Liberal principles continue to influence UK social Policy today. When New Labour came to power in 1997, they faced a system of welfare provision that had been changed almost out of recognition from the welfare state they had left in 1979. In addition to this, there was also an emerging new world order. Economics were being affected by the impact of global finance and technological developments; society now included working mothers, alternative family structures and different demographic requirements; political and public demands were increasingly more vocal with calls for decentralisation and devolved power. In the 1994 report *Social Justice; Strategies for Renewal*, the Commission on Social Justice, a body which was set up by opposition Labour leader John Smith, proposed a social policy agenda that was designed to meet the changing nature of UK society and indeed, the changing nature of the Labour Party itself. In their discussion, they conceive (Commission on Social Justice, 1994:95-97) '*a tale of three futures*' the first was the '*Investor's Britain*' where security would be achieved by '*redistributing opportunities rather than just redistributing income.*' The second was the '*Deregulator's Britain*' where dynamic enterprise is '*unshackled by employment laws or social responsibilities*' and the future is one of extremes where '*the rich get richer and the poor get poorer.*' The last option was the

*'Leveller's Britain' where 'social justice is achieved by a social benefits system rather than through a new combination of active welfare state, reformed labour market and strong community.'* This report's importance for New Labour is reinforced by a flyleaf statement from the MP for Sedgefield, Tony Blair: *'Essential reading for everyone who wants a new way forward for our country.'* It is easy to see where Prime Minister Tony Blair and his government later positioned themselves and also clear that they planned to distance themselves from *'Leveller's Britain'* of previous Labour governments. The idea of *'Investor's Britain'* has a particular resonance for the youth justice system. If the ideology is based on the premise that a redistribution of opportunities will result in economic and social renewal then what is to be done with those who cannot or choose not to use those opportunities? Are they to be penalised for their inability to play the game according to the rules? New Labour has struggled with this dilemma and it is perhaps for this reason that elements of American influenced policy have leaked into UK criminal justice systems.

Annersley (2003:146) describes how the US welfare regime is *'underpinned by two theories – New Right and Communitarianism.'* New Right ideology is relevant to criminal justice because of theories on the idea of an 'Underclass.' In this paradigm, Annersley notes *'The phenomena of unemployment and poverty are explained through highly individualist, behavioural accounts.'* In contrast, Communitarians suggest that it is the *'erosion of social bonds in American society'* and the *'decline in the two parent family'* and not individual behaviour that is to blame. However, as Annersley identifies, they both come from a moralistic standpoint and they both stress the responsibility to participate in the labour market. Muncie (2000:16) cites the *'Neo-conservative realist criminologists'* who claimed that

*'Crime emanates from wicked, evil people who are insufficiently deterred from their actions by a criminal justice system deemed only to be chaotic and ineffective'* (ibid:16)

McLaughlin and Muncie (1994:115) note how *'during the Conservative government of the 1980s and 1990s, the crime rate escalated to an unprecedented level.'* This view was substantiated by the 1996 *Misspent Youth*



report and public opinion concurred with the belief that current systems for addressing youth crime were ineffective and lead to them 'getting away with it.' Haines and Drakeford (1998:82) note how the government tried to regain control of the situation by introducing a process of managerialism. In this scenario, governments introduce key policy objectives; it then requires local managers to implement practice according to their objectives and finally, monitors performance to ensure policies are put into practice. This shift allowed policy makers to require managers to be fully accountable and also stamp government ideology onto the criminal justice system. For the Labour party there was a need to find a way to wrestle the crime agenda back into a position where the government's policies would be both effective and popular with the public. This agenda led to Tony Blair's pronouncement, during his time as shadow Home Secretary, that a future Labour government would be '*Tough on crime, tough on the causes of crime.*' This appropriation of realist criminological principles and the continued use of managerialism provide the evidence that explains the presence of an American influence in current UK criminal justice systems. These have helped to shape youth justice policy and practice and changed the way that young people are perceived in UK society.

It would be a mistake to consign New Labour's youth justice policy as just a pragmatic response to a 'new right' law and order debate and there is evidence of other influences and ideologies in operation. The restorative justice agenda in the current UK youth justice is a significant departure from previous policy and Youth Offender Panels (YOPs), the operational forum used for first time offenders, can be considered to be a step towards a community based justice system. Crawford and Newburn (2002:479) point out that Young Offender Panels have different countries of origins: '*They borrow explicitly from the experience of Scottish Children's Hearings system ... and draw implicitly upon the experience of 'family group conferencing' in New Zealand.*' YOPs represent a shift away from court based, formal proceedings against young people and are an attempt to involve the neighbourhood and community in measures to address offending behaviour. Crawford and Newburn (ibid:480) observe that '*practical expressions of restorative justice seek to recognise that crime is more than an offence against the state.*' Unfortunately, the ideology of restorative

justice is such a shift in consciousness in the UK that the system may be undermined. For example, at present, restorative justice is an idea that is not embedded into the public arena, hence the fact that victim and community involvement is very difficult to enact. Haines writes:

*The goal in any attempt to clarify what we mean by restorative justice should not be concerned with standardising methods or practices ... What is necessary to establish the credibility of restorative justice is a test by which the diversity of practices may be measured to ascertain conformity with an overarching philosophy.'* (2000:60)

Ultimately, the big idea of restorative justice has been affected by the moralistic stance of New Labour's youth justice policy. Gelsthorpe and Morris (2002:249) note the effect of the '*Detention and training orders, antisocial behaviour orders, parenting orders and other more punitive orders*' all of which sit alongside restorative justice. In simple terms, it is impossible to ask a community to be involved in a restorative process if they have been divided by a moralistic agenda that casts out those who display anti-social behaviour. Hence public views in Crime Surveys that include pretty average teenage behaviour as examples of the anti social and cite adults who are too afraid to go out at night because of young people standing on street corners. Despite evidence of more positive social initiatives to reduce social exclusion and reintegrate communities (discussed at length later in 1.4 of this thesis), New Labour have consistently undermined their welfare agenda by vocalising their punitive measures. Gelsthorpe and Morris (ibid:250) conclude '*It is our view that only a new emphasis on [social] problems and a rebalancing of responsibility, restoration and reintegration, both within and beyond the youth justice system, would truly signify a turn to welfare considerations.*'

To think about this rebalancing act, this thesis will ask what happened to the 'Investor's Britain' proposed as a model for a prosperous and happy future? In her analysis of '*transformations in citizenship and state under New Labour,*' Lister (2003:437) recognises '*From an analytical perspective, it is difficult to make sense of current developments using only traditional welfare regime analysis.*' With private welfare and means tested benefits, there are elements



of an American *liberal* welfare regime but other factors such as the childcare and child poverty strategy suggest some influence from the Nordic '*institutionalised*' states. Lister introduces Giddens '*social investment state*,' a theory which followed on from the Committee of Social Justice recommendations and identifies elements of this in current state policy. In governance terms, she suggests Britain is now refocused as an '*enabling, managerial, partnership state*' but notes, although championed by Labour's Committee for Social Justice; this is '*a partial inheritance from the previous Conservative government.*' Lister (ibid:429) observes the move away from the egalitarian principles of 'Old Labour' values towards a '*discourse of life-long opportunity and social inclusion.*' These changes are linked to the matter of human capital and investment for the future and this is most clearly exemplified by the treatment of children in New Labour policy. The investment in children is seen as crucial because everything must be done to ensure they become productive and successful adults in the future. Lister (ibid:437) sees that in the social investment state, '*the child takes on an iconic status*' but it is the '*citizen-worker of the future*' rather than the '*citizen-child of the present*' who is of interest. Prout (2000:306) is cautious about this approach as '*a focus on futurity is unbalanced and needs to be accompanied by a concern for the present well-being of children, for their participation in social life and for their opportunities for human self-realisation.*' Hence the difficulties that New Labour has faced with continuing child neglect and abuse and recent poor results for wellbeing and mental health of children and young people in the UK.

These concerns are particularly important in Wales. With the highest levels of child poverty and economically inactive adults in the UK, the Welsh Assembly has a tough challenge in encouraging a social investment state. Maybe for this reason, the devolved government is becoming more clearly associated with progressive universalism as a policy approach. In this, the benefits of universal provisions are maintained whilst at the same time, extra resources are available for those in greater need. This is a long way from the residual social policies of the Thatcher government and some distance from the risk based agenda followed by Tony Blair's administration. However, the recent changes in the Labour leadership may well bring some convergence between Westminster and



Cardiff. In his 2005 treasury document, *Support for Parents – the best start for children*, Gordon Brown signals his intentions to use progressive universalism as a way to ‘*ensure support for all, but the greatest support for those who need it most*’ (2005:3). Whether this will fit into the citizenship ideal of rights and responsibilities that is also a favoured principle in Brown’s vision is debatable.

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These issues hold a strong resonance for young people in the youth justice system and therefore, this theoretical debate has perhaps led to a position where it can be more argued that young people at risk of offending in England and Wales are in a rather unstable situation when considering welfare provision. The youth justice system has been emblematic of New Labour policy; it is a mixture of welfare and justice principles, resiliently managerial in practice and at the focus of media attention. The regional considerations in Wales are now being recognised not least because of Labour’s policy on devolution of political power. Youth justice in Wales is therefore a prime location for research into social policy and one that can yield important comment on New Labour’s social investment state and the new emphasis on progressive universalism. For young people who have offended, whatever the reasons for their bad behaviour, it is almost inevitable that they will find themselves in a marginalised position, if only because they don’t hold much prospect as citizens of the future. This will be further investigated in the next chapter of this literature review.



‘Justice after Devolution’  
 How far does Welsh policy diverge from the policies in England?  
 image © Jayne Neal 2007

### **1.3 Marginalisation and Misspent Youth**

*In just being out of the house, I've lost out  
If I wanted to end up with more now  
I should've just stayed in bed, like I know how*  
Skinner, M. *The Streets*: 2004

The New Labour government White Paper '*No More Excuses*' was unveiled in November 1997. Building on evidence produced by the Audit Commission report *Misspent Youth* in 1996, the paper prepared the nation for a radical reorganisation of youth justice services in England and Wales. *Misspent Youth* had stated

*The current system for dealing with youth crime is inefficient and expensive, while little is being done to deal effectively with juvenile nuisance. The present arrangements are failing the young people – who are not being guided away from offending to constructive activities.*  
(1996:96)

In the previous chapters, it has been noted that youth justice workers in the 1990s had increasingly been diverted from welfare provision and into surveillance and behaviour programmes. Using the justice approach to youth crime, court processes had subsumed the attempt to address the risk factors associated with offending behaviour. The Audit Commission report (1996:96) recommended a need for a change in emphasis from '*processing young offenders to dealing with their behaviour.*' appendix 1.3 two shows proposals in *No More Excuses* are strongly associated with the nine Audit Commission recommendations for '*Developing a Strategy.*' New Labour policy, therefore, built on existing findings and research that criticised systemic problems and clearly continued a realist criminological stance. Muncie (2000:16) argues this approach takes an increased fear of crime for granted and focuses on controlling offences that have a high profile in the public domain. As youth crime is generally highly visible, it is an obvious target and one that was to become a major project in the early years of New Labour policy. Whilst continuity with the previous administration can be clearly identified, Muncie notes that right and left ideologies differ in their interpretation of realist criminology:



*Both share an understanding that crime fundamentally involves moral choice. For right realism such 'choice' is driven by failures in parental and self control. For left realism a range of 'restricting circumstances' such as marginalisation and relative deprivation always mitigates moral choice. (ibid:16)*

On this basis, the contradictory nature of New Labour's policy can be recognised. Despite a vocalised commitment by Tony Blair in 1993 to *'tackling the causes of crime,'* a considerably reduced version of these causes was evident by the time No More Excuses emerged. The paper (1.4) does recognise crime is *'correlated with social disadvantage and poverty'* but, in fear of displaying a *'simplistic, deterministic view'* that *'insults those in deprived circumstances who do not commit offences,'* it lists a number of more individually determined causes:

- being male;
- being brought up by a criminal parent or parents;
- living in a family with multiple problems;
- experiencing poor parenting and lack of supervision;
- poor discipline in the family and at school;
- playing truant or being excluded from school;
- associating with delinquent friends; and
- having siblings who offend.

These criteria have much in common with the early psychological musings of Cyril Burt and the 1933 Youthful Offender's Act. The *'parenting deficit'* and *'peer influence'* emerge as the main risk factors and socio-economic indicators are again sidelined. These continuing laments about individual failure do not acknowledge the structural factors in the lives of young people. In this narrative, not only are *'dangerous'* youth feared but the whole of youth are deemed a risk and a widespread demonisation of the group develops. Macdonald (1997:20) saw the collapse of youth employment opportunities as the *'primary transformation which had so altered the social situation of youth'* in Britain. Crime reduction agencies and social services alike have long since cited a lack of education, training or employment as contributing to uncertain youth transitions and indicators of risk. In the 1980s, changes to benefit rules in



the UK ensured that young people would not be able to access money if they were living in the family home. The category '*under 25 year olds*' in social security benefits first appeared at this time and resulted in lower benefit levels for those who were not adults. This was regardless of whether or not individuals were householders and had dependants themselves. Since 1988, there has been restricted access for 16 to 18 year olds to Income Support (IS) - the state '*safety net*' benefit. Severe hardship has to be proved if individuals do not fit into certain targeted groups such as disabled or lone parents. In addition to this, changes to Housing Benefit took into account non-dependant's income, essentially the contribution of teenagers to the household. Harris (1989:73) observes that this affected about 850,000 households in 1985 alone. In this environment, housing and personal relationships are under threat, particularly in low income families. It is possible to see how these structural difficulties can impact on behavioural choices. With no work and no status within the home, there is little opportunity for ambition to flourish and the concept of a planned day of activities, so necessary for those who are engaged in society, becomes meaningless. It is often these young people who are most readily seen out on the streets and considered to be '*up to no good.*' The UK has a long history of paranoia over young people's street activity and there is a continuing debate over what acceptable behaviour is and when it becomes anti-social.

In his Sunderland study of young people, Corrigan (1993:103-105) discovered the young people he interviewed on the street perceived themselves to be '*doing nothing.*' They reported that although the street itself did not combat boredom, it did offer the '*most chance that something will happen.*' If a group of friends were gathered together, someone might have a '*weird idea*' that everyone can join in with; the problem is that this often resulted in acts of vandalism or fighting. As these offences figure prominently in youth crime and court statistics, it seems society does not see this as '*doing nothing.*' Burgeoning state control of anti social behaviour in the UK is one way that youth behaviour is increasingly being criminalised. Muncie (2000:24) notes that New Labour has consistently supported the theory that '*misbehaviour and crime are conflated*' and that '*low level disorder*' must be targeted by crime reduction agencies. To some degree, this policy has been adopted from principles of

zero tolerance, long since popular in the USA and initially seen in policing techniques in New York City. Muncie (ibid:25) recognises the *'rhetoric, if not the policy, of 'zero tolerance' has been embraced across the political divide.'* That which started as an attack on 'offensive beggars' by John Major, the Conservative Prime Minister in 1994, has continued through to the current New Labour government. This is seen as entirely appropriate to their civil renewal agenda. Whilst it is marketed as a route to social justice, again the explicit emphasis is on personal responsibility and the ability to actively contribute.

*The typical civil renewal initiative is involves at its heart the people who are most affected by an issue in their community. It is about 'doing' rather than 'being done to.'* (Civil Renewal Unit, 2005)

In fairness, as with previous periods in history, this focus on promoting *'the common good'* (ibid) and preventing anti-social behaviour is not merely a government obsession. In his 2004 research for the Home Office based on figures from the British Crime Survey 2003/4, Martin Wood found that respondents, taken from a representative sample of the general population, cited a number of incidents they perceived as examples of anti social behaviour:

- being loud or rowdy on the street (48%)
- swearing (48%)
- drinking (31%)
- blocking the pavement (29%)
- dropping litter (24%)
- being abusive (17%).

Wood reports *'It is debatable whether a gathering of young people in a particular place should be described as a 'problem' when they are 'just being a general nuisance' (43%) or when they are 'not doing anything in particular' (6%).'* The fact there is even the slight possibility that public opinion might consider young people in the street to be a perceived problem is worrying. If these figures are reliable then there is clearly a conflict between society's perception of anti-social behaviour and the general behaviour of young people. Indeed, it is interesting that although crime rates in North Wales are much lower than other parts of England and Wales, the fear of crime and anti-social



behaviour is just as high on the public and political agenda. As a result, it is no surprise that Anti-Social Behaviour Orders (ASBOs) brought in by the 1998 Crime and Disorder Act have been welcomed by neighbourhood groups and local authorities across both England and Wales. Although not necessarily the intention of the original legislation, in practice ASBOs have focussed primarily on youths, partly because of their visibility but also because the process is more easily negotiated in a youth case.

ASBOs can restrict behaviour in any way they choose – it may be that an individual is excluded from a geographical zone, often one which includes their own home; they may be unable to enter certain shops or approach named individuals. Although ASBOs begin as a civil court proceeding, any breach of the order transfers to the criminal court. Considering ASBOs can last for months or years and continued breach is liable to lead to incarceration, the issue must be considered a serious challenge to the social and human rights of young people. Shami Chakrabati (2004:8) notes '*state actors*' [such as housing officers and community police] *rather than irritated neighbours apply for these orders*' and they are accompanied by policies of naming and shaming (including on occasion, in the case of minors) by the police. Chakrabati recognises the utilitarian nature of rights and responsibilities in the ideology:

*We are consistently told, it is time to start concentrating on the rights of decent law abiding citizens, of victims rather than perpetrators or suspected perpetrators of crime ... Put crudely, you abrogate your responsibility, you lose your right.'* (ibid:5)

An example of this can be seen in the recent political support of a dress code at the Bluewater Shopping Centre in Kent . Customers are not allowed to wear hooded tops or baseball caps on the premises despite them being on sale in the shops in the precinct. A moral panic, fuelled by hysterical media coverage, has developed about '*job*' behaviour such as 'happy slapping' where hooded youths assault passers-by and film the incident on mobile phone cameras. John Prescott, previous Deputy Prime Minister, has been vocal in his support of Bluewater saying: '*hoods were part of an "intimidating" uniform*' and revealed he had '*nearly fallen foul of "happy slapping."*' (Prescott, 2005) In April 2005,



Mark Honigsbaum in The Guardian newspaper reported *'In London, British Transport police have investigated 200 happy slapping incidents in the past six months, with eight people charged with attacks at south London stations and bus stops in January alone.'* What is interesting is the internal debate on this issue: Honigsbaum goes on to note an Internet community forum where a supporter of the activity suffers from a backlash *"It's hardly a joke ... it's f\*\*\*\* rude and pea-brained."* Clearly, not all young people subscribe to the idea that 'happy slapping' is a light-hearted wheeze. This highlights the problem of generalisation: to believe that all young people who wear hooded tops and baseball caps are up to no good unfairly labels those who do not pose a threat. Citing the experiences of ethnic minorities, in particular asylum seekers, Chakrabati (2004:8) warns that a loss of rights can affect not only the individual but also those of a similar class. This is particularly worrying when combined with data that shows minority groups are already at more risk of eroded human rights.

Ethnic difference has long been recognised as predicative of inequality for young people in the UK. The 1999 publication of the Macpherson Report into the killing of Stephen Lawrence re-ignited the debate by recognising the *'disparity in the police stop and search figures'* and coming to a *'clear core conclusion of racist stereotyping'* (para 6.45.b). The discretionary nature of police powers to stop and search is open to subjective behaviour by individual police officers. Waddington et al (2004:891) see this as *'hardly surprising'* but also suggest there are other factors to take account of. The disproportionate numbers of individuals from ethnic minorities who are stopped and searched in the UK can be found within further groups who often appear in the figures. It is well documented that police stop and search focuses heavily upon young males and Waddington et al's research in Reading (2004) commissioned by Thames Valley Police, showed young white males were also stopped and searched disproportionately to the general white population in that area. Therefore we have the young black male as vulnerable on all three counts of age, ethnicity and gender. If we also add the *'availability'* factor - i.e. that the young are more likely to be on the street and subject to the watchful eye of police patrols – then the figures are, indeed, unsurprising.

*Ethnicity refers to more than appearance; it includes cultural differences that are expressed in behaviour and lifestyle, and which might lead to a differential exposure to the risk of stop and search. (ibid:911)*

Waddington et al (ibid:911) conclude the debate needs to move on from 'unqualified generalisations about both police and minority-group conduct' and suggest a richer examination of local social conditions that influence the interface between police and community. The independent charity, Crime Concern, see multi agency, broad focused interventions as an answer to these proposals and there is some evidence of this approach to be found in New Labour policy.

The youth justice sections of the 1998 Crime and Disorder Act have attempted a shift towards local, community driven interventions in the fight against youth crime and re-offending by young people. The setting up of Youth Offending Teams (YOT), Community Safety Partnerships (CSP) and preventative Youth Inclusion Projects (YIP) indicate some faith in multi-agency/multi-action local initiatives. However, this has been against the backdrop of increased performance measurement for all involved agencies and a centralised control of funding. The Youth Justice Board (see appendix 1.3) is an executive, non-departmental public body tasked with maintaining quality standards of youth justice services in England and Wales. It has a considerable influence on youth justice practice, not least because of its funding and assessing role. The local/centralised dichotomy has led to some conflict in working relationships between the various interested bodies. McDermott and Chadwick (2002:3) argue that '*Crime and Disorder Reduction Partnerships and Youth Offending Services both need to influence each part of this system if youth crime is to be reduced.*' On a theoretical basis, this is a well worn proposition but McDermott and Chadwick highlight the practical barriers to this ideology. In particular, '*prevention vs. intervention*' and the '*diversion vs. sanction*' are problematical. Whilst prevention is accepted as valuable in combating youth crime, YOTs have been reluctant to overreach their remit for fear of 'net widening' - prematurely bringing young people into the criminal justice system. However, their expertise in challenging unacceptable behaviour is valuable in work with young people at risk of offending. Similarly, CDRPs still have something to offer to the reduction



of re-offending rates in those who are already offenders. After all, it is often the local community who suffer most from the criminal behaviour of persistent young offenders (PYOs). McDermott and Chadwick (ibid:4) state '*Community safety teams can inform the development of court and pre-court intervention programmes using up-to-date qualitative and quantitative information about crime trends and victimisation.*' Accompanying this debate is the moral dilemma over whether low rate offending behaviour should be diverted by support from universal services or sanctioned by criminal justice agencies.

*The YOT believes that early involvement in the formal criminal justice system is likely to be damaging to young people, resulting in them being excluded. The community safety team sets more store by sanctions, including the use of legal remedies such as anti-social behaviour orders, exclusion orders etc. (ibid:4)*

This conflict has been a continuing barrier to the effective prevention and management of youth crime. Whilst preventative services that are '*tough on the causes of crime*' are evident in the new youth justice system, there is a sense that New Labour rests more easily when publicising the work which is '*tough on crime.*' This is evident from Tony Blair's 2005 post election comments:

*I've been struck again and again in the course of this campaign by people worrying that in our country today, though they like the fact we have got over the deference of the past, there is a disrespect that people don't like. And whether it's in the classroom or on the street in town centres on a Friday or Saturday night, I want to focus on this issue. We've done a lot so far with anti-social orders and additional numbers of police. But I want to make this a particular priority for this government, how we bring back a proper sense of respect in our schools, in our communities, in our towns and our villages.*

The third term of the Tony Blair's government saw this approach transfer into policy. Based at the Home Office, The Respect Programme has been driven forward by the co-ordinator, Louise Casey, a no-nonsense social policy practitioner previously Director of the homeless charity, Shelter, and recent government '*czar*' of, firstly, homelessness then anti-social behaviour. The respect agenda is strongly linked to the anti-social behaviour legislation and



despite its protestations, it rings a rather hollow message. Unfortunately the element of enforcement present in its policy betrays its natural allegiance with social control.

*The Respect drive is not about returning to the days of 'knowing your place' instead the challenge is to create and, where needed, enforce a modern culture of respect which the majority of people want. (Home Office action plan, 2006:3)*

The difficulty is that one person's respect is another's disrespect. We can return to Corrigan's quote earlier in this chapter; the young people who believed they were '*doing nothing*' would certainly not live up to the ideals of the Government's Respect Action Plan. According to Respect, these young people should be involved in sports, constructive activities and volunteering and not spending any time hanging about pleasing themselves with what they do. Whilst it is laudable that money will be available to support youth services and sporting activities and access to services, concerns arise over how those who choose not to take up these opportunities will be treated. Parenting programmes will be offered to families who are assessed as in need of extra support. However, the action plan states '*where parents are unwilling, or unable to meet their responsibilities we must ensure that they are challenged and supported to do so.*' Clearly, non-compliance will result in compulsory measures either through Social Service referrals or by court ordered Parenting Orders. The same outcomes will apply for truancy and anti-social behaviour. The government believes it has a mandate for this as it says:

*The public also believe that parents are a priority – 85% of people in the UK think that parents not bringing up their children properly is the biggest reason for the perceived rise in anti-social behaviour. Better parenting is also valued by the public more highly than more police officers as a way of reducing crime. (Respect Action Plan: 17)*

This policy can be read as the culmination of two decades of increasing regulation for those who do not comply with society norms. In fact, as was touched on in chapter 1.1, this is part of a much more ancient concern. Jones (1992:168) '*retreat into respectability*' in Tudor times resonates with the preoccupation with anti social and disrespectful behaviour in today's society. It is significant that this public fear has reached into North Wales to the degree that it is a main focus of Community Safety Plans and Youth Justice Plans and

the number of ASBO related cases are high (Conwy & Denbighshire YOT 2007, Conwy Community Safety Partnership 2005).

Public fear of disrespect, anti-social behaviour and crime is all too evident but it is for governments to promote calm and a sense of social order in such times. This can be done through reassurance and the politics of entitlement and social justice. The danger for governments who have stepped onto the public opinion bandwagon is that they can find themselves at the front, driving the agenda on to ever higher levels of fear and hysteria. In these situations, whatever initiatives are developed and no matter how positive the outcomes are shown to be, the environment will remain essentially negative and fearful. Young people, in particular those involved with the youth justice system are at the sharp end of this debate and the ones who will feel the outcomes of policy all the more strongly.

Recent indications are that some of the more negative aspects of the risk and respect agenda are being recognised. Rob Allen is a previous member of the Youth Justice Board and currently producing work for the Centre for Crime and Justice Studies. He considers the acceptance by both major political parties in the UK that early intervention and prevention of criminal behaviour is key to reducing offending by young people:

*There is undoubtedly an opportunity for a substantial rethink about the best ways to prevent and treat youth crime. The expected departure of Tony Blair offers the chance to develop a new set of policies. (Allen, 2006)*

Gordon Brown, as the new Prime Minister, has already instigated some changes that will have an effect on the Youth Justice System. In appointing Ed Balls as Secretary of State for a new department for Children, Schools and Families, he has included an individual who has been a prominent figure in the Fabian Society and, as vice chair, launched the Fabian Life Chances Commission. The new department is designed to respond to

*new challenges that will affect children and families: demographic and socio-economic change; developing technology; and increasing global competition. In addition to its direct responsibilities, the department will lead work across Government to improve outcomes for children, including work on children's health and child poverty. (DfES, 2007)*



In addition, PM Brown has appointed Beverly Hughes as Minister for Youth Justice and placed the role within the new department. NACRO, the crime reduction charity, has welcomed this development and note they have long been campaigning for an integrated response to youth justice:

*It increases the prospects for constructive policies towards young offenders which would be more effective in reducing youth crime. This would increase public safety as well as helping children to avoid wasting their lives in criminal activity." (NACRO, 2007)*

Whilst, this is very early days in Gordon Brown's leadership and we are still awaiting policy developments, Ed Balls has already signalled the need to move away from the 'ASBO society':

*"It's necessary - but it's not right. I want to live in the kind of society that puts ASBOs behind us." (Daily Mirror, 27.7.07)*

This chapter has investigated the way that young people can be marginalised by state policy and how this can foster a greater disengagement with society. The regional needs of Wales have remained almost invisible in a debate that predates devolution and has set the scene for the way young people who offend in Wales are viewed. As has been highlighted, even rural North Wales communities have got caught up in the obsession over anti-social behaviour and the perceived threat from gangs of youths.

It has also illustrated some of the difficulties for government when they choose to pursue populist policies. Recent changes in leadership will perhaps herald a new era in youth justice which may allow a more integrated approach to the welfare needs of young people at risk of offending. Despite the tough rhetoric, it would be mistaken to believe New Labour has not previously recognised the danger of marginalisation and disengagement. Blair's government produced an inundation of official reports and policy initiatives on welfare provision for children and young people in England and Wales. Chapter four of this literature review will consider recent measures to address welfare and wellbeing under Blair's government and investigate how Gordon Brown and the Welsh Assembly in Cardiff may use these policies and introduce new ones to effect an improvement in wellbeing of all children and young people in England and Wales, including those within the youth justice system.

## 1.4 New Labour, well-being and welfare provision in England and Wales

*Young, gifted and skint - that's where it in't  
 Look how easily it happened, look how easily I fell  
 Now I'm up to here in debt, there's a noose around my neck  
 There's a price upon my head*

Sullivan/Morrow – New Model Army 1984

This thesis comes at a time when the wellbeing of children in the UK is high on the public and political agenda. A recent UNICEF report (Unicef 2007) put the United Kingdom at the bottom of a league table measuring child wellbeing in rich countries of the world. The UNICEF report is significant in its attempt to chart wellbeing from existing studies that cover a comprehensive number of indicators. It acknowledges there are gaps in the data but it has heralded as an important start to a process of more effective monitoring in this field of study (UNICEF, 2007:39). Therefore before considering the policies that have been tasked with promoting wellbeing and providing services to children and young people in the UK, this thesis will pay some attention to the theory of wellbeing, how it can be assessed and what it means to the population at large.

Wellbeing has traditionally been considered within a health research framework and as such health inequality within countries is accepted as having a significant impact on personal wellbeing. Using mortality rates, Marmot (2005:1100) recognises a social gradient in mortality in rich countries which cautiously prompts the *'consideration of the causal links between status and health.'* Wilkinson and Marmot (2003:10) state *'Poor social and economic circumstances affect health throughout life.'* They point out this is not simply a question of poverty and note that health outcomes can still be linked to traditional occupational class status. In their 2003 WHO pamphlet and using the findings from a *'very large number of studies,'* they identify the social determinants involved in this debate (see fig 1.4.1.).



**Table 1.4.1 The Solid Facts – Social determinants in health**

Stress	Stressful circumstances, making people feel worried, anxious and unable to cope, are damaging to health and may lead to premature death.
Early life	A good start in life means supporting mothers and young children: the health impact of early development and education lasts a lifetime.
Social exclusion	Life is short where its quality is poor. By causing hardship and resentment, poverty, social exclusion and discrimination cost lives.
Work	Stress in the workplace increases the risk of disease. People who have more control over their work have better health. (18)
Unemployment	Job security increases health, well-being and job satisfaction. Higher rates of unemployment cause more illness and premature death.
Social support	Friendship, good social relations and strong supportive networks improve health at home, at work and in the community.
Addiction	Individuals turn to alcohol, drugs and tobacco and suffer from their use, but use is influenced by the wider social setting. (24)
Food	Because global market forces control the food supply, healthy food is a political issue.
Transport	Healthy transport means less driving and more walking and cycling, backed up by better public transport.

These determinants are strikingly familiar to anyone working within youth justice. Not only do many of them appear in literature considering the facts about young people who offend (NACRO, 2004) but they are also recognised by government youth policy and Youth Justice Board criteria. However, it is one thing to recognise facts and indicators but the way this is used has an important impact on provision and services.

Morrow (1999) considers the wellbeing of young people against the background of theories on social capital in a critical review of works by Colman (1988, 1990), Putnam (1993, 1995) and Bourdieu (1986). This theory is concerned with the ways that individuals engage effectively with society through family and extended social networks. Morrow investigates the manner in which these theories have been incorporated into UK policy. For example, she notes how

*a powerful political and popular rhetoric has been generated about the harmful effects of family breakdown on children, and the social capital literature both draws on this and feeds into it. (1999:752)*

She goes on to suggest (ibid:753) *'pathologising discourse generates 'an image of children in the wrong kinds of families as being damaged.'* This is interesting when considering the officially endorsed obsession with familial factors in the risk of offending behaviour by young people. If thoughts about wellbeing are linked to a theoretical standpoint that perpetuates a particular model of family

life, then it will run into trouble when trying to look at the sometimes highly individualist responses on the personal wellbeing of children and young people. Morrow points out the ethnocentricity of these arguments and laments the '*familiarisation of children*' in general UK policy as opposed to the individual rights based approach that can be identified in other parts of Europe. Therefore, this may explain one of the reasons that the UK as a whole does so badly in the child wellbeing league table. If government policy and public perception is that you and your family are 'wrong' then it is inevitable that personal wellbeing about your situation may well reduce. It is significant that alternate family forms, in particular the one parent family, are consistently branded as 'at risk of ...' or 'in need of ...' These families are less likely to be left alone to get on with parenting and are more often the target of social and welfare prevention services. However as we have already shown, it is naïve to suggest that this situation has developed purely from a discriminatory perspective. We must remember that the statistics reveal clearly that many of these families are likely to be living below the poverty line and are often suffering from the affects of deprivation (see the previously quoted work by Wilkinson and Marmot, 2003). It is also too simplistic to believe that government does not try to address these issues.

Despite the traditional policy divide between Conservative and Labour party politics in Britain, there are considerable continuities in the way that youth crime has been dealt with in England and Wales since the 1980s. As this thesis has shown, New Labour has persisted with a tough approach to youth crime; emphasising personal and family responsibility and this can be identified even more strongly in the most recent term of government. The approach is recognisable as something that was present in the previous Conservative administration; indeed reducing crime and the fear of crime has been high on the electoral agendas of all the main parties for decades. Poverty and exclusion is an area where divergence can be identified. Hills (2004:97) writes '*poverty, inequality, and policies to reduce them, were not high on the Thatcher government's agenda*' and although he does concede '*policy became less harsh*' in John Major's 1990s government, direct social policy to target the plight of the needy was not evident. Although the 1997 New Labour election



manifesto promises did not explicitly target these issues, Tony Blair's victory very quickly brought about a change in approach to policy.

The implementation of the Social Exclusion Unit (SEU), attached to the Cabinet Office, in 1997 heralded a number of initiatives to consider the disadvantaged groups in society and provide research on the situation. The SEU is part of a bigger project of government reform using '*what works*' principles set out in the Cabinet Office document '*Modernising Government*'

*Government should regard policy making as a continuous, learning process, not as a series of one-off initiatives. We will improve our use of evidence and research so that we understand better the problems we are trying to address ... We need to apply the disciplines of project management to the policy process.* (Cabinet Office, 1999:17)

The SEU was, therefore, founded on the principles of research, consultation, reporting and delivery through performance management. This is something that was illustrated by its first major publication '*Rough Sleeping*' (1998). A subsidiary SEU department, Rough Sleepers Unit (RSU) was set up to address the issues highlighted in the report and steer the delivery of new programmes. In 1998, the numbers of individuals sleeping rough in Britain was found to be 1,800; in 2001, the RSU reported this figure had dropped to 500. Whilst these figures have been disputed (Branigan, 2001) and can also be attributed to wider social changes, for example, the drop in unemployment rates, it does give some hope for the '*what works*' agenda. As a result of the drop in numbers, the government then turned its attention to the hidden homeless, some 400,000 people trapped in temporary accommodation. Thus the RSU, along with the Housing Care and Support Unit, has now metamorphosed into the Homeless and Housing Support Directorate thereby maintaining an evolutionary approach to social need.

The SEU had a growing remit as the champion of protection against social problems. It is significant that virtually all of the reports published by the SEU contain some examination of the link with crime and offending behaviour. The SEU website stated crime is '*disproportionately committed by people from socially excluded backgrounds*' and it reports having

*a range of work looking at the causes of crime and interrelated problems, such as unemployment, education and training, substance misuse, housing, mental and physical health, attitudes and self-control, institutionalisation, debt and family breakdown. (SEU website 2005 at [www.socialexclusion.gov.uk](http://www.socialexclusion.gov.uk))*

Here we see some indication of the structural problems that have been implicated in offending behaviour and, reassuringly, this is a government department stating a link. Despite this appreciation of social exclusion, however, there was still a reluctance to acknowledge that inequality was in any way driven by structural forces and redistributive policies were absent from policy statements. Lewis et al (2001:3) suggest the New Labour government initially preferred to use the language of social exclusion for its welfare policies as opposed to an explicit reference to poverty and redistribution. Despite a healthy electoral majority, New Labour's future position was still far from secure. Lewis et al write (ibid:2) *'The Party did not wish to be perceived so early on as reverting to 'old Labour type' by simply raising benefits, which might increase Middle England's fear of increased taxes to follow.'* However, with an approaching new millennium, it seems the government did start to develop confidence and display some political recognition of poverty and poor life chances.

An example of this has been the child poverty debate and whilst material deprivation is only one measure of wellbeing, it has been a policy focus in the new millennium. In March 1999, Tony Blair used the Beveridge Lecture at Toynbee Hall to assert the government's commitment to ending child poverty within a twenty year period. Noting that one in three children in the UK live in poverty, he listed the possible circumstances of this deprivation and indeed these are all factors inextricably linked to the debate on personal wellbeing.

*Poor children are 2½ times more likely to have no qualifications.*

*Girls from deprived backgrounds are 10 times more likely to have a teenage pregnancy than girls from well off families*

*Poor children are more likely to play truant.*

*more likely to get excluded from school.*

*more likely to get in trouble with the police.*

*more likely to live in a deprived area.*



*more likely to be from an ethnic minority family.*

*more likely to be brought up by one parent.*

Coinciding with the Beveridge Lecture, the Treasury document *Tackling Poverty and Extending Opportunity* introduced a new tax based system of income maintenance for low and middle income families. Lewis et al observe '*much of the policy impetus has come from the Treasury under the Chancellor, Gordon Brown*' (2001:3) and recognise this is a significant departure from previous Treasury concerns. Indeed it is Brown's declaration that '*Child poverty is a scar on Britain's soul*' that has resonated. Five years on, it was possible to begin to evaluate the high ambitions to reduce child poverty and consider whether this policy has made an impact on children who offend. In 2003/2004 there were 3.5 million children living in poverty in the UK; representing a fall of 100,000 and this has been welcomed by the Child Poverty Action Group (CPAG). In-work tax credits have helped to raise the income of many families just below the poverty line; this policy has been both successful in reaching children and been reasonably popular with the taxpayer (Dornan 2005). However, the real challenge for government has come from the families with multiple disadvantages and no work; it is here that the figures remain stubbornly high. Notably, those in the circumstances listed by Blair at the Beveridge lecture are the ones least likely to have moved out of poverty under the new initiatives. For young people in the youth justice system, the likelihood of being amongst those at risk of the greatest poverty is significant.

Dornan (2005:18) believes the government should now reach out to those in greatest need, taking confidence from the fact that there has been no public backlash over the recent distributive policies; the Fabian Society would support this view. The Fabian Commission on Life Chances and Child Poverty initially found research participants displayed significant scepticism that child poverty actually exists in the UK and there was a low level of awareness of the Government child poverty pledge. However, once they were made aware of the issues (summarised in appendix 1.4), they were moved by '*evidence of severe hardship and deprivation*' (2005:30), '*expressed surprise at, and approval of, the boldness of the government's vision and were impressed by evidence of the success of its approach so far.*' (ibid:31). Even more encouraging was the

willingness to commit personal funds to reduce child poverty; the study established that *'every participant would – in principle – be willing to accept an increase in their own income tax for this purpose'* (ibid:32). For young people who have offended, though, the story may not be that simple. It is interesting to consider whether the participant group would have been quite so keen to commit funds to those children who have transgressed. The Fabians found their participants came to the research with misconceptions and a lack of empathy with people who were in difficulties. There was a belief that poor life chances were the result of bad parenting or laziness and not due to inherent inequalities in the system. These assumptions have developed in the public consciousness as a result of the lack of clear statements over causality and this is not surprising when social policy research itself has difficulty in articulating this argument. Rein and Winship (2000:27) point out social policy research has *'little success in demonstrating strong causal relations amongst factors.'* They argue that literature is *'littered with small, or at best modest-size, estimates for the effects of different variables on each other.'* In considering the link between poverty and crime, there is a lack of specific evidence to categorically suggest poverty causes crime; it becomes a matter of interpretation. Rein and Winship (ibid:40) elaborate *'It can mean that economic poverty is one of several causes of crime, or it can be interpreted as meaning that poverty is **the** cause of crime.'* By its nature, social policy research is unable to isolate one factor from another, thus public policy is often dependent on weak analysis that has provided inconclusive evidence. Rutter and Madge (1976) had earlier exposed these inconsistencies when reviewing studies examining the early indicators of delinquency in children. Although they concede there are *'important continuities'* in early years aggressive or anti-social behaviour and later adolescent criminal behaviour, particularly within persistent offending and extreme social disadvantage, they point out

*at least half of delinquents (particularly one time offenders) have not shown these problems when younger and most children with troublesome behaviour do not become delinquent. (1976:168)*

For the government, this lack of clarity can be used in different ways. On the one hand, it allows them to seize on research findings that suit their political



inclination and use them freely within their policy statements. On the other, however, they become nervous about making strong public statements on structural causality and it is politically sensitive for government to challenge popular thinking. In an environment where there exists an all pervasive belief that youth crime is worse than ever, raw statistics showing a fall in offences are not enough to convince the public. New Labour have favoured talking 'tough on crime' and are reticent in publicly emphasising their 'tough on the causes of crime' agenda, promised in the early campaigning years before their 1997 election into government (Blair, 1992). Unfortunately, the government's timorous approach to the welfare of young offenders is evident in the policy documents it has produced. Under the circumstances this has strong implications for youth justice in Wales.

A most important factor to recognise about youth justice policy in Wales is that criminal justice is not part of the package of devolved powers given to the new administration in Cardiff. Responsibility has stayed with the Home Office in Westminster and youth justice policy is monitored by the Youth Justice Board (YJB) for England and Wales without even an office base in Wales. With responsibility for youth justice remaining at national level, the Welsh Assembly Government is somewhat constrained by a legislative policy that is not specifically targeted to meet the needs of young people at risk of offending in Wales. Wales has a particular problem with poverty and deprivation and significantly higher numbers of economically inactive adults than the rest of the UK (Wales Spatial Plan, 2004:8). An Independent Task Group on Child Poverty commissioned by WAG reported that figures from 2002/3 showed a *'higher proportion of children in Wales living in low income households than most areas of Great Britain.'* Recognising that child poverty is not just about lack of money, the Task Group takes a holistic view identifying 'income poverty,' 'participation poverty' and 'service poverty' as contributory factors. This approach *'cuts across Welsh Assembly Government portfolios and across the work of its partners'* (ibid:10) and as such challenges the way that a youth justice system might materialise in Wales. The work of the Task Group is evident in the YJB/WAG document All Wales Youth Offending Strategy and underpins a more welfare oriented approach to youth justice in Wales. The strategy states 'We

*know that offending behaviour amongst young people is often related to experiences of poor social welfare, lack of family support, low levels of educational attainment, disengagement and disaffection, health issues and insufficient community provision'* (2004:1). Significantly, the Wales Strategy explicitly states that *'young people should be treated as children first and offenders second'* (ibid:3) something that is not so explicitly stated in anything produced by the Westminster government. Taking these factors into account, it can be assumed that effective welfare provision for young people at risk of offending is especially important in Wales and that WAG policy statements follow a welfare and entitlement model.

The devolution settlement in 1998 allowed for a swifter foray into the arena of services for young people. As early as 2000, the National Assembly for Wales had produced *'Extending Entitlement,'* a guidance document for youth policy and this was followed in 2002 by *'Early Entitlement,'* a companion document for children and families. By 2004, Wales had its own youth offending strategy, compiled in partnership with the Youth Justice Board. Arriving first, *Extending Entitlement* heralded a rights based approach to social welfare

*This policy debate is concerned with young people as a group ... because, like others, they have rights and entitlements including those specified in the UN Convention on the Rights of the Child (ratified by the UK Government in 1991) and including three main rights that must be considered whenever action affecting children is considered: non-discrimination (the Convention applies to all children equally), best interests (of the child must be paramount when decisions are made), the child's view (children have the right to say what they think about any matter that affects them) (Extending Entitlement, 2000:13)*

Not surprisingly this has been seen as a significant divergence in policy. Williams (2003:250) sees this as a *'striking development'* and something enshrined by Article 12 of the Act: *'Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.'* The consultation process had invited over 400 organisations to comment and there was wide publicity through website, youth service and voluntary service publications. The resulting focus groups



told a story with a 'powerful theme of disenfranchisement' where young people spoke of 'the lack of respect given by adults, the suspicion they were dealt with in many social settings and the general feeling of not belonging' (Annex 3:4). In its response, the report recommended an '*entitlement model*' to create an environment where all young people could be valued and encouraged to achieve their potential (see table.1.4.2). As such, services would be available to everyone and, in an attempt to limit stigmatisation or exclusion, those requiring extra help would receive it from an inclusive, rather than targeted service.

**Table 1.4.2 Extending Entitlement key principles**

- to support and encourage all young people to develop as individuals and to enthuse them with the value of learning.
- to develop a proportionate response to those in need of extra support.
- to focus on what young people can contribute and give them opportunities to influence services that affect them.
- to raise the quality and extend the diversity of what is offered to young people so that they are motivated to participate in learning and as citizens.
- to recognise the diverse nature of Wales's communities in order to produce better outcomes for all our young people.

*Extending Entitlement* justifies this universal approach by noting:

*Support for young people is likely to be most effective where it is part of a broad network, open to all young people, with opportunities to respond to problems as early as possible and tackle them intelligently and flexibly in the context of the individual's wider needs and those of the group and the community. (1.8:6)*

Comparisons in the way policy for young people has developed in England and Wales can be investigated by considering the *Connexions* service for young people in England against *Extending Entitlement* in Wales. Coming out of the Social Exclusion Unit's reports on disaffected youth (Bridging the Gap 1999, Breaking the Cycle) the conception of *Connexions* had been quite different from the start. Although branded as a universal service, it couldn't quite shake off its link with troubled youth. Watts (2004:167) notes '*the key design features of*

*Connexions stemmed essentially from an analysis related to the needs of young people at risk of social exclusion.*' He considers this to have been a risk:

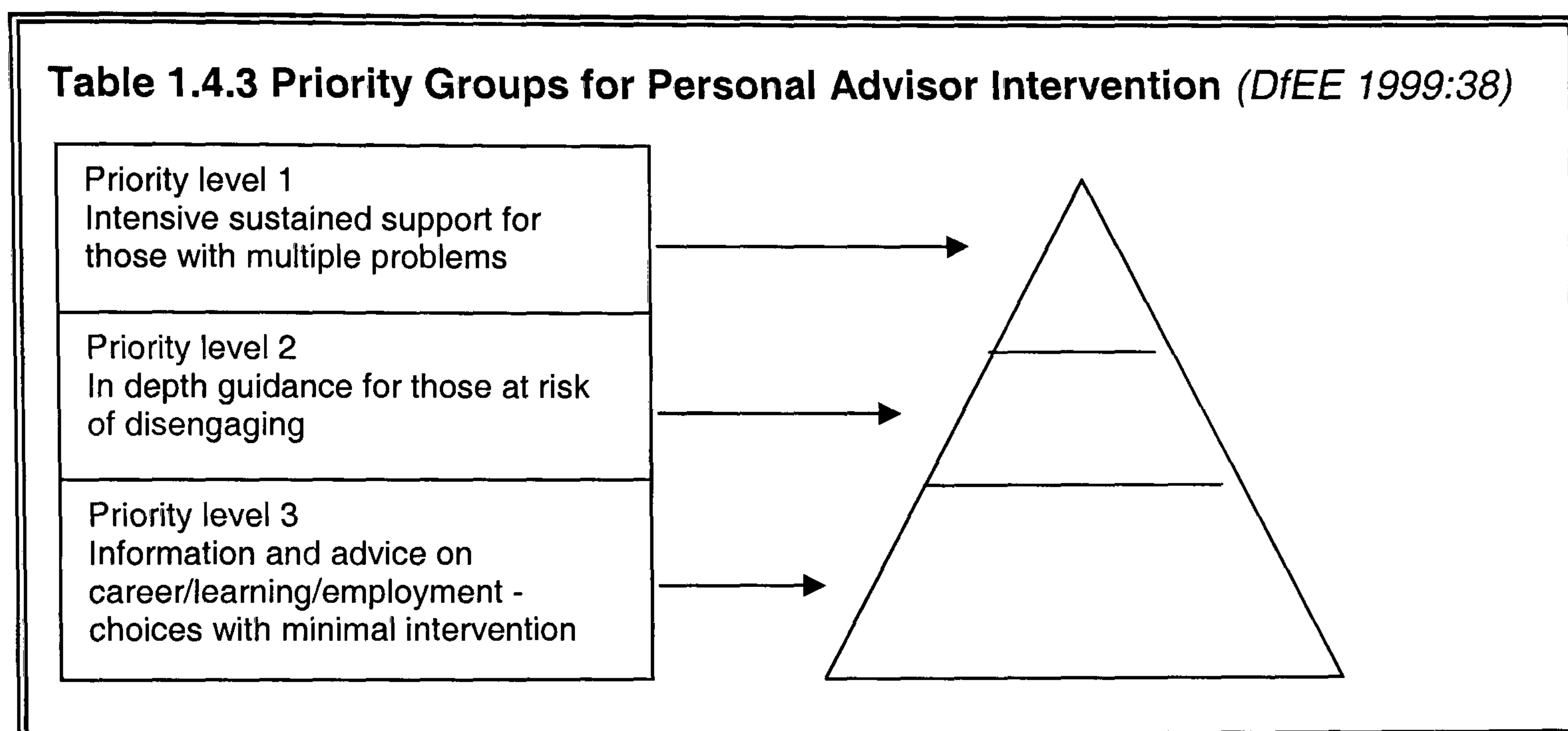
*The conventional and logical way to reconcile these dual aims is first to design the universal service and then extend it to ensure that the distinctive needs of the targeted group are satisfactorily addressed.*  
(ibid:167)

It was also a policy produced by the Department for Education and Employment and as such stated its aim as creating a *'step change in participation and attainment through the teenage years'* (DfEE, 2000:6 quoted in Jeffs and Smith 2001). Attainment as a guiding principle creates an altogether different ethos for a youth policy. Overall, it implies a service that will support young people, not because they have a right to services but because they must not be allowed to fail.

Williamson (2006:4) writes of the change in young people's transitions from narrow and prescribed routes prior to the 1970s to a complex array of opportunity and options in the late twentieth century. As youth transitions have become more complicated, the emphasis on troubled youth and risk of failure has burgeoned. There is a sense that successful transitions now occur against a background of potential troubles and risks. When the Social Exclusion Unit was set up soon after the elections in 1997, the Blair government's growing pre-occupation with risk groups was already evident. There has been widespread criticism of this and Kemshall (2003:120) points to flaws in the ideology of risk reduction: *'Within this approach the primary function of the welfare state is not the alleviation of poverty or the reduction of social exclusion, but the identification, classification and regulation of deviant individuals and groups.'* Colley and Hodkinson (2001:342) write about an underlying emphasis on deficits and *'aggregates those individuals as generalized, and pathologised, social groupings.'* As they point out this is somewhat similar to theories of an underclass that were popular in the 1980s when the previous Conservative government was in power. This categorisation of young people at risk of social exclusion provided a marker for the future development of Connexions and this is illustrated by the categorisations used for operational purposes in the



'*Connexions triangle*' (table 1.4.3)



Despite these misgivings, operationally, *Connexions* was given a wide remit and a large amount of money to provide the services. Wylie states

*The Connexions Strategy can be seen as the apotheosis in youth policy of the two complementary mantra that dominated the discourse on policy making for most the previous six years – ‘joined- up government’ and ‘partnership working.’ (Wylie, 2004:21)*

Wylie supports these concepts as clearly beneficial to young people as life problems rarely fit into neat categories. However, *Connexions* would stand or fall on the quality of its delivery and its reputation amongst partnership agencies. Although many in the field of youth policy could appreciate the policy intentions, operational concerns were voiced. Branded as a universal service, the *Connexions* strategy was unclear about how the service was to meet its obligations to all and there were significant worries about the allocation of resources. Wylie (2004:23) notes *‘the delivery of even a narrow information and guidance service to those in need had major resource implications.’* A further worry was in the development of a new professional role – the Personal Advisor (PA) and the training implications involved in this. The pilot programmes suggested a national scheme would require 15,000 personal advisers to maintain manageable case loads but a NAO/DfEE evaluation report (2004:7) argued *‘Connexions does not have the financial resources to employ this number.’* Recruitment of PA was slow and with a shortage of available staff, someone was going to lose out. With its background, it was inevitable that the scheme would become more associated with its work with troubled youth.

Conclusively, the evaluation report found areas of excellent practice and positive reports from young people who had been provided with intensive support but its survey of schools stated *'the majority feel that they do not have the capacity to provide appropriate levels of careers education and guidance for young people.'* Thus the initial fears that the universal nature of Connexions would be compromised by an overemphasis on the top segment of the delivery triangle have been proven. As we have seen, however, that cannot be seen to be merely as a result of operational or resource issues but can also be attributed to the early signs of strategic failure that have been identified here.

At this point it would be easy for policy makers in Wales to sit back and feel rather pleased with themselves for putting together a much more egalitarian youth policy. However, even with a strong ethos, it is a long way from the implementation of policy into effective working practices. In their 2005 evaluation report, Haines et al see *Extending Entitlement* as *'a comprehensive long-term strategic policy.'* They argue positively (ibid:6) the value of the strategy *'cannot be underestimated'* and that it has *'the capacity to not only impact on the lives of individual young people but also on the future economic and social state of Wales as a whole.'* To guide *Extending Entitlement* into practice, the Welsh Assembly Government laid out recommendations in the 2000 document *Children and Young People: a Framework for Partnership.'* Subsequently, all local authorities in Wales employed a Young People's Partnership (YPP) co-ordinator in order to set up a YPP committee for their local area. By 2003, the system was in position throughout Wales and the first strategy meetings were taking place. The role of the YPP is to provide and manage a local strategy and evaluation process that brings existing providers together to work towards the same goals (see table 1.4.4).

**Table 1.4.4 Young Person Partnership tasks:**

- Establish a partnership,
- Agree the broad aims of the partnership and begin to identify key objectives
- Undertake an audit of need, provision and resources
- consult with young people
- Develop a draft 5 year strategy
- Identify a small number of local priorities
- Produce an annual delivery plan
- Finalise and publish the strategy

Haines et al (2005:5)



Clearly though, this is only a first step as the committees need to prove they can be effective in achieving their aims. The YPPs rely on the working co-operation between services and require representatives from all welfare agencies and organisations to make up its membership (see table 1.4.5). Often those involved come from very different specialisms, with their own particular training and professional ethos. Maintaining the balance of a partnership is particularly difficult where organisations (for example the charitable sector) are funded or managed differently.

**Table 1.4.5 Membership of Young people's Partnerships:**

*'Coherent local frameworks will depend on strong local partnerships which include representatives of all the relevant groups, including local authorities, the NHS, schools, voluntary organisations and children and young people themselves'*

WAG 2000a 4:16

**Example: Membership of Conwy County's Young People's Partnership**

Tourism and Leisure	Education	Health
Communities First	Social Services	Nacro
Voluntary Organisations	Careers Wales	ELWa
Youth Offending Team	NW Police	SureStart
Reference: Conwy Council Website		

In theory, voluntary and community agencies have as much right to contribute to local strategies as anyone else. However, when they are put alongside public sector departments such as Social Services, an imbalance of power can often be identified with the statutory agency in danger of leading the decisions. The need for co-ordinated working practices is widely recognised and supported by research (Sloper, 2004:572) and power imbalance is just one factor that prevents it from being a universal panacea for welfare provision. Sloper (ibid:572) also recognises that partnership working requires change at all levels and this *'challenges professional cultures'* He notes the resistance to change and defensiveness that may develop. Fortunately, Haines et al (2004:67) do identify projects in Wales that have been successful in their aims for a *'cultural shift amongst all service providers.'*

The fact that youth policy in Wales aspires to pull together existing providers rather than re-invent the wheel by putting a new agency into service has been a key indicator of potential divergence in policy between Cardiff and Westminster. It has been said that the *Extending Entitlement* report was more concerned with the flaws to be found in the working practices of the agencies involved with young people than the much hyped flaws of young people themselves (Holmes 2001). This is all very well but entitlement can only be achieved with adequate resources and this will challenge the WAG's egalitarian principles to its limit. Inevitably, a limitation on the future success of youth policy in Wales will be funding pressures. Existing services will not improve if money is not available to implement changes in working practices. *Cymorth: The Children and Youth Support Fund* is responsible for provision and the recommended proportion for young people is at least 35% of this budget (2002). However, budgets are set in Westminster and the Barnett Formula which exists to allocate funding to the regions has been criticised. Citing Thain and Wright (1995), Rawlings (1998:504) notes '*Pre-devolution we find the Barnett formula described as a non-statutory policy rule based on mutual understanding between parties within the policy network, the implementation of which is subject to both sides observing the behavioural rules of the game.*' Plaid Cymru, in their response to the Richards Commission report give their opinion, '*Under the existing Barnett Formula, the increase in our share of public spending is falling year on year*' and say '*The reform of the Barnett formula is essential if we [Wales] are to improve our economic performance* (cited in Osmond, 2004:4). The Barnett formula is a simple population-based one that doesn't take account of the fact that services may cost more to implement within the rurality of Wales. That said, one witness to the Richard's Commission (Richards Commission Report, 2006:203) expressed a belief that the Barnett Formula did provide '*unconditionality and relative certainty.*' However, other witnesses to the Richard's Commission argued '*the amount of resources provided to the Assembly by the current system represents an undue constraint on the exercise of devolved powers.*' The report itself recognised the higher relative public expenditure per head of the population in Wales than that in England. All these financial factors can be put into perspective when considering this view from the Commission:



*The Welsh Assembly Government is constrained by public spending decisions taken in London – so far the climate has been relatively benign but in different conditions financial pressures could add to strains between London and Cardiff. (ibid:206)*

In the light of Gordon Brown's election into the Prime Minister's role, the University of London's Constitution Unit has produced a proposed agenda for the new leader which makes reference to devolved relationships in the UK. They concur that:

*One looming issue that the government may have to tackle at some point is the financial settlement for devolution, based on the Barnett formula. As Chancellor, Gordon Brown has kept the Pandora's Box of finance firmly closed, but a number of factors may force the government to reconsider. (Hazell et al, 2007:27)*

In fact, Gordon Brown may have no choice but to set up an independent commission as otherwise, Hazell et al (ibid:27) suggest he will be at risk of allowing nationalist forces to set the terms of the debate. In addition to considerations of Barnett, they suggest a timetable that, amongst other things, could include 'a gradual expansion of the legislative competence of the Welsh Assembly' (ibid:26). At a time when local support for the Welsh Assembly is increasing, this is good news for the people of Wales.

Drakeford, in his article in the Institute of Wales journal *Agenda*, illustrates the policy differences that have already emerged:

*The progressive part of universalism comes in providing, on top of the general policy, additional help for those who need it most ... [for example] While in England, the Chancellor's 2006 budget provided a sum of money to be distributed amongst all schools, in Wales that additional funding - over and above the sums already provided for universal, free state education – are to be concentrated on schools where more than 20% of children are in receipt of free school meals (2007:5)*

With a larger than average percentage of young people from poorer homes in the youth justice system, this may well be positive for young people at risk of

offending. It could ensure more realistic levels of funding are made available for localised solutions to prevent re-offending.

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This chapter has examined the welfare policies that have been introduced in England and Wales by both national and devolved administrations. It has identified disparities in approaches, with Westminster policy taking a more targeted path and Cardiff Bay following Children's Rights and universal access principles, at least in spirit. Funding is a barrier to setting policies into practice and relationships between Westminster and Cardiff are crucial for successful implementation of welfare policy in Wales. The last part of this literature review will investigate the policies produced by UK and WAG government to specifically address offending behaviour by young people. It will consider how these co-exist with the social welfare system and whether contradictions can be found between the aims and objectives of these interventions.



## 1.5 Youth Justice Policy in Wales

*And up rolls the riot van  
And these lads just wind the coppers up  
They ask why they don't catch proper crooks  
They get their address and their names took  
But they couldn't care less.*

Arctic Monkeys Riot Van

There are nineteen Youth Offending Teams in Wales dealing with, in 2005, around six per cent (11,977) of total national court disposals for young people (212,242). Comparing this with the London area, which has over thirty teams working with around ten percent of national court disposals (21,157), it is possible to place Wales' youth justice system in some sort of context. Geography has already been mentioned as a factor in the provision of services and this can be further illustrated by considering the differences in size between London (1,579 km<sup>2</sup> /609 sq mi) and Wales (20,779 km<sup>2</sup> / 8,022 sq mi). With a population of well over seven million, London holds much more than double the number of people within an area that is only around eight percent of the size of Wales. The figures display the disparity between the circumstances in rural Wales and the urban capital. In their research on rural youth crime (2005:9), the Howard League for Prison Reform points out that the '*vast majority of work on crime, exclusion, probation and resettlement fails to incorporate a rural element.*' However, in the everyday working practices of youth justice professionals this difference can be all too evident.

Youth Offending Teams are responsible for supervising all convicted cases involving ten to seventeen year olds referred by the courts and are also increasingly tasked with preventing young people '*at risk of offending*' from following the pathway into crime (see appendix 1.5 for a comprehensive list of interventions and sentences for young people). The prevention remit can include children as young as eight years old, providing they meet the required criteria. Another area of responsibility is young people who are under an Anti-Social Behaviour Order or ASBO. Importantly, these Orders come in from the civil court and therefore blur the line between criminal and civil justice. Thus Youth Offending Teams do not only work with children and young people who have committed a crime but also those who are considered to be a nuisance to

society and those who *may* commit a crime in the future. To place these children in a *'risk of offending'* framework is particularly problematical for a rural area such as North Wales. The Howard League for Penal Reform (ibid:31) note *'visibility'* as an issue for rural youth. In a community where everyone knows each other, those who are attending YOT may be stigmatised as troublesome, when previously they may have been dealt with by educational or social services as a child in need. The All Wales Youth Offending Strategy (2004:3) *'supports the view that there is no contradiction between protecting the welfare of young people in trouble and the prevention of offending and re-offending.'* In reality the relationship with the Youth Justice Board and the robust use of performance management is one way that the welfare focus from WAG can be undermined.

The first step in any YOT intervention, whether in Wales or England, is the completion of the standard YOT assessment tool – ASSET. This must be completed at the beginning and end of an intervention (also in the middle if it is a custodial sentence). The 2004 National Audit Commission review recognised ASSET as a *'major step forward in providing a comprehensive risk and needs assessment.'* However, although the document does identify areas and intensity of welfare need, the focus is on how this affects behaviour and an eventual risk of offending score is used. In the Annual Youth Justice Statistics 2005 the YJB note that *'a large proportion of cases show 'no change' in scores between the beginning and end of an order'* and they say they would perhaps *'expect more change in the longer, more intensive community or custodial options.'* This could be rather challenging for a practitioner as there is often a correlation between high welfare need and more serious offending and intensive Court Orders (NACRO 2003). In fact, the chaotic nature of many of these young people would suggest that ASSET scores taken over the period of an order are likely to be just as unpredictable. It is therefore not surprising that whilst most YOT managers have been positive about using ASSET, practitioners have been more cautious. Using a scoring system might suggest that simple solutions are possible; for example, a young person identified in ASSET as having a mental health problem, would be referred to Child and Adolescent Mental Health Services and *'cured'* and the risk of offending score would be reduced.



Unfortunately, this is not so easy in the real world; for a young person to effect change with a mental health issue, a long road lays ahead, full of ups and downs and there are no guarantees that when the final ASSET is completed, the news will be positive.

A second way that a welfare approach can be weakened is the access – or lack of it – to other services. ASSET may have identified a mental health issue, but what can the YOT worker actually do to encourage change? Generally a YOT case manager cannot buy-in services by exchange of money but has to rely on quality standards and policy statements to ensure their young people gain services. Unfortunately in a climate of financial constraint and increasing demand, services often have priority groups and criteria to assess who should receive a service. For example, a young person who has a mental health issue and has just been discharged from prison is clearly within a priority group with regard to gaining emergency housing according to Local Authority guidelines. However, they may not be able to access housing because of challenging behaviour in a previous emergency placement. Thus they might be deemed intentionally homeless and it would be left to the young person and their worker to prove that their behaviour may not have been intentional and was due to their health condition. That is not to say that these decisions are wholly bureaucratic; the housing worker may very well be prepared to try and place the young person but the landlords of the emergency accommodation are unwilling to take a chance on a difficult young person. Ultimately, whoever owns the housing has the final say and no government pronouncement on who should benefit from the service will make any difference in practice. It is for this reason that the mixed economy of welfare is sometimes unresponsive to extreme social need. The move away from public sector provision towards a mix of providers has diluted the power of policy statements. Unlike the public sector, private or voluntary sector providers have their own agendas and constitutions and, most importantly, the right of refusal. Gaining access to services is all about negotiation and this of course returns to the question of partnership working.

In their evaluation of *Extending Entitlement*, Haines et al (2004:23 & 24) found respondents were cautiously optimistic about the future of welfare provision for young people in Wales. They identify a '*common multi-agency commitment*

*through the YPPs to achieve Extending Entitlement outcomes.* Respondents talked of *'having a common aim,' no longer 'working in isolation' and 'it has brought our attention to those groups we were not accessing'* (ibid:19). Importantly, 21 per cent of the respondents felt *'Extending Entitlement made a positive difference to youth offending.'* Concerns were voiced over resource issues and stated this may be an inhibitor to effective implementation of the process. Respondents were clear that universality should not be compromised by the development of targeted interventions and did have some concerns that sacrifices might be made. Haines et al suggested there *'may be a need for reassurances'* (ibid; 24). In the end, when assessing the effectiveness of partnership working under Extending Entitlement it is important to accept that Young Peoples Partnerships are a new phenomenon that will take time to make a difference.

*Extending Entitlement* is just one of myriad of policy documents that are crucial to YOT working practice and this factor is a third way in which the welfare debate can be affected. Policy documents set the standard for working practices but also can be used to demand a service that is being denied. However, YOTs in Wales have the dual responsibility to follow policies from Westminster and Cardiff and this has the ability to create some tension. Table 1.5.1 shows some of the key documents, and as the majority of welfare responsibilities have been devolved, the Westminster documents are primarily

**Table 1.5.1 Key policy documents**

**Welsh Assembly Government**

- Extending Entitlement (2000)
- The Learning Country (2002) and associated education documents.
- Wellbeing in Wales (2002) and associated health documents.
- A Winning Wales (2002) & associated enterprise documents
- People, Places, Future: The Wales Spatial Plan (2004)
- All Wales Youth Offending Strategy (2004)

**Westminster Government**

- Children Acts 1989, 2004
- Crime and Disorder Act (1998)
- Youth Justice and Criminal Evidence Act (1999)
- Criminal Justice Act (2003)
- Anti-social Behaviour Act (2003)
- Youth Offending: the Delivery of Community and Custodial Sentences (2004)



concerned with the criminal justice aspect of YOT work.

The Wales Spatial Plan (2004:3) states the intended interconnectivity of policy in Wales by setting a *'strategic, integrating agenda for the next 20 years.'* It goes on to say:

*Devolution has given us the opportunity to shape distinctively Welsh answers to Welsh questions, with more power to guide action, both directly and indirectly. To do this we need to co-operate across traditional boundaries and compartmentalised thinking – whether sectoral or geographic. (WAG, 2004:3)*

From this, we can assume that WAG policies will bear some relation to each other with regard to aims and objectives. Services are able to meet the requirements of the various documents as the basic ethos is the same: *'a desire to prepare for the future based on the key principles of social justice, equality and sustainability.'* However, the same assumptions cannot be made about the criminal justice policies from Westminster which, as we have already discussed, are more allied with risk awareness and risk reduction. As has already been suggested, there are signs in Westminster that Prime Minister Brown will direct policies towards a more inclusive and universal path and this may result in some convergence with Cardiff Bay over the way young people are provided for. Despite this, a challenge to successful outcomes are still the traditional policy tensions between welfare/justice, deserving/undeserving, child in need/child in trouble and it is obvious that the unfolding story for YOT in Wales is set to be a long and complicated one. When thinking about the youth justice system in Wales, it is important to remember the YOT structure itself is only six years old and so it will be some time before the long-term effectiveness can be properly ascertained. However, there are already robust critics of the new youth justice system:

*Contemporary youth justice policy in England and Wales is in a parlous state. It lacks any consistent rationale and consolidating principles (Goldson and Muncie 2006a; Muncie 2006). It is excessively politicised and, as a consequence, regularly suffers the ill-conceived whims and knee-jerk reactions from politicians courting populist favour (Pitts, 2001).*

Goldson and Muncie have written widely on the many forms of youth justice that have been in favour since the 1970s and have the benefit of experience when considering long term outcomes. These concerns make it all the more important that practice in Wales starts to be properly evaluated at a local level so that baseline data can be created and used to inform future policy.

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This thesis aims to contribute to the process of information gathering so desperately needed for future policy analysis; the qualitative data collected for this study will give a unique insight into the needs and experiences of young people, parents and professionals involved with the youth justice system in rural North Wales.

The preceding chapters have considered the issues that provide a context for youth justice policy in England and Wales. Policy has to be considered from a national perspective because of the fact that responsibility for criminal justice has not been devolved to Cardiff. However, we have seen how this factor is set against devolved welfare policies and the way that Cardiff, with its emphasis on progressive universalism, may have started to diverge from Westminster. Clearly, the idea of strong universal provision with top-ups for those in extra need (the very group that is likely to include young people at risk of offending), has a different ethos from a risk based agenda where only those who are considered to be a[t] risk are provided with barely adequate services designed to prevent them getting into trouble. Thus youth justice policy in Wales has to straddle the two conflicting approaches and, with the rise of managerialism in the public sector, has two sets of, sometimes contradictory, performance criteria to meet.

In North Wales the problem may be intensified by its distance from both Cardiff and Westminster, both geographically and in life experience. The working practice of Youth Offending Teams in rural North Wales is restricted by the vast geographical areas they have to cover and the fact that the young people are spread thinly. This not only has serious implications for funding but also for the type of work that can be undertaken and consistency of practice. It should also



be remembered that experiences of youth offending are quite different in a rural community; they tend to be more property and nuisance based and less likely to be serious or violent offences against the person. However, contrary to this, young people who offend have a higher visibility in the locality and are more likely to be known which in turn creates a different response from the community. These issues are of particular interest for part two of this thesis, which will focus on the empirical study of welfare provision for young people at risk of offending in one area of North Wales.

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# **Food, Clothes and Shelter?**

**Welfare provision for young people  
at risk of offending in North Wales**

**Part Two – Telling the Tale:**

**Listening to the welfare stories of young  
people at risk of offending in North Wales**



## **2.1 Background to the study**

This study took place in partnership with the Conwy and Denbighshire Youth Offending Team (YOT) and partner agencies and during 2006 – 2007. As a cross-county YOT, the Conwy and Denbighshire team have to negotiate with different county policies and practice and ensure that the service is equitable from coastal settlements in North Conwy to the rural villages in South Denbighshire. Approximately 70% of the caseload lives on the coast; hence the YOT office is placed in that area. However, in order to cover the whole area, the team has to make full use of local community venues and travel extensively. YJB youth offending figures generally show a low average rate of offending in comparison to England but within this, there is a similar rate of public order offences and higher levels of non-domestic burglary (Audit Commission 2004:9). The YOT works on a range of youth court orders (see appendix 2.1.a) and also undertakes prevention work with young people who have been identified as an at risk group.

The relationship between welfare agencies and YOT is crucial and, in their 2007 *Youth Justice Plan* the Conwy and Denbighshire team note that they are

*at the interface between the CSP [Community Safety Plan] and children's and young peoples agendas, and is structurally well placed in relation to the Children and Young People's single Plan and the developments in the delivery of children's services over the next 2 years.*

This is good news for the welfare agenda of young people referred to the YOT and it is reassuring that the management team fully contributes to the wider strategies at county level. However, performance targets for key welfare areas such as accommodation, employment and mental health are always a challenge and whilst initial referrals targets and support are reported as good, the plan recognises that improvements in access to service provision still need to be made. As part of the preparation for data collection, some anecdotal evidence was collected at a YOT staff meeting to identify the agencies that are most popular and readily accessed by case managers. What emerged was a

core of mainstream services that everyone uses (and this will be further revealed in the data chapters) and a range of other agencies that would be used in a much more ad hoc manner. This is a feature of the mixed economy of welfare provision and although there may be more diversity and ability to address individual need, at the same time there is less consistency in access for young people as it relies on workers knowing about all the projects that are available. These issues have been introduced in this background section as they are important factors that provide an underlying theme that will emerge regularly when considering access to welfare in the data chapters.

In order to place the findings within the wider context of research and policy, the data chapters begin with a short overview of current debates on each particular welfare area and a description of policy and practice in that field in Conwy and Denbighshire. It then raises the issues that arise from the data collected from the three respondent groups: young people, parents and professionals and analyses these against the backdrop of existing research and developing policy. Concluding remarks will contribute to a final discussion at the end of the thesis which will consider how they can help to inform future youth justice practice in Conwy and Denbighshire. The conceptual framework of this study will be described next in the chapter on research design and methodology.



This Lord Kitchener image was used in publicity material for the empirical study (The image is in the public domain because its copyright has expired)



## 2.2 Research Design and Methodology

### Conceptual basis and analytical framework

In the preface to her 2005 book of critical debates with young people, Monica Barry states:

*Young people rarely see themselves as an integral valued and recognised part of our society. Many young people argue that they need to have a greater 'voice'; but my belief is that it is not young people's lack of voice that is the problem but adults' lack of willingness to listen and understand.'* (2006:xi)

The guiding principle in this study has been to persuade and reassure young people that telling their story will be worthwhile and that what they say will be considered seriously. Thus, data will not be used to count how many times a young person accesses a service or provide evidence of whether the service is good or bad. It aims to explore the issues as introduced by the young people involved in the youth justice system in Conwy and Denbighshire. Not only does the data describe the experiences of the participants but it also considers why these issues are seen as important and how they intersect with the experiences of parents and professionals working with the young people.

From the beginning, it seemed that qualitative methods would be more appropriate for this study. Bryman notes how the subjects of social sciences, i.e. people, differ from the natural sciences by the fact that they can '*attribute meaning to events and their environment*' (2004:279). If the aim of the study is to take account of the lived experiences, then it would be important to allow the space for participants to articulate their understanding of those experiences. Although the Youth Justice Board (YJB) does commission qualitative research under their effective practice remit, much of the general statistical gathering used by the Youth Justice Board (YJB) is outcome related and quantitative in nature. It is collected under a national (England and Wales) framework and as such does not produce data that is specifically in context within the locality of Wales. As such, there is a lot of data about what is happening to young people involved with Youth Offending Teams but the data does not necessarily

examine how they feel about the interventions or how wellbeing has been affected. Using education as an example, an important YJB performance indicator for Youth Offending Teams is that 90% of young people under supervision of YOT must be in full-time education, training or employment. However, Estyn, Her Majesty's Inspectorate for Education and Training in Wales (2005) remarks on the lack of information about achievements and standard of the projects the young people are referred to. Thus it is one thing to collect information on whether young people are in receipt of a service but quite another to investigate if the young people *themselves* feel that it helps. Even where qualitative research is undertaken for the YJB, it is important to remember the influence that can be felt when policy makers are the commissioning bodies. In considering the politics of social research, Bryman notes how the vested interests of these funding bodies can affect outcomes.

*When social researchers participate in such exercises, they are participating in a political arena because they are having to tailor their research concerns and even their research questions to a body that defines or at least influences those research concerns and research questions. (Bryman, 2004:517)*

Thus the opportunity represented by ESRC funding in this study helped to protect the research from these kinds of influences. Access to money was not dependent on a designated research question or specific criteria, needing only to fit the thematic priority of 'Social Stability & Exclusion.' There was room for manoeuvre, something which did prove to be very important once research began. However, having tried to limit the effects of funding bias, it is also important to consider what bias might be brought to the project from the researcher's background and life experiences.

As a mature student re-entering academia from a management position in a Youth Offending Team, it was necessary reflect on how my approach might affect the research process and potentially bias the data that was collected. The various labels that could apply 'student' 'old(er) woman' 'ex-court worker' 'Everton supporter' all present a challenge to the process. This was illustrated in one of the early interviews with a young person who noted that if I had spoken to him during his "*worst years*" he would not have talked to me



*I'd have pushed your microphone over; I'd have shut your laptop, thrown your books on the floor, called you a "fat, ugly you know" and walked out of the room. (Interview example from data)*

When interviewing the young people, it is advisable to present an unexceptional persona in order to allow the process to take precedence. The comments below show how personal preconceptions can inhibit communication.

*Well she was like ... she would sit there and say ... like she would be talking about drink or drugs and I'd think I don't know why she was doing the job because all she would do was drink water and eat seeds ha ... so a real weirdo. (Interview example from data)*

An explicit example of this might be that wearing an Everton football shirt could seriously affect an interview with a young person who supports Liverpool Football Club. However, it is often implicit bias that is more difficult to address. Background experiences can have a profound effect on communication and this must be recognised both at the time of data collection and during analysis of data. Having experienced life as a teenage mother, interviews with young mums were particularly challenging as I wanted to respond with empathy, as a women who had faced many of the same difficulties. Instead, it was important to remain objective and consequently, the process felt quite emotionally cold. This was something that was quite difficult, especially with an employment history in youth and social care work. It is, therefore, necessary to fully investigate research methods and choose those which will offer the most opportunity to gather the richest data whilst protecting against researcher bias.

The practical process of choosing research methods is described in the following section of this chapter (Research methodology and analysis) but prior to this. there was an in-depth review of various methods using appropriate literature (Bryman, 2004, Shaw and Gould 2001, Gomm et al, 2000, Bryman and Burgess, 1994, Strauss and Corbin, 1998 as examples of these). appendix 2.2.a and 2.2.b show two research studies that had particular influence on the choice of methods for *Food, Clothes and Shelter?* and illustrate the review process that was used. A 2002 study by Hazel, Hagell and Brazier revealed the limitations of the research environment, in particular within the Criminal Justice System, whilst Coad and Lewis' 2004 work allowed the opportunity to look directly at effective methods of engaging young people in research which was

particularly useful. By the time the review of literature was completed, the unstructured interview method revealed itself to be most favoured with some opportunities for focus group and diary work to be also pursued. Although an ethnographic approach using participant observation or visual methods such as artwork may have been more innovative, the nature of the research environment did not lend itself to such approaches. Research participants were spread far and wide and were time - restricted in the amount of availability. Observation techniques were employed to some degree as some considerable time was spent in the Youth Offending Team Office and at team meetings but this evidence was certainly secondary to the data collected from interview work. In common with the 2002 Neal, Hagell and Brazier study, *Food, Clothes and Shelter?* has been processed using a Grounded Theory approach. With this, theory is allowed to emerge out of the data and the findings may better represent participants by concentrating on issues deemed by them to be important within the context of the research question.

Strauss and Corbin (1998:12) argue *'Theory derived from data is more likely to resemble the "reality" than is derived by putting together a series of concepts based on experience or solely through speculation.* Microanalysis of the data ensures that it is not only the content of the data that is important but also the interpretation of why the participant has chosen to say it. Thus Strauss and Corbin (1998:65) note this *'helps us [the researcher] to avoid laying out our first interpretations on data, forcing us to consider alternative explanations.'*

Recently, however, Thomas and James have sounded a note of caution about the legitimacy of Grounded Theory:

*We dispute grounded theory's status as theory, and the assertion that it can be 'discovered,' we contest its claim to be consistent with the tenets of qualitative inquiry, and we question its claims to produce better predictive and explanatory outcomes than other methods. (2006:768)*

These criticisms are built on the work of a number of other writers who had earlier identified flaws in the approach (Layder 1993, Haig 1995, Millar and Fredericks 1999, Dey 1999 all quoted in Thomas and James 2006). In comparison to these authors Charmaz (2000) has sought to develop new thoughts on the process of Grounded Theory rather than merely question the legitimacy. For example, she rejects the Glaser and Strauss' assertions on



researcher objectivity suggesting '*The myth of silent authorship is false but reassuring*' (Charmaz and Mitchell, 1996:299). Indeed, Charmaz offers the opportunity to take a more realistic approach to the somewhat prescribed procedures of Strauss and Corbin. Thomas and James welcome the influence of Charmaz's new ideas but contest the need to call these forms of qualitative inquiry 'grounded theory' (2006:770). However, Charmaz's use of the word reassuring is salient for this study. As a trainee researcher, the debate over Grounded Theory allowed thoughts and ideas to develop that assisted with a plan of action, in particular for data analysis. I felt the value of working to some kind of rule outweighed the possible restraints that are evident in the process. Indeed, the technical and systematic applications employed by the Nvivo computer programme helped me to stand back and allow the data to speak for itself. This study targeted a small sample of young people, parents, YOT staff and partnership agency representatives and the depth of their stories have been aided further by drawing on the theoretical framework of biographical research.

This approach is compatible with grounded theory as they both accommodate exploratory research questions that, by their nature, can be subject to modification and change. Biographical or narrative research attempts to allow participants the chance to tell their story in their own words. Miller (2000:10-13) identifies three ways in which this type of research can take place:

- \* The Realist – Information collected through taking life or family histories is used to construct general principles concerning social phenomena.
- \* The Neo-Positivist – Pre-existing networks of concepts are used to make theoretically based predictions concerning people's experienced lives.
- \* The Narrative – Understanding the individual's unique and changing perspective as it is mediated by *context* takes precedence over questions of fact.

For a social policy study such as this, both the *narrative* and the *realist* have their particular merits. There is an underpinning aim to listen to young people – to allow them to tell the story and there is a requirement to investigate the implications for society. Millar notes '*researchers using biographical or family history methods may choose not to place themselves formally within a single camp*' (ibid:13) and consequently, data collection has straddled both of these biographical approaches. The use of life history research has only been

partially effective for this study; some young people and professionals have been happy to tell their story as a narrative, without much prompting. However, others have been more comfortable with an interview format with questions to prompt responses about relevant areas of enquiry. This flexibility has been important in putting the participants at ease and ensuring that they were able to share their thoughts as they wished.

As a researcher, it was rather disappointing that the more innovative methods did not prove successful in this study. Initially, it was hoped that young people may be persuaded to undertake some diary work but this proved to be unfruitful and will be discussed in more depth in the next section of this chapter (Research methodology and analysis). However, this only goes to prove that a major part of conducting a successful research project is the ability to adapt and change, something that became evident very early on in this study. Although the original research question for this study started out as '*How does welfare provision and the wellbeing of young people who are at risk of offending affect participation in programmes that challenge anti-social or offending behaviour?*,' a review of relevant literature revealed this to be an essentially flawed question. Causality was explored during the literature review process of this project and it revealed itself to be an unproven term that provokes suspicion from policy writers and makers alike. (see Chapter 1.4 page 40)

Taken at its most basic level, causality may be argued, for example, by asserting that everyone who is in poverty is going to commit a criminal offence. However, crime figures reveal this as an erroneous judgment – there are considerably more people in poverty than those who are committing offences. NACRO (2004:4) warn that 'there is no linear causality' between welfare issues and offending behaviour and so it is important not to 'oversimplify matters.'

They quote one study which

*Confirmed that 44% of those excluded [from school] had no recorded offences prior to exclusion but offended in the period afterwards. At the same time, however, 32% of the same group had no record of offending either prior to or following exclusion; a further 5% had offended before being excluded but did not do so afterwards. (Home Office Occasional Paper, No 71, 2001).*



Therefore the first lesson learned in the design process was that the original question needed to be taken back a step or two. Before even considering whether there was any causality between unmet welfare need and reduction of offending behaviour, it was important gain insight into whether young people felt their welfare need was indeed largely unmet. An investigation into the relationships between welfare services and young people proved to be a much more realistic aim for this thesis.

A further issue to consider was an awareness that the target group of young people are sometimes difficult to engage. NACRO (ibid:4) reports on the '*wealth of research*' that confirms they are '*almost exclusively drawn from the most disadvantaged, damaged and neglected families, neighbourhoods and communities.*' They have often been known to welfare services before their referral to Youth Offending Teams and will have told their stories many times over to the array of professionals involved in their lives. As such they may suffer from assessment fatigue and this is something that will be covered in depth later on in this thesis. It was important to try and encourage their involvement by reassuring them that the research was worthwhile. In this sense the research had to be marketed appropriately to the young people and promotional materials stated clearly that the focus of the study would be on welfare need and the relationships with welfare service providers. Therefore, this was one time when the focus was not on their 'wrongdoings' and it was stressed that their views about welfare provision would be used to contribute to the debate on future policy. This reinforces the fact that a Social Policy perspective has been taken here and as such the study needed to reflect a twenty first century position where social policy is now an expanded area of research.

In the new millennium Social Policy in the UK has moved beyond the 'big five' concerns of its traditional focus, health, housing, education, personal social services and income maintenance, to also include other areas such as communicating, viewing, traveling, shopping, working and playing (Cahill, 1994:2). As Cahill (ibid) emphasises '*adopting this perspective does mean that we must see Social Policy as part of a wider public policy.*' Society is constantly changing and social policy must meet the challenges that this presents. Indeed, with its reliance on welfare services and partnership agencies, it would be somewhat ludicrous to consider youth justice services outside of the social

policy arena. Franklin (1998:5) suggests *'Social Policy must be forged in a continuing dialogue between policymakers, providers and users reflecting and contributing to social change.'* Gail Lewis and others have written extensively on social policy as a discipline that requires a period of *'re-thinking'* and within this conveys the sense that traditional sensibilities are to be challenged and that it is a work in progress.

*The complexity of the study of social policy lies in its focus on relationships between the different aspects and institutions of society. Social policy marks the intersection of patterns of economic inequalities and insecurities; forms of household organisation and family networks; shifting alignments of political membership, political action and social movements; forms of social divisions and challenges to them. (Lewis, 2000:12)*

It is this complexity that might lead us to question what constitutes individual welfare need and move to consider the modern touchstone of personal wellbeing.

To be able to gain any insight into the wellbeing of participants involved in this research it is important to consider wellbeing within the context of debates about the nature of human need and life chances. In reality, even the definition of 'wellbeing' is a contested one, mediated by an individual's own sense of what it means to them. In their article on societal subjective wellbeing (SWB), Diener and Lucas (2000:42) discuss a *'Needs Theory'* approach, which *'rests on the assumption that there are universal human needs and that people will experience feelings of SWB to the extent that these needs are met.'* This comparative research has catalogued happy and unhappy people in societies and the assumption is that *'a happy society is one where most universal needs are met.'* However, these perspectives are simplistic approaches to the question of social need. Despite having previously used a proposed taxonomy of health needs, Bradshaw (1994:45) points out how the approach has *'serious limitations as an epidemiological identifier and as a basis for evaluating performance of policies.'* For example, one factor that Bradshaw had usefully introduced in his taxonomy was the concept of *comparative needs*. Whilst not fully described by Bradshaw, he asserts that it was concerned with equity - a factor that is, perhaps, the most difficult to quantify of all. Even if it is agreed



that basic needs such as food, clothes and shelter are required for personal wellbeing, there is no consensus on what levels would lead to an equitable welfare policy. There is also great potential for attempts to result in unintended consequences. Doyle and Gough (1991:3) note for example that Stalinist collectivism had been *'premised on the existence of common needs.'* In their 1991 work, they argued for a *theory of human need* that must

*be informed by the mistakes – some terrible, some foolish – of welfare state paternalism ... A credible and morally attractive theory of human need must draw on both liberal and socialist thought. It will need to chart a third way forward which rejects both market individualism and state collectivism (Doyle and Gough, 1991:3).*

In a 2006 New Labour Britain, this reasoning sounds very familiar and yet the debate about human need continues. If a third way had been able to fully identify and address human need, then inequality might be on its way to being eradicated. In reality, Yvette Cooper asserts

*... at the beginning of the twenty first century, your chances in life depend too much on your parent's income. Children still do not have equal chances in life. Social class still casts a long shadow over British society. (Cooper, 2005:104)*

For children and young people, class, race and gender issues seem to resonate almost as strongly now as they did in the previous century (as detailed in 1:2 of this thesis and illustrated in appendix 1.4). When there is an attempt to give voice to children and young people, it is often entangled in sub cultural issues as though young people are a separate – and lesser - part of society. Gittens-Bernard writes

*Politically, the politicians are trying to protect the older generation rather than trying to put straight the young offenders ... politicians feel that they should help the adults/victims due to the fact that they are taxpayers. Society treats young people as a lower class. They don't take our views into account, only if it is vitally needed like how to improve a youth project, but never when it's into politics, because older people believe that young people don't have the right views and understanding about politics. (Gittens-Bernard, 2005:230)*

When thinking about welfare provision and the wellbeing of young people involved in this study, it is important to consider whether they are in receipt of welfare services because of a rights based policy of social justice or if the policy makers are really only concerned with reducing the risk of social exclusion and offending behaviour. Case argues:

*Without wishing to over-rehearse the common concerns regarding stigmatising, marginalising and criminalising young people through risk based targeting ... there are clearly rights issues related to adults 'doing things to ' (rather than 'with') young people under the auspices of 'we know best' and 'its in your own best interests' (Case, 2006:173)*

These issues present a challenge to social policy researchers investigating the wellbeing of a population and the response of policy makers. Qualitative methods can provide valuable insight into how policy translates into practice and, in turn, what impact this has on wellbeing and future lives.

We have suggested the systemic nature of the youth justice system in England and Wales ensures that raw statistics are constantly gathered and reported. However, there is some development of a more cohesive research approach that provides in depth, qualitative data. The Youth Justice Board has implemented a research strategy which is reviewed annually and is 'aimed at strengthening the effective practice evidence base' (YJB 2006a). The study for this thesis intends to build on methodology that gives voice to the young people it most directly works with. It subsequently feeds into '*what works*' principles of policy provision and there is an emphasis on pilot projects, evaluation and effective practice guidelines. (Utting and Vennard 2000, Paylor and Simmill-Binning 2004, YJB, 2006). It is, however, distinctive in its attempt to tell the in-depth account of young people's experiences in the North Wales youth justice system. Although there have been some admirable attempts by the Wales Assembly Government in Cardiff to consult with young people, the process is in its early stages. In the evaluation on '*Extending Entitlement*,' the WAG Youth Policy document, Haines et al (2004:66) confirm that data in Wales is 'patchy and in some cases non existent.' They identify three particular areas of concern, all of which are relevant to young people known to youth justice services:



*The quality and nature of data which is available to describe those services outside the scope of learning or employment accessed by young people between 17-24 is limited. Two other concerns related to existing data sources is a lack of comprehensive information which describes young people's experiences in Wales and data which describes young people in "need" and young people belonging to minority groups. (2004:66)*

In addition to this, the geographic placement of North Wales acts a barrier to research by policy makers, particularly those concerned with criminal justice. It is an overwhelmingly rural area, some distance from Cardiff and South Wales and with poor transport links to the capital city. Furthermore, the Howard League for Penal Reform has observed both the urban bias of all things crime-related and the lack of meaningful consultation with young people.

*In general, the vast majority of work on crime, exclusion, probation and resettlement fails to incorporate a rural element and even fewer draw directly on young people's own viewpoints within this context. (2005:9).*

Whilst there are general similarities in the characteristics of young people involved in the youth justice system in England and Wales, there are factors that can be considered to be quite different. The WAG have recognised these differences and are trying to address them, however, these issues make the effectiveness of welfare provision all the more important to the youth justice system in Wales. The literature reviewed in this thesis has formed part of these debates over post devolution social policy in Wales and welfare vs justice in youth justice nationally. It reflects on the contested nature of these perspectives alongside my personal experience of working in the youth justice system in England. The conceptual basis revealed here contributed to the development of research tools and methods in this study and the next section of this chapter will describe the process of putting the theory into practice.

## **Research Methodology and Analysis**

The foundations for the fieldwork part of this study were first laid in the spring of 2004 when the project was first introduced to the Conwy and Denbighshire YOT team meeting. Initial access had been gained due to an ongoing working

relationship between the Social Work tutors at the Department of Social Sciences at University of Wales, Bangor and the YOT manager - thus illustrating the importance of networking and contacts in research study. The team was generally supportive of the intentions to consult with young people and the aim to gather data about perceptions of welfare work on the ground. On reflection, although a useful icebreaker, this meeting was really scheduled too early in the process. Due to the requirements of the ESRC research funding 2004 was, in fact, an MA year so the fieldwork period at YOT would not start until late 2005. By the time the project was ready to start, staff had forgotten what it was or given up on it ever happening. A further factor was that staff turnover was quite high at that time so many of the original staff had moved on and new members of staff were unaware of the project.

In August 2005 initial meetings with relevant coordinators in the team took place and this led to a general re-introduction at the September team meeting. For good quality narrative research to take place it is important to lay the groundwork effectively and it was in these meetings that it was agreed that the first step was to advertise widely and gain interest for the project. In consultation with YOT staff and young people known to the YISP project, a first draft of promotional tools was designed and subsequently redesigned. It was during this period that a research overview was developed (appendix 2.2.c) and the research design was finalised. The fieldwork was divided into two areas of focus:

**Primary Focus:** Data collection with young people known to the YOT

**Secondary Focus:** Data collection with staff, parents and partnership agencies.

Between September and December there was a long period of getting to know the team and raising the profile of the research. An early idea to canvass interest from the young people using a generic group session on 'Hoodies and anti-social behaviour' was not pursued as staff felt young people would respond better on an individual basis. Staff and young people were also involved in developing the research tools such as flyers, overviews and consent forms (appendix 2.2.d). It was as a result of this consultation that the terminology, quite rightly, changed from 'young offender' to 'young people at risk of offending.' In addition it was during this time that the original research question was refocused to look at the relationships between young people and welfare provision rather than causality between unmet welfare needs and reduction of offending behaviour. This period felt excessively long and, on the



face of it, not terribly productive. However, it is now clear that this was one of the most crucial periods in the fieldwork study.

Strauss and Corbin (1998:73) stress the importance of asking effective questions in qualitative study. The consultation work undertaken at this time, although not resulting directly in any data ensured that the right questions would be asked and that they would be using appropriate language. Literacy considerations are particularly important for the young people known to YOTs as many have been unable to complete their schooling and have poor literacy and numeracy skills. As such it was important to develop tools and methods that could accommodate all literacy levels, including those who could not read and write at all. The consent forms and flyers were written in plain English and the literature was read out to young people if required; participants were only asked to sign up to the research once they fully understood the research aims. In addition, the research tools stated that all participants had the right to withdraw themselves and their comments from the research if at any time they wished to do so. In addition, all research tools were produced bilingually and opportunities for Welsh language data collection were offered.

Formal consent for the study was gained from the YOT Steering Committee before the fieldwork began and procedures followed ethical guidelines laid down by the ESRC. As such, it was subject to the ESRC Ethics Guidelines Framework (appendix 2.2.e). As can be seen in Table 2.2.1, the study was assessed to have a number of sensitive areas to consider:

**Table 2.2.1 Ethical issues identified by the ESRC Ethics Guidelines Checklist**

1. Does the study involve participants who are particularly vulnerable or unable to give informed consent? (e.g. children, people with learning disabilities, your own students)
2. Will the study require the co-operation of a gatekeeper for initial access to the groups or individuals to be recruited? (e.g. students at school, members of self-help group, residents of nursing home)
3. Will the study involve discussion of sensitive topics (e.g. sexual activity, drug use)?
4. Will financial inducements (other than reasonable expenses and compensation for time) be offered to participants?

However, careful preparation of the research tools and effective practice ensured that the study met ethical guidelines. (Table 2.2.2)

**Table 2.2.2 Responses to the ethical issues identified by the ESRC Ethics Guidelines Checklist**

1. Parental consent was sought for young people under sixteen
2. Consultation with all gatekeepers took place to ensure they were happy to refer young people to the project
3. Sessions were participant led and everyone had the right to refuse to answer questions or cover topics they felt uncomfortable with
4. Some financial reward had been planned for diary work but this was not needed in practice. (this will be discussed in detail later in this chapter)

The completed checklist was screened officially and sanctioned by the College of Business, Social Sciences and Law ethics committee. Having worked in social care in the public sector, the ethical issues raised by this research study were familiar. However, the level of confidentiality was an area that needed further consideration. Interestingly, the approach taken in this study differed from that followed by Hazel, Hagell and Brazier in their 2002 study of young people's perception of the Criminal Justice System. Hazel et al (2002:6) took the decision to '*assure all respondents of the strictest confidentiality*' and stated that '*where concerns were raised, participants would be offered an information sheet with possible sources of help.*' This was at odds with previous experience gained from working within a Youth Offending Team subject to Children Act regulations. According to the Act, '*Confidentiality may be breached in the following circumstances: When there is a risk of serious harm to any individual, including where a mentee (under 18) is judged to be at risk of sexual, emotional or physical abuse.*' If this statement is taken alongside the belief that as an adult member of the community there is a responsibility to report child abuse, then it is clear that absolute confidentiality cannot be promised. This was discussed with all young people involved in this study and they were made aware of the fact that if they shared risky information then it was agreed this would be referred onto their caseworker together. As a result of this clarity, there was a knock-on effect as young people did not spend much time sharing stories about their crimes and misdemeanors. This was entirely appropriate as



the study was not supposed to focus on their criminal behaviour and therefore should not collect unnecessary confidential offence data. To ensure that everyone was happy with their contribution to the project, a transcript of sessions was given with a feedback form to allow changes or add extra information where required by the participant. This was effectively another consent form and useful in that it was signed after participation. When writing up the data chapters, pseudonyms were used for all respondents. A single different forename was used for the young people and a surname within the theme of honorific titles was used for the parents. Professionals and partnership agency respondents were identified by type alone so were not individually identified,

Before the young people sessions took place, the staff and partnership agency interviews began and in all 20 interviews were conducted. A further research session was held at a YOT team meeting to investigate the range of welfare projects that YOT staff access on a regular basis and data from this was used to send feedback to staff to contribute to the networking process (appendix 2.2.f). These methods were particularly useful in getting to know people and gaining an understanding of the different roles within the team and local partnership arrangements. It seemed that YOT staff became more supportive of the research and were more likely to refer young people after they had participated in the interviews and group session. Areas of discussion in the interviews were based on the welfare sections of the Youth Justice Board ASSET assessment tool (YJB 2006c) with two extra: transport and money. Thus the interviews cover the 'big five' concerns of traditional social policy, health, housing, education, personal social services and income maintenance, whilst also reflecting the widening interest of present day social policy writers as discussed previously (see appendix 2.2.g). As the interviews were generally unstructured, these questions merely provided a springboard for the narrative and an idea about what areas of information were of interest to this research. In reality, the interviews took many forms; some respondents wanted to share the information in case study format, others gave a précis of their experiences to date in narrative form, some used the questions to prompt their contributions.

In addition to YOT staff, a number of partnership agency representatives were canvassed in this early period. An invitation to a YOT Open Day in October allowed for the opportunity to speak to Rod Morgan, Chair of the Youth Justice Board and other steering group and staff meetings provided forums to meet local partnership representatives. Although some useful links were made with partnership agencies at this stage, the study remained essentially based with the YOT and in some ways this was a barrier in the possibility of accessing partnership agencies. In this sense the early association with the YOT may be thought of as limiting, however, as a small scale qualitative study the balance in the secondary interviews – 5 partnership agency and 15 YOT staff – seems satisfactory. Indeed, the strong relationship with the youth offending team really made more of an impact on the process of working with the primary focus – the young people.

A first learning experience during the ‘primary focus’ stage came from assumptions about working practices. With personal employment experience at a city centre YOT, it was rather a culture shock to find that much of this YOT’s work was conducted at the young person’s home or away in community settings. Many young people were rarely required to attend the YOT office and clearly rurality is a driving force in the way that the YOT operates in the local area. As a sole PhD researcher with limited funds I was unable to travel as widely as would have been preferable and this may have limited access to potential participants. That said there were also a few occasions when interviews did not take place even when I had traveled out to the home or community setting. In fact, these problems gave some insight to the issues faced by YOT workers when supervising their cases. Travel is a massive factor in their work and this is something discussed in more detail in the data chapters. Therefore the straightforward sampling strategies that had been hoped for in the research design did not quite deliver in practice. Initial discussions with coordinators and staff had identified three target sample groups:

- \* Prevention – referrals from the Youth Inclusion Support Panel project of young people at risk of offending behaviour but with no criminal record.
- \* Referral Order: referrals from the Referral Order Panel of first time offenders



\* ISSP – referrals from the persistent offender group

These groups were chosen to ensure there was a spread of information from the range of youth justice interventions. Using the flyers to advertise the study, case workers and staff working within the target groups would encourage young people to get involved and an introductory meeting would be arranged where the project process would be explained. Although the sampling targets had been set, when the meetings with young people began in January 2006 initially within the prevention group, it became obvious that it would be unfair to refuse any young person who wanted to be interviewed. After all, one of the aims of the research is to give voice to those who are not often heard. As the total caseload for YOT is around 80-100, the prospect of interviewing a larger proportion of the young people was not too onerous. In addition most referrals would be likely to come in from the case workers and so it was decided that this open access policy could help to limit the effect of any gate keeping that may occur.

In fact the initial sessions with young people gave an unrepresentative idea on how the young people data collection period would develop. The sessions with those involved in prevention services proved to be an entirely different experience from the attempts to gain respondents from the other sample groups which was a much trickier affair. Whilst staff, parents, and (to a lesser degree) partnership agencies were more than keen to share their opinions, participation by young people was much more mixed. As time went on, it was possible to identify a situation where it seemed the higher up the ladder of convictions, the less keen that young people were on sharing their opinions. When subsequently reflecting on the experience of conducting fieldwork with young people for this project, it is relevant to return to the subject I have termed as ‘assessment fatigue’ mentioned earlier in this chapter. Introductions to a number of young people did not result in involvement and there were varied reasons cited by them. Firstly and I think most importantly was the fact that many were just sick and tired of talking to adults about their life situations. Action – or more usually lack of it – is a theme that is continually returned to in the collected data and the young people who did not want to share their stories would say ‘*what is the point?*’ or ‘*it’s a waste of time nothing will change in any case.*’ In fact, it is

important to value what these young people have *refused to say* just as much as the comments that have been collected. Another factor, particularly in the younger age group, was a lack of trust – they would question ‘*why do you want to know?*’ one even asked ‘*why would you ask those things – are you a pervert or something?*’ These comments perhaps came from the fact that maybe the young people were put off by the thought of talking to a forty-something and it was during this period of research that I realised my days of face-to-face work with young people might be numbered. I have now remembered my vow as a youth worker some years ago that I would not follow in the footsteps of my previous colleagues and continue trying to be a hip, cool dude in the youth club into late middle age.

By the time the fieldwork was half way through its allotted period, it was a relief to know that sampling was to take a self-selecting standpoint as it was not guaranteed that participants could be persuaded to get involved on the basis of their position on the ladder of convictions. Eventually though, the interviews did start to come in and they were reassuringly in-depth. The interactions with young people were assisted by a strong background in youth services as, despite initial misgivings by some, effective communication was achieved once the interviews started. My background in youth justice also meant it was not necessary for young people to spend a lot of time explaining the youth justice system. For example, an extensive personal knowledge of bail support programmes meant that young people could mention the problems they had with homelessness without having to explain the impact on court decisions. This allowed them more time to discuss the personal experience of homelessness rather than the structural factors, thus leading to richer data. The skills gained when previously working in youth clubs also ensured that communication was user friendly and the shared sporting anecdotes and laughs that can be identified in the transcriptions were important for encouraging meaningful data to emerge.

In the end, it seemed that, if a young person would agree to talk, they would be expansive about their experiences. However, some aspects of research cannot actually be predicted and it was serendipitous that the final breakdown of young



people interviews shows they have come from a spread of different Orders and programmes:

Prevention project	5	YISP	3
Referral Order	3	Supervision Order	6
Reparation Order	2	Custody/ISSP	1

Eight out of the twenty interviews were with young women and this is a higher proportion than the split within the youth offending population where it is reported that about 70% to 80% of detected crimes are committed by males. It must be noted however, this ratio does include those in the prevention group where there is likely to be a more even take-up of interventions. Half of the young people who were interviewed were known to Social Services either as a previous or current case, of these one young man reported his status as a care leaver. All the young people reported some kind of problem with education and most of those over the age of sixteen had left compulsory education without qualifications. Therefore these young people had significant experience of liaising with welfare services and were willing to share their thoughts to varying degrees.

Late on in the fieldwork period, contact was made with a local alternative education project and this was useful in a number of ways. Firstly, it provided two interviews that were 'non-YOT' and these helped to build a balanced perspective on the YOT service. Many of the interviews had been positive about YOT working practices but this raises a concern that young people, aware of the research links with the organisation, would remain loyal and be less likely to criticise it. In addition the link with the education project gave first hand experience of welfare service provision for young people known to the YOT. With the benefit of hindsight, it is easy to recognise the value of working from two research sites and the only regret was that the study had not taken this dual approach earlier in the fieldwork period as there was limited time to pursue it.

In common with the professionals' interviews, the young people sessions fell somewhere between unstructured narratives and semi-structured interviews and depended on the participant's response. Some were happy to tell their stories chronologically or using life story examples and then it was possible to just return to any areas that had been missed towards the end of the interview.

Others needed more prompting and it was useful to be able to ask them to talk about their specific experiences within each category. All the interviews provided some insight into their relationships with welfare services but they varied in the level of depth to which the young people would engage.

A method that has not worked with this project is the research diary. Six diaries were given out to young people who had agreed to provide follow up information to their interviews. These were designed to record any contact with partnership welfare agencies and evaluate how well the meetings had gone. YOT caseworkers were aware and available to support them through the process if they required it. However, none of the diaries were returned and the process was abandoned. It seems that the chaotic nature of the lives of many of the young people may have interfered with any positive outcome that could be achieved by this – some of the diaries ‘just got lost,’ or were due to be brought back ‘next time.’ One young person was very positive about the idea but had many calls on her time - family, college, dealing with temporary housing. So it is of little surprise that a diary for a research project was not a priority. When reflecting on the experience, it is interesting to think of the project from the point of view of the participants. Whilst the research is top priority for the researcher, it is just one very small moment of the day for a participant and all the researcher can do is pursue innovative ways to gather as much meaningful data as possible. Qualitative researchers are encouraged to pursue ‘thick descriptions’ (as proposed by Geertz 1973) which create a picture of the culture in which the research participant is placed. Therefore, it was worth pursuing the idea – if just one diary had been returned, it would have provided a valuable insight into the way services interact with young people. However, the experience with the research diaries exemplifies the gulf between research expectations and the limitations that present themselves when putting research into practice.

The interviewing method presents a familiar and revealing format to work with and this makes it very reliable for gathering data. However, more innovative approaches have the potential to produce data with even more depth and interest but require a much more intensive partnership between researcher and participant, something that the research environment does not always allow. For example, diary work may have produced fantastic results in a YOT where the young people attend the office on a regular basis or within a case study



research project; it was maybe just too ambitious for a PhD study in a rural YOT. During the early development of this study, interviews were seen as back-up to provide data if the other methods did not prove to be fruitful. Under the circumstances, this contingency plan has proved to be a redeeming feature and it is something that others who are hoping to investigate hard-to-reach groups may like to consider for their research designs. However, even within the limitations of this study, there were other research opportunities in addition to the individual interviews. For example, YOT day-to-day practice could be observed by regularly visiting the office, attending the youth court and with involvement in team and partnership meetings. In one team meeting, the staff completed a task sheet (appendix 2.2.f) which provided information about their own use of the network of welfare services. This provided a useful insight into the differences to be found in individual practice and the way the working partnerships are developed.

The final set of interviews to take place were those with parents of young people known to the YOT and five parents agreed to take part. There was also an extra short comment interview with an older sister who raised particular concerns about a specific area of welfare provision for her family. It was hoped that a focus group interview would take place with a proposed parents' group linked to the YISP but the group was slow in getting off the ground and it just became impossible to hold the fieldwork period open for any longer. This was a pity as it should be noted that there was some difficulty in accessing parents effectively and most of the interviews took place in a private office in the Youth Court. This limitation influenced the resulting parent data as it told the stories of a number of young people who were in extreme circumstances in custody. As a result a number of further interviews took place to counteract this bias. Subsequently there was one phone interview with a parent who had received preventative intervention by YOT and there were also two home visits to a parent with extensive experience of YOT intervention.

Despite all these research opportunities over a period of fifteen months, the fieldwork period was very stressful as I felt a constant concern that there would not be enough respondents. However, once the transcriptions and analysis started it became clear that all the interviews and discussions had produced something of interest and would provide enough data to comment upon. Using Hazel, Hagell and Brazier's 2002 qualitative study on perceptions of young

offenders as a comparison, the final number of twenty interviews gained in this research can be considered to be a success. Their study worked with four Youth Offending Teams and gained thirty seven young people interviews and thirty one staff interviews. It was an officially commissioned report for the Policy Research Bureau and therefore, could be considered to be higher in status than PhD work. In fact, there was direct experience of this issue during the fieldwork period of this study. Partnership agencies were definitely not as keen to spend time on what they considered to be a personal project. It was only when a practice background with Youth Offending Teams and Youth Services was mentioned and assurance that every effort would be made to disseminate the information effectively was given that they became more positive. On reflection, it seems that the fear over a lack of meaningful data is merely the recurring nightmare of the trainee qualitative researcher. The Thesis Committee advised that in the end the amount of data collection would need to be limited and although, initially, this seemed to be unbelievable, it did indeed prove to be true.

NVivo 7 computer software provided a most valuable framework for the data analysis on this research. Having been produced from a grounded theory perspective, it easily supports a study that requires theories to emerge from the data. The original areas of interest as taken from the prompt sheet document (appendix 2.2.g) formed the basis for an initial set of codes. Other themes developed from this by coding on within the data and the final coding schedule can be seen in (appendix 2.2.h). As can be seen from appendix 2.2.h, the data frequently overlapped across the different areas of welfare provision so, although it has been handled thematically in this thesis, it must be fully acknowledged that each aspect of welfare has an effect on the overall wellbeing of young people known to YOT. The thematic approach is only one way that this data could have been produced; it could also have been collected chronologically, as part of a life history session. However, the early meeting sessions with young people suggested this would have been too challenging for some and would have risked losing the more reluctant participants. In addition, a life history may have gleaned information that could have changed the focus of the work. As the interviews were flexible, there was no rigid interview schedule and respondents often stepped back and forward between policy areas as they wished.



Once the coding had been completed it was necessary to consider the resulting themes within the context of existing literature. Some writers on Grounded Theory have argued literature can be read prior to research; others suggest using it as the data emerges (Glaser 1978, Strauss & Corbin 1998, Dick, 20003). This study has used literature at both stages during the research process. A review of literature before the fieldwork allows the researcher to build an expertise in the area of study. This is valuable in reassuring the participants that you have authority and can be trusted to handle their comments appropriately. In addition, it ensures the fieldwork is focusing on the subject under question. Clearly it is unethical to collect information that has little or no bearing on the research question. For example, an explanation was given to the young people at the beginning of each interview assuring them that the study was not gathering information about the offences they had committed and they didn't need to talk about them. This reduced the amount of sensitive data that would be held on file and limited it to data that was fully relevant to the welfare question. These issues had emerged as important because of a review of other research work with young people and books on research method. A note of caution should be sounded though; it is important not to over-saturate oneself in background literature and this is why it is important to also leave some of the literature to emerge alongside the analysis. Strauss and Corbin (1998:49) suggest *'the researcher does not want to be so steeped in the literature that he or she will be constrained or even stifled by it.'* Perhaps it can be roughly separated into two: literature that will inform research method and research literature that is similar to themes that emerge from the data. It is reassuring to find that data can be linked to existing literature and theories as it makes a project seem more valid. However, it is also vitally important to identify the spheres of originality in the data and consider how they should be used in conclusions. During the analysis period some strongly local themes emerged across the respondent group and it is here that the unique quality of this study can be found. It is from these types of comments that the truly local experiences can be identified and it is here that the Conwy and Denbighshire story can begin.

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## 2.3 Living Arrangements – Housing, homelessness and wellbeing

*“Even with a new born baby, it took me four and a half years to get a permanent house” Al (21)<sup>4</sup>*

### **Introduction**

The data collected on living arrangements of young people who are referred to Conwy and Denbighshire YOT was the welfare area that produced the largest amount of comment and was of greatest concern to all participant groups. The data shows a remarkable amount of consensus, in particular, with regard to general housing access and the quality of emergency accommodation for young people. A brief overview of the research and policy underpin these concerns and suggest that age and social factors affect experience of gaining access to housing. It also becomes clear there are specific regional differences and rural factors that affect provision in Conwy and Denbighshire for young people known to the youth justice services.

### **Research, local policy and practice**

In their report on crime and homelessness Shelter Cymru (2004:17) concludes that *‘homelessness and crime are interwoven; homelessness, though not the only factor, is a preceptor to crime and that crime is also a significant contributor to homelessness.’* This provides a useful starting point to consider when analysing the data collected in this study and points to a highly relevant but somewhat complicated relationship between housing and offending behaviour. The statement also goes some way to explaining why there are high numbers of young people involved in the youth justice system who are homeless or staying in insecure housing. A look at the wider issue of youth homelessness can further explain the problems that are apparent.

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<sup>4</sup> Extract from primary data (name has been changed to protect identity)



Legislative arrangements for young people who are designated homeless fall into two age groupings – those who are under sixteen years and those who are over sixteen and this is reflected in data collected in this study. Children under sixteen do not have the legal rights to live independently and an adult who allows a child who has run away from home to live with them without state and parental agreement could risk prosecution under the Child Abduction act 1984. It is this legislative framework that considers the under sixteen homeless group as ‘running away from home’ and situates them within social rather than housing services. In their 2002 Welsh Assembly Government (WAG) commissioned study by Mitchel et al, *Running away in Wales,* it was found that between 8.2% and 11.2% of young people were in this category and this is roughly similar to the rest of the UK. Crucially, the study recognised that confirming the figures in rural areas such as Conwy and Denbighshire is difficult and these estimates are therefore not entirely reliable. Whatever the actual rates are, the factors behind the issue that emerge from the Mitchell et al research closely relate to previous studies into why young people run away from home (quoted by Mitchell et al: Rees 1993; Safe on the Streets 1999, Abrahams and Mungall 1992; Rees 1993, Graham and Bowling 1995). Females are more likely to run than males, looked-after young people feature strongly and are more likely to be reported as missing to the police, there are ethnic differences in the rates and it appears to be primarily a ‘*mid teens*’ problem – between 12 and 14 years. The Welsh study also reinforced previous findings that had reported on an over-representation of young people from lone parent and step-parent families. Those living in step families were the most likely to run away from home (17%) and those from lone parent families came next (11%). These family influences also appear in the circumstances of young people over the age of sixteen who are homeless. Smith (2005:168-169) adapts a ‘circle of risk’ that was originally identified in her 1998 study of the family background of young homeless people. Significantly, they identified the ‘*fabric of the family*’ in which they live as an important factor in housing crisis. In the majority of families, there was a trend towards staying longer in the family home but some young people were ‘*forced out or left at an ever earlier age.*’ Other factors included the ‘*young person’s own behaviour*’ which might be *risk behaviour* such as excessive drug or alcohol use and criminal activity and

'*social risk factors*' like benefit restrictions or a lack of affordable housing. In Wales, the WAG Social Justice and Regeneration Committee (2007) have evaluated the needs and services available for young people over sixteen who are homeless and found similarities in the nature of the problem but identified issues that are particularly relevant to the North Wales area and to youth justice in Conwy and Denbighshire and this reflects some of the conversations that emerged through these findings.

In the data collected for this study, all participant groups displayed concern over homelessness, access to housing and the poor quality of emergency accommodation, in particular, for those who are over sixteen or those estranged from their families. The situation is further complicated by the different ways that Conwy and Denbighshire run their housing services, something that is evident both in the findings and in the relevant appendices in this thesis (appendix 2.4.a). In 2001, the Homeless Persons (Priority Need) (Wales) Order changed the priority groupings for people in need of emergency accommodation in Wales to include young people under 18 years old (or 21 years if leaving local authority care) and other vulnerable adult groupings (appendix 2.4.b). The legislation should have led to a significant improvement in access to housing services, as many young people known to the youth justice system can now fit into multiple homelessness criteria. However, a lack of available housing for single applicants has led to the widespread use of Bed & Breakfast (B&B) accommodation, much of which is recognised as inappropriate for these individuals. The WAG has responded to this by bringing in legislation to prohibit the use of B&B for vulnerable young adults from April 2007 and whilst this can be seen a positive, it does lead to questions over how local authorities, who were already struggling to meet need, will cope in Conwy and Denbighshire. With homeless figures in Wales (CRISIS: 2007) having doubled since the year 2000, and two thirds of the homeless group being young, single households with no dependents, it is likely it is that the young people known to YOT will still have access problems. A particular barrier for young people in the youth justice system is the use of the intentionality rule – where bad behaviour can be used to deny the provision of emergency housing. The Social Justice and Regeneration Committee recognises the problem '*We heard evidence from*



*Shelter Cymru of young people being deemed to be intentionally homeless because of 'not being home by a certain time.'* In their witness statements to the committee, Barnados Cymru suggested that *'the term intentionality should not be used for young and vulnerable people who were often not aware of the consequences of their actions.'*

As analysis of the data in this study has taken place, it has been interesting to observe the emerging themes and find that many reflect the issues that have already been recognised in research and policy documents. This does raise the question of whether the practice of social welfare fully reflects the policy intentions. The responses in this study help to place these policy issues in the every day experiences of young people at risk of offending in Conwy and Denbighshire and predict new areas of concern.

## **Living Arrangements – data and analysis**

### Assessment, prevention and support

Living arrangements are an important area of enquiry for Youth Offending Team and this is reflected by its presence in the YJB ASSET assessment profile. All young people presenting to YOT will be asked about their living arrangements and YOTs are expected to address any issues that arise from discussions. When a young person presents at YOT and is assessed for the first time, a sigh of relief from the case worker often accompanies the news that they are living at home with their family. In the risk language of the Youth Justice Board, this would be considered to be a 'protective factor' and perhaps it could be suggested that young people in this situation must always be encouraged to remain at home, safe and protected. However, as with all things welfare, this argument is not as straightforward as it might first sound when considered against the data collected in this study.

Figure 2.3.1 shows that in the case of Denise<sup>5</sup>, it

#### **Figure 2.3.1**

##### **Denise (15)**

"I am living at home but it isn't very stable. It's just because I keep offending, that's when I get chucked out. I stay at friends or get a foster placement."

<sup>5</sup> All names have been changed to protect identity

would be wrong to assume that the family home is most suitable on a long term basis. Denise's view needs to be taken seriously if positive outcomes and a sense of personal wellbeing are to be achieved. The comments reveal an underlying tension in her relationships with parents and the sense that Denise is certainly 'at risk' of becoming homeless albeit on a short term basis following particular incidents. Using the mediation skills of staff within the team, the Conwy and Denbighshire YOT will provide family support strategies to enable Denise to remain in the family home. This kind of YOT intervention goes largely unrecognised by the Youth Justice Board statistics. Here we can introduce the theory that one of the problems with meeting housing need is that the work is difficult to quantify within the current performance management systems. YJB performance indicators '*All (100%) young people subject to final warnings with an intervention, relevant community based penalties, or on release from the secure estate have suitable accommodation to go to.*' (YJB 14 Key Performance Targets). Not only is there no direct funding to support this, but there is also a lack of direction over what is deemed 'suitable' and little opportunity to report successful interventions in the monthly statistical returns. These problems are not just applicable to in-house YOT interventions as partnership agencies suffer from similar limitations. The discussions with Denise suggested that she was ill-prepared for independent living and had an overly optimistic view on gaining access to flats and houses therefore she needed information on the options that may be available in the event of homelessness.

In Conwy and Denbighshire, a referral to NACRO would be beneficial in readiness for the time when Denise turns sixteen. The organisation has a strong presence in the counties, both in service and policy making terms and this is mentioned widely in data collected for this study. NACRO provides temporary hostel placements for young people within the two counties and a joint initiative with YOT has accessed funding for a Floating Support Scheme. A YOT staff representative argued the service was "*important in providing appropriate housing services – NACRO Floating support helps with advice about housing law and progressing homeless applications.*" However, NACRO can be restricted in the help they can provide if the young person's circumstances do not meet the criteria laid down by funding bodies and this can create tensions for young people and staff alike. A partnership agency representative observed that despite the fact that many young people are known to be sofa surfing on friends' settees and not registered on



housing lists, *“there is an eligibility criteria that states Supporting People money can only be used where LA have accepted responsibility and in the subsequent placement offered.”* For local policy makers and practitioners, a lot of time may be spent in negotiating for services to be provided to young people who are clearly in need but are not deemed to be eligible. Happily, for Denise it is likely the gap for her would be filled with an informal meeting as this study observed a close working relationship between YOT and NACRO Floating Support service on the ground. It should be remembered though that these meetings might remain unfunded and rely on the goodwill between the two agencies. These ad hoc arrangements could lead to inconsistency for young people and considerable stress for strategic managers when they are trying to balance their budgets. Recognising the difficulties in accessing housing for young people, the National Homelessness Strategy for Wales 2006 – 2008 states *‘Services should be focused toward preventing homelessness first, and then dealing with statutory homeless cases only when there is no alternative.’* For this approach to be transferred into practice, there needs to be protected funding that is aimed at young people like Denise who are very likely to become statutory homeless cases in future. Clearly, the complexity that exists between policy, funding and provision can be a threat to effective preventative services for young people.

### Family and social factors

For young people like Denise who have some level of housing need, risk of homelessness is often a long term problem. Many live for years without a permanent solution, often experiencing a yo-yo effect where they leave home, live with friends then return home or leave again when circumstances there changed. Difficulties with housing can exacerbate the risk factors in young people lives as many resort to living with friends who themselves are involved with offending or unsafe behaviour (figure 2.3.2). For YOT

#### **Figure 2.3.2**

##### **Billie (17)**

“I was staying with my mates, then I moved into another flat with an ex-boyfriend, then I got kicked out of there and started staying at my mates. I’m now living with my boyfriend – its convenience really”.

##### **Anna (16)**

“I was about 14/15 when I left home and moved in with a friend where it wasn’t very safe so I moved out. . . I am now staying at my friends until I get something sorted out. I am staying with my friend’s mum and dad and they just said I could stay there as long as I need but I want to get something sorted”.

##### **David (17)**

“After this, went to stay with a friend’s missus in Manchester whilst he was away in prison”.



workers it is often difficult to manage the risks that are created by the somewhat dubious living arrangements of these young people.

Billie's evidence raises a concern over the number of young people that are choosing to live with boyfriends and girlfriends prematurely, out of convenience. Some young people may go from a couple of dates to living together in a matter of months and this forces their relationships onto a more serious level rather than allowing them to develop naturally. Clearly this could have future implications for divorce rates as these relationships could be much more likely

**Figure 2.3.3**

**Luke (17)**

"Moved back to parents house for now but they are moving away from the area. Now looking for a flat with a friend; we are both are looking for proper work".

**Alex (15)**

"My older sister and her boyfriend became homeless and came back to stay with the family, they have now moved onto to stay with other family members".

to break down. As we can see from Anna's comments, living with friends or partners cannot guarantee a safe and secure environment in suitable housing. For Anna, it was impossible for her to live with her own family and in common with Luke and Alex's experiences in figure 2.3.3 this highlights that fact that families often have their own issues which affect their ability to offer long term housing support to their older children. Parents also recognised these issues and they are exemplified by Mrs King's<sup>6</sup> story:

*"Housing is the biggest problem at the moment. We - 2 adults and 4 children - are living in a 2 bedroom private rented flat which is also very damp. The dad and I sleep on a sofa bed in the lounge and the children share the bedrooms."* (Mrs King - parent interview)

In this case, the family have been told that the problem is that there are no four and five bedroom houses available in the local area. The family have said they are willing to move into a three bed roomed house, but legislation requires them to be provided with housing of an appropriate size for the family so the local authority cannot allow them to do this. The family were, therefore, unable to provide accommodation to their two older sons because they are already overcrowded and waiting for re-housing. The older boys had previously been accommodated on a voluntary care order to help with problem behaviour and

<sup>6</sup> These themed surnames have been used to protect identities



had initially done well in foster care. However, the placement had broken down for the elder of the two and he had been moved to a Children's Unit. In the company of other young people, he had subsequently committed a serious crime which had resulted in a Remand to Custody. In these cases, appropriate accommodation must be found immediately and sometimes there are as many risks posed by the young person as by the circumstances in which they find themselves. Mrs King describes how difficult the situation can be:

*"They put pressure on you – when the eldest was stuck for a bail address, we agreed to have him over the weekend. That was okay but then on the Monday, Social Services said they couldn't find anywhere for him and could he stay a bit longer." (Mrs King - parent interview)*

For this mother, this is a choice between protecting her son from custody and disrupting an already overcrowded and stressed household, or refusing to help the boy and seeing him locked up. Neither are easy decisions but, in future it is less likely she would agree to a further weekend stay after this breach of trust by Social Services.

The data shows that family circumstances are often far from constant in young people's lives and as such transitions from the family home to independent living are sometimes forced by circumstances as opposed to personal choice.

The account in figure 2.3.4 reveals some of the difficulties in family circumstances and is reminiscent of the factors identified by the Bruegel and

**Figure 2.3.4**

**Chris (16)** "Now living back at home with Mum, things are better but it's taken a long time to get on with the boyfriend."

Smith study mentioned earlier in this chapter. Chris's life had been affected by the changing nature of relationships in his household when his mother found a new boyfriend. Staff with experience of these issues reported

*"Even if they are at home, it is not necessarily the best situation. They can be subject to the power relationships within the household and are often in a precarious position due to their offending behaviour or general behaviour. The parent's patience has often worn very thin and the threat of homelessness looms." (YOT staff representative)*



These kinds of tensions can be exacerbated by a welfare and youth justice system that expects compliance. If a young person is estranged from parents due to bad behaviour then this can adversely affect housing applications and access to accommodation.

### The intentionality rule and high expectations

Whilst the Youth Justice Board accepts that suitable accommodation is a protective factor in offending behaviour, access is often restricted to individuals who are considered to be in difficulties as a result of their own bad behaviour.

In figure 2.3.5, David's situation caused significant problems for YOT staff as there was little that could be done to resolve it in the short term. A number of the young people known to YOT have presented as homeless previously and completed a housing application. However, they have been unable to maintain their temporary placement and either left or been told to leave. In these cases the 'intentionality rule' may be used to prevent them being able to access emergency accommodation on future occasions.

#### **Figure 2.3.5**

##### **David (17)**

"At the end of this period, housing turned round and said I was intentionally homeless ... I haven't ever been able to get into the local hostel as I was barred from [name] for bad behaviour when a mate was living there."

*"In practice, housing services spend a lot of time debating intentional homelessness and appear to work on an 'opt out' policy rather than 'opt in.' Services do focus on high risk factors with many young people with multiple problems deemed 'difficult to place.' Although there are good working relationships with housing services, differences in working structures and criteria, in particular between different local authorities can lead to inconsistent interpretations of legislative policy." (YOT staff representative)*

In reality, young people can be deemed intentionally homeless for minor misdemeanours and decisions can appear to be quite arbitrary. In their research, the Social Justice and Regeneration Committee (ibid:2:31) found that *'We heard evidence from Shelter Cymru of young people being deemed to be*



*intentionally homeless because of 'not being home by a certain time.'* In their witness statements, Barnados Cymru suggested that *'the term intentionality should not be used for young and vulnerable people who were often not aware of the consequences of their actions.'* The intentionality rule is clearly one of the reasons that young people often choose not to bother making an application to housing services.

The expectations on young people to maintain their placements are high and the staff interviews show they recognise these expectations may be setting them up to fail.

*"There is a lack of suitable accommodation, a lack of support to maintain a placement and largely unrealistic expectations of what young people (particularly those with substance misuse issues) can achieve. As young people they should be allowed to get it wrong without losing their home – there are hugely unrealistic expectations for these young people, all who have chaotic lifestyles and many who come from chaotic backgrounds."*

(Partnership agency representative)

Young people need to be allowed some opportunity to grow and develop in their transitions to adult life and positive relationships with the people who are supposed to help them are crucial in this process.

### Relationships with Housing Services

The data from this study shows that partnerships between young people and NACRO floating support workers are positive in their negotiated approach.

In figure 2.3.6, Caron was clearly allowed to have some ownership of her situation and this did eventually result in access to council

#### **Figure 2.3.6**

##### **Caron (17)**

"It came close actually to [NACRO Support Worker] finding me somewhere but I said I would like to her to take a step back because if she did find somewhere for me then the council wouldn't look. Really I would prefer to have a council property rather than private because then I can do what I want – it can feel like my home".

property, although it was still of a temporary nature. In Caron's case, she was prepared to wait the several months, maybe years, before gaining permanent



accommodation. However, the young people who were interviewed for this study overwhelmingly suggested that presenting to statutory housing or social services was a final option for them. Contrary to popular public opinion, 'going to the council' was not seen as attractive and most respondents would choose to live with friends or family, even if it is in very temporary or poor

circumstances. In the interviews, several young people mentioned the difficulties of getting hold of workers and reported a lack of continuity with regard to contact.

In figure 2.3.7, Luke and Chris's experiences were not unusual amongst the young respondents in this study and indeed this lack of communication was also a theme that emerged from parent interviews. All the parents interviewed complained about feeling marginalised by welfare services and a lack of communication was often cited as a problem. Parents in these situations feel powerless when they see their children accommodated in unsuitable circumstances and this is even more keenly felt after they turn sixteen years old.

**Figure 2.3.7**

**Luke (16)**

"I went to the housing department and they said they would get back to him in the next few days but they didn't phone. I rang my YOT worker who pushed for an appointment. All that happened was the housing department phoned and asked if I was ok for somewhere to go for the weekend and I said yes. The worker I spoke to was on holiday the following week and I didn't hear anything else from them."

**Chris (17)**

"[My worker] from YPSMS pointed me in the right direction to sort out the housing department but they didn't offer anything. An application was just too complicated, filling forms, giving info and booking appointments. They organised one appointment and the geezer wasn't there. It was a waste of time – "I couldn't be bothered."

*"For my son, the worst things have happened recently. When he turned 16 he was referred to the Leaving Care team, taken out of the Unit and moved from one B&B to another. He did return home for 5 to 6 weeks but it started to fall apart and he had to go back to B&B."* (Mrs Lord: Parent interview)

Although the Leaving Care Team gets the blame for this, the problem is in fact a strategic issue. The use of B&B has been used extensively as a final option due to the lack of more appropriate housing, something that is out of the control of the team themselves. What is worrying is that parents construe the Leaving Care team as the ones at fault, perhaps because of a lack of understanding of



the whole situation. This comes down to effective communication and is something that is overwhelmingly suggested by parents as in need of significant improvement. Mrs Lord goes on to describe how she is not even listened to when she tries to warn of a significant risk in the placement of her son:

*“Social Services agreed for the boy to live with an older female friend (who is implicated in these recent offences). I raised concerns about the relationship but Social Services allowed the situation to continue. Basically they just don’t listen”* (Mrs Lord - parent interview)

Unlike the parents and young people who simply need appropriate accommodation to meet their welfare need, the professionals have many different criteria to meet. The housing equation for YOT and Court workers is also bound up with Court and legislative requirements, YJB performance management targets and human rights issues and these factors influence the decisions that have to be made. The rurality of Conwy and Denbighshire can exacerbate these problems and professionals involved in the study were aware of the difficulties that had been also raised by the young people and parents. This reinforces the views in the young people’s

### **Figure 2.3.8**

#### **Al (21)**

“Care promised me so much – after Care they would show me they’d get me a flat, they’d get me this and that, but once I had hit 16 that was it; I was shown the door ... we got shoved to a different county and put into a hotel in and we were shoved in a one room, we had no bathroom, and we had a new born baby – he was under the age of say one – there was no changing facilities, no bathroom for us to go and bath him and do his bottles and all that so that one wasn’t suitable ... I just grew up out of my own – no-one else was going to help us so I had to help myself at the end of the day. I asked for help, I screamed for help, I kicked off for help but it still never came.”

feedback about their reluctance to pursue housing applications. The decision to make a housing application is affected by the distance that might have to be travelled, the likely response at the application interview and the overall possibility of suitable accommodation. If all these factors come together in a negative way then the young person is far more likely to drop out of the process. Al, although now in permanent council accommodation, remained angry about the way he and his family had been treated. As care-leavers, Al and his girlfriend already felt let down by welfare services and this may have affected their relationships with housing and social services (figure 2.3.8).



This resonates strongly with the experience of young people in the Natalie Valios Community Care article, 2006:

*"I don't feel that social services have done anything for me. They have just left me. I'm crying for help but nobody is there"* ('Lucy' - young care leaver interviewed by Valios:29)

Significantly, Al now works with young people and reported that he sees little evidence of change – in his opinion, young people are still being let down. This is despite new legislation produced by the 2000 Children (Leaving Care) Act and the entitlement principles introduced by the Welsh Assembly that gives local authorities a defined duty of care to care leavers and young people. MP David Kidney, Chair of the Associate group for looked-after children and care leavers, argues that *'the 2000 Act is a good one, but it does leave actions to local authorities' discretion.* He believes that support for young care leavers should continue after 16 and that *'leaving at 16 should be an exception rather than a rule'* (cited in Valios, 2006:29). It appears that for many local authorities the treatment of this group is a resource issue and David Kidney asks for national minimum standards to safeguard the services for care leavers. If resource issues even affect those young people in care, then clearly there are questions about what intervention is on offer for those who do not fit the local authority care criteria. Many young people in this study had experience of social services and they were particularly negative about the inconsistency of contact. They often reported being unable to reach social workers when housing emergencies arose and many felt that they didn't get much help and what they did receive was often worse than the homelessness itself.

### Quality of accommodation and housing options

Due to this reluctance to seek help (figure 2.3.9), Anna initially remained at a friend's flat where a YIP worker later identified significant risks. Of the sample group, there were only two young people who had completed a homeless application and maintained a placement in temporary

#### **Figure 2.3.9**

##### **Anna (15)**

"If I declare myself as homeless, they'll put me in a B&B where they put everyone – its not really safe. They put people – you know – have come out of prison and everything – they put anyone there."



**Figure 2.3.10****Al (21)**

"They moved us to another [B&B] which accommodated children, and while we were there the cot was strapped to the wall next to the radiator which enabled my two year old lad to scald all his foot and it burned all the layers of skin between his toes."

accommodation and they were both critical of the facilities they had been provided with. These young people had small babies and partners with them in the temporary placements and these issues were more significant because of the responsibilities of looking after a family (figure 2.3.9). After the incident described in figure 2.3.10, the family left the B&B and

returned to family and friends for a while where they had to split up – the baby going to stay with a grandma and the mother and father sleeping on a friends sofa. In comparison to Al, Caron managed to maintain her placement in a B&B and a temporary flat; this is perhaps due to her realistic appraisal of the situation. (figure 2.3.11)

**Figure 2.3.11****Caron (17)**

"Well my housing officer said to me that it could be six months, it could be twelve. Since all this has happened, I have said to her that I don't feel safe here anymore and I want to be moved so she said she is going to look for something more suitable – ground floor preferably just depends how long. There are priorities as well so – like – people with babies and stuff. I mean I've got somewhere to live at the moment and there are people who haven't. . . . I've been given a two bedroom flat but we have to climb four flights of stairs – my pushchair got stolen a few nights ago. . . . It was really cold in there all the time because the windows are all wooden and really draughty. They put all the heaters on through the building – but they didn't have them on very often. It just came on and off on a timer, I could turn them down if we got too hot but I couldn't put it on."

However, Caron reported that she did not feel safe in her flat because of the other people who had been housed there and clearly the circumstances are quite difficult. The professional interviews noted that temporary accommodation often houses adult drug users or ex-offenders and this can be a particular risk for young homeless people:

*"There are concerns that these young people may be at risk of deteriorating substance misuse and there is anecdotal evidence of a young person who started to take heroin whilst staying in B&B where adult users were also placed."* (Partnership agency representative)

Confidence and determination have been deciding factors in this case; Caron and her partner have been able to accommodate the problems of living in



temporary housing. Where young people are more articulate and positive in their relationships with services, it seems that help is more easily gained. On the contrary, young people who have been adversely affected by previous experiences find it more difficult to negotiate for housing services and maintain placements. The professional interviews support the idea that these young people often do not receive the help they need. Because provision is limited, temporary provision such as hostel accommodation can struggle to meet individual need and may offer the wrong kind of support

*“In a homeless hostel there is often a mismatch between provision and need. Hostels complain that young people don’t access the support offered but young people do not find the support meets their need. eg. A young person might want someone to go to the gym with but the hostel worker does not have the resources to offer support outside of the hostel.”* (YOT staff interview)

Again this is ultimately a strategic and resource issue and staff interviews suggested there is a need for a range of options to be developed.

*“There is a one model fits all approach to the problem so it is difficult to meet individual needs. Housing providers and forums have their own favourites, for example some see foyers as the answer. However, there needs to be tiered approach with a variety of provision available. In reality it is difficult to get providers on board for young people at risk of offending.”* (YOT staff interview)

Whatever strategic measures are employed to meet the needs of young people at risk of homelessness across the two counties, presently there is considerable frustration across the respondent groups over the way that money is spent on inadequate temporary accommodation:

*“Emergency housing situation is very limited. The LA can pay £150 for B&B in an inadequate hotel – a waste of money that could go into appropriate accommodation.”* (YOT staff interview)

The temporary housing experiences discussed by respondents in the study are reflected in the recommendations voiced in the Social Justice and Regeneration



Report and the legislative changes that have been introduced by WAG government over the use of B&B accommodation for young people. The quality and choice of temporary housing must be addressed by local authority housing services but there is a question over how Local Authorities will meet the need for temporary accommodation if B&B is not an option. Access to emergency temporary housing is particularly important for young people in the youth justice system as it can mean the difference between a period in custody and the opportunity to work within the community.

### Housing need, court system and offending behaviour.

For young people who are homeless and appearing before a court there is a more formal attachment to the issue of accommodation through criminal justice legislation and court orders.

*“Housing is a very important issue – if there is no appropriate accommodation then there is little impact that can be made on offending behaviour. Think of Malslow’s triangle –if basic need isn’t met then the criminogenic work is not effective.”* (YOT staff interview)

Young people who are sentenced in a youth court must supply details of their home address and one of the first principles of YOT Orders is that the supervising officer must be notified of any change of address during the course of the Order. YOT workers must be able to show the young person has somewhere suitable to live before a community sentence can be passed, so the relationship with the Court is key to ensuring young people get the opportunity to serve their sentence in the community. The professionals involved in a young person’s case have many different criteria to meet. The housing equation for YOT and Court workers is also bound up with Court and legislative requirements, YJB performance management targets and Human Rights issues. For example some programme options cannot be offered without appropriate accommodation:

*“Accommodation needs to be sorted before young people can be offered ISSP. As the young people are generally PYO’s they will have been on*



*other Orders with YOT and previous officers will have addressed any accommodation problems ... Hostel or housing shelters will not allow tags to be fitted and are usually pretty insecure placement so are not really suitable for young people on ISSP programmes. Tags cannot be fitted for young people in B&B also but the Court recognise the problem and are accommodating – they will sometimes allow ISSP to go through without and accompanying electronic tag in certain low risk cases. However, a few young people have missed the opportunity of ISSP due to lack of suitable accommodation.” (YOT staff interview)*

As the programme is offered as a final alternative to custody, the court are likely to opt for a custodial sentence in cases where a young person might be eligible for ISSP but a programme is not being offered. This is similar to the situation for young people who are applying for bail and young people over 16 can be remanded to custody. Even for younger children bail can be refused and they can be sent on remand to the local authority if it is deemed unsafe to allow the young person to remain at home on bail. This creates the biggest problem of all for court representatives, social welfare services and YOTs alike.

*“There are concerns about what happens to young people on Remand to Local Authority but Magistrates do not feel very powerful. There is also some cynicism about the effectiveness of services from local Authority. Bail Supervision is offered in a small number of cases and finding accommodation can be an aspect of this.” (Partnership agency representative)*

In these cases, legislation states that local authorities have a duty to ensure appropriate accommodation is provided so that, in theory, no young person should be in custody just because they are homeless. However, the welfare need of the young person is considered against the risk of offending behaviour and the YOT has to convince the Court that the housing situation will be addressed. In reality, things do wrong as is

**Staff Case Example:**

“A young person on Bail ISSP phoned to say that he had been kicked out by his mother thus presenting a problem as he was tagged at the home address. To address the problem he was taken to Rhyl police station to report the problem and the out-of hours social worker was called. The only solution was to house the young person in a hotel overnight which was not ideal considering the tagging and the vulnerable circumstances of the young person.”



described in the following example. No-one could have predicted these difficulties but the lack of appropriate emergency accommodation put the young person and the community at risk. Staff case example 1 illustrates the difficulties for YOT officers who have a responsibility both to the Court and to protect the young person. These situations are very challenging and lead to a great deal of stress in their everyday working practice:

*“With regards to completion of court orders, the transient nature of accommodation causes difficulties. As young people may spend just days here and there at various friends/relations houses, reparation letters can go astray and the young person risk breach for not attending sessions etc. The more chaotic their lives, the more at risk of breach and many do not have parental support to motivate them into to completing their Orders.”* (YOT staff interview)

This situation is further affected by competing legislative agendas such as Anti Social Behaviour Orders, truancy drives and Parenting Orders. Staff talked of young people whose families were at risk of eviction due to their behaviour and others who are unable to live in the family home or visit extended family because of ASBO restrictions: “Extended families live on the same street and ASBO and CRASBO conditions have caused difficulties in this. For example one of the cousins is named on the other’s ASBO meaning that the two are not supposed to spend time together. In reality this is totally unworkable as the families are so closely bonded. CCTV operators in town know the lads and keep a constant eye on them so they are likely to be found in breach when they appear together in town.” (YOT staff interview) The unintended consequences of these policies work against the quest to find appropriate and permanent accommodation for young people known to the YOT and professionals who work in the system and this illustrates the tension between efforts to reduce offending behaviour and address welfare needs. Despite the intentions of the All Wales Youth Offending Strategy document, it is not always possible to agree that “There is no contradiction between protecting the welfare of young people in trouble and the prevention of offending and re-offending.” For young people, the link between welfare and offending is explicitly felt and can be a source of frustration when they are expected to address their offending behaviour whilst



**Figure 2.3.12****Al (21)**

"I don't need to be shown a piece of paper, I need to be shown how to get out of debt that I am in, or how I need to get food on my table without doing anything illegal."

**David (17)**

"The NACRO floating support worker has helped to put together an application to a supported living accommodation project out of the area and it looks as though they will offer something to me. I am hoping that moving there will provide a new start and get me away from mates who are in trouble and areas where I used to get into trouble. One of the main reasons things have changed is because I have been keeping myself to myself to keep out of trouble."

welfare needs remain unmet. In figure 2.3.12, Al angrily shared his frustration over what he considered to be useless interventions and makes an explicit link between his family's need and his illegal behaviour. Similarly, David sees an association between his ability to keep out of trouble and his separation from friends who are still offending.

David believes access to the supported housing project will allow him to move on from the self imposed isolation to the possibility of a new life and new relationships. As has already been discussed, these views conflict with policy makers and researchers who do not explicitly make causal links between welfare and criminal behaviour. Youth justice professionals aim to

walk the line between meeting welfare need to reduce risk factors and at the same time offer different ways of dealing with problems in life. The young people have to develop their own sense of morality that will lead them to desist from turning to offending when life gets difficult.

### **Housing, homelessness and wellbeing – conclusions**

In common with all YOTs and local authorities, Conwy and Denbighshire have particular local factors to consider when thinking about developing housing options for young people. The rural nature of the geographic area, would suggest that homeless young people are low in number and spread far and wide. This affects the viability of projects as there may be periods when low numbers are accessing a scheme. Therefore it is clear that youth housing provision in North Wales has to be flexible and easily accessible to those in outlying villages. Thus, resourcing is a massive problem for strategic managers as the cost of running a rural service is far greater than a city centre one. As youth housing need is overwhelmingly hidden from view, effective research on



the general housing status of young people in the area and their aims for the future is required. At present, local authority housing provision appears as a residual service – only aimed at those who present as likely to be homeless. This situates services in a negative environment that serves to stigmatise young people who have to resort to accessing the service. There is a need for a local housing policy to take a wider strategic approach that could encompass all young people to whatever degree is required. A key point that emerged from this study was that housing crisis needs to be averted and this translates into practice that recognises all young people have to make housing decisions sooner or later.

As we have seen, families are not always able to offer accommodation support to their older children and it cannot be assumed that the family home is always the best option. At present, options for these young people are extremely limited and often, very low quality. It is not enough to place them in ‘holding pens’ until permanent accommodation is available. The resulting problems that can develop from life in inadequate accommodation can have lasting effects that can ultimately cause extra trouble and cost to society. The 2007 policy move away from the use of B&B for temporary accommodation will go some way to address this problem but it will only be effective if appropriate alternative provision is developed. In addition to this, the attitude to young people and housing should acknowledge that this is a transitional period. Young people cannot be expected to move into accommodation and then stay there as good as gold for the next thirty years. By nature, this should be a period of experimentation and change and individuals must be allowed to develop and mature – and make mistakes! The responses in this study suggest that valuable resources are wasted by unproductive working practices and a lot of time is spent in sanctioning young people who have failed to maintain their accommodation or chasing those who have missed appointments. There could be far more use of new technologies such as mobile phones and email and in this, the YISP project and NACRO provide a model of good practice, using texts and the internet extensively. These methods suggest that services are willing to be flexible and have an up-to-date approach to communication.



In common with many of the young people and parents in this study, the professionals cited housing as the most important factor in welfare provision for young people referred to YOT. It was described as a 'basic building block' and felt to be a priority in the meeting of welfare need. However, support housing providers have sounded a note of caution as they point out some individuals with chaotic lifestyles and problems may not be equipped to live independently or maintain housing placements. The intersection between the different areas of research in this study is clearly evident from these comments. Housing need cannot be considered in isolation from issues of health, locality, money and travel and, in particular, education. Courses on basic lifeskills, like budgeting, cooking and general maintenance are vital in preventing further homelessness and very important for young people who have left the family home early. Sadly, many of the young people who have significant housing problems are also the ones who have been unable to take advantage of mainstream education services and this is something that will be investigated in the next chapter.



An idyllic country cottage is often far from reality for young people at risk of homelessness.

Image©Jayne Neal



## 2.4 Education, training and employment (ETE)

*“My old teacher called me Damian today – I said it’s not Damian – they used to look at my head for the 666 – that’s what they’d do.” Al (21)*

### **Introduction**

The education, training and employment of young people at risk of offending is an important focus for the Youth Justice Board (YJB) and the youth justice system in England and Wales. This is perhaps illustrated by the fact that the ‘YJB has set a target for YOTs that 90% of the young people they supervise should be in suitable education, training or employment during and at the end of their sentence’ (YJB brochure). For the young people referred to the Conwy and Denbighshire YOT, education provision can mean many things, from basic skills training projects to mainstream academic schooling. If effective, these experiences can contribute positively to general wellbeing and improve life chances for young people and help to minimise the problems that are created by other areas of welfare need such as homelessness or poor health. However, as evidence from this study emerges, it will illustrate how difficult it is to meet educational need and the YJB target. Firstly, there is less of a consensus between participant groups over educational practice and this can lead to competing agendas. The young people have told stories that concentrate on feelings and personal experience as opposed to the parents and professionals who are often concerned with poor outcomes and issues of quality.

In the group of young people participants for this study, there were very few who had experienced mainstream compulsory schooling without any difficulties or special requirements. In the twenty young person interviews, only two reported having had no problems at school. It is therefore unsurprising that YJB are particularly concerned with addressing the educational need of young people who are known to the youth justice system. However, at the same time it should not be assumed that all young people known to YOT are outside of



mainstream education as staff reported there are a large number of those engaged in the prevention projects and pre-court interventions that are attending and achieving in a school environment. Certainly it does seem that the higher up the ladder of convictions a young person goes, the more likely it is that there will be some disengagement with education services. This may be the reason that those not in education, training or employment (labelled NEETS by the government) are considered to be more at risk of offending or antisocial behaviour.

### **Research, local policy and practice**

In their ETE brochure, the Youth Justice Board state '*Children and young people who are not engaged in education, training or employment are much more likely to offend or re-offend than those who are.*' Although there is some considerable research evidence to support this view (for examples Graham and Bowling 1995, NACRO 2000, Smith 1998), it is interesting that the belief in the link between exclusion or disengagement from school and offending behaviour is now so strong that the YJB do not feel it is necessary to cite supporting research and the statement appears in their Effective Practice document as an essential truth. Hodgson and Webb (2005:13) observe a trend that developed in the mid 1990s for the twin rising indicators on school exclusion and youth offending behaviour to be inexorably linked together by policy makers and policy writers.

*As a consequence, the results of any attempts to construct a causal – rather than declaratory – chain between the two can appear weak and vulnerable to criticism (citing Pomeroy 2000, p.3; Berridge et al. 2001, p.47) (ibid:14)*

Indeed, Hodgson and Webb's study found that a significant number of his young person participants reported to him that offending had begun before school exclusion and had not lead to an increase in their rate of offending. Paradoxically, it seems that for some young people in the sample, the period of school exclusion had led to '*increased levels of parental supervision*' which had



*'removed - or at least limited – any potential offending opportunities'* (ibid:24). These findings sound a note of caution for those who are trying to reduce offending behaviour. Engagement with statutory education services is seen as the Holy Grail, illustrated by recent government announcements that the school leaving age may be raised to eighteen. Thus displays of problem behaviour in schools or lack of engagement with education has become an indicator of abnormality or risk. As Reynolds notes:

*when confronted by social problems like truancy, delinquency or so-called 'behaviour disorders,' our automatic tendency has been, and still is, to appoint more educational psychologists, employ more advisers and introduce more school based social workers. A veritable army of the 'helping' professions now exists to 'help' – or rather force – the child to adjust to the reality of school existence, irrespective of whether the reality is worth adjusting to. (1976:217)*

Whether or not the eventual outcome is offending behaviour, it is clear that life for all young people is improved by engagement with some form of education, training or employment. Therefore, ETE for young people in the youth justice system must be considered within a universal education remit and, in Wales, this is laid down by the Welsh Assembly Government strategy 'The Learning Country' (appendix 2.5.a) for strategy details). In the foreword to the document, Jane Davison AM writes, 'Education and training are of the first importance for Wales - they liberate talent, extend opportunity, empower communities and help create wealth.' It must be remembered that education policy for young people in Wales is also driven by Extending Entitlement which reinforces the basic entitlements to 'education, training and work experience that are tailored to their needs' (NAW, 2000:6). This is particularly important when it is considered that young people in the youth justice system are more likely to suffer from a special educational need (SEN) and require extra support within the SEN framework (Gavin & Kirk 2001, British Dyslexia Association/Bradford YOT 2004, Barnard, Prior & Potter 2000). The Warnock Report in 1978 and Education Act of 1981 introduced a new way of categorising pupils with special educational needs and these were to include those with 'emotional and behavioural difficulties.' Following these changes, Dessent (1987:6) identified a 'continuum of special



educational need' which 'relates to need which any individual child may be seen to have for assistance, support and intervention, in order to pursue an educational programme.' However, he stresses a feature of this model is that 'The most important feature of this model of need is that there is no break in the continuum.' (ibid:7). In comparison to Dessent's benevolent model, McKay and Neal (2007:1) suggest that twenty years of policy implementation have led to a 'continuum of disengagement' (appendix 2.5.b) for many who have a special educational need. Evidence of this can be found when diagnosis and interventions have failed to meet the identified need. In this scenario, Dessent's original model has been subject to 'breaks' in his 'continuum' and this has affected overall SEN provision and individual outcomes. At the furthest point of the Continuum of Disengagement, young people may be excluded entirely from education and involved in the criminal justice system - sometimes as a result of extreme behaviour in a school environment.

After eight years as a member of the Youth Justice Board, Rob Allen (2006:13) came to believe '*Education departments are simply not meeting the needs of children and young people who offend.*' He argues that despite all the best intentions, '*little progress had been made in tackling truancy*' and levels of school exclusions have '*remained stubbornly high.*' To counteract these difficulties he suggests:

*There is a need to take account of underlying issues about the way the national curriculum engages young people and how schools often collude with absenteeism. (ibid; 13)*

In the short term, however, all these factors combine to ensure that meeting the educational needs of young people at risk of offending in Wales is a complex challenge for policy makers and practitioners. In 2005, Estyn, Her Majesty's Inspectorate for Education and Training in Wales reviewed the education provision for young people in the youth justice system in Wales. They found some good examples of informal learning projects for those supervised by YOT and Conwy and Denbighshire feature in these with their RSPB joint conservation project. However, Estyn were less positive about quantity and quality of general provision and these factors were cited widely by professionals



involved in this study. According to their Single Education Plans, both Conwy and Denbighshire Education Services are committed to working in partnership to provide effective services and positive outcomes. However, for the young people interviewed in this study, educational experience is much more bound up in the relationships and personal impact of the school day.

## Education, Training and Employment - data and analysis.

### Access, attendance and exclusion

Many of the young people interviewed for this study have experienced problems with school attendance and exclusion. As can be seen from the following examples in figure 2.4.1, there are a number of different reasons given for these problems; the unifying factor is that most young people gave individual or personal reasons for the difficulties rather than blame the schooling system as a whole. There was not a sense that there were particular problems with Conwy and Denbighshire educational practices, indeed a number of young people had experience of attending schools in England and Wales and reported little difference between the two. This perhaps reinforces the notion of a detachment from the educational process rather than dissatisfaction with individual establishments or local practice. This reflects data collected by a 2006 YJB commissioned study on *'barriers to engagement with ETE.'*

#### **Figure 2.4.1**

##### **Billie (17)**

"I was attending school but there were certain teachers in certain subjects I didn't like so I wouldn't go and I'd be bunking off – then I got kicked out of school."

##### **Anna (16)**

"YIP worker helped me to get back into school about a year ago or something. I missed about a year and a half but I have got 100% attendance now."

##### **Al (21)**

"I just got expelled in second year high school. I lasted through the first year and that was it."

##### **Caron (17)**

"I was just a bit of a wild child, I didn't want to be, but I didn't know what I wanted" "I wish if I could turn back the hands of time, I would go back and make a real good go of it but its not the way it works."

##### **Ben (16)**

"Headmaster did my head in. Just didn't like school altogether."

##### **Luke (16)**

"I Went to school ok with some short term exclusions for small things but I was bullied and started to fight back so got into trouble then. It depends who you are hanging about with."

##### **Alex (15)**

"Stopped attending school after leaving jail."



*Many young people assumed personal responsibility for their lack of engagement, mentioning for example lack of achievement, bullying, difficult relationships with teachers and lack of interest in school. (2006:7)*

In figure 2.4.1, Caron expresses regret in her disengagement from schooling and wishes that she could have 'made it work.' With the exception of Al who perhaps at 21 has the benefit of hindsight, there were few complaints about the educational process itself, there seemed to be an acceptance that problems that occurred were as a result of not fitting in with what was required by the system. The factors reported by young people here are described as 'micro barriers' in the YJB study (ibid:63) and are in common with the YJB findings and the underpinning literature. Young people generally reported problems with fighting, truanting and not liking particular subjects or teachers and staff at the school.

These responses fit neatly within four key areas listed in Table 2.4.1 as identified by YJB:

**Table 2.4.1 Barriers to Education**

**1. Detachment**

Many young people had been excluded or absented themselves from classes in which they were not doing well, also if they were being bullied or wanted to spend time with friends who were not in school

**2. Low attainment**

Many young people felt their educational ability was below that of their peers

**3. Influence of the school**

Bullying and response of teachers and the school to it featured in many of the interviews with young people. Relationships with teachers were important, as were small class sizes.

**4. Custody**

Some young people gave specific examples of custody disrupting their schooling or college courses

(YJB. 2006:8)

In similarity with the young people responses, parents interviewed in this study concentrate on micro barriers. They talk of the personal factors in accessing education:

*Both boys did alright in primary school – the problems began when the older son went up to secondary school. After that, the youngest son wouldn't go to school – this might be because he had relied a lot on his brother looking out for him at school. (Mrs Earl - parent interview)*



Here, the eldest boy has a Statement of Educational Need and the younger one is going through the diagnosis process at present. In fact the parents in this study were disinclined to talk about education in any great depth, perhaps because there were so many other difficulties that they felt were more pressing at that time. This may be as a result of the research site used for the majority of parent interviews which was a private interview room at the local youth court (see Research Design and Methodology chapter p. 82). Clearly on that day the court process and outcomes were of more concern. Despite these limitations, all the parents who were interviewed did report that there had been problems with schooling and that it was often a struggle to get their children to engage.

Contrary to the approach taken by the young people and parents, professionals introduced concerns over ‘*macro barriers*’ (ibid:64) and were critical of educational processes in Conwy and Denbighshire. These tended to be structural and highlighted a difference between provision for those under sixteen and over sixteen year olds. The YOT Education Officer has a good relationship with the LEA and schools in the area and as a result, professional interviews revealed a confidence in the network available for those of compulsory school age. However, this does not mean that the required 25 hours a week schooling is always available

*“Both Conwy and Denbighshire LEA are unable to offer full time learning packages for pupils who are out of mainstream education” ... “There is a mixed bag is evident with regards to ETE. Non mainstream educational provision is rather shambolic in both amount and quality. This appears to be due to a dilution effect – adequate provision is initially planned but greater numbers end up being referred to projects by schools thus resulting in a watering down of provision.” (YOT case manager interview)*

Therefore, pupils attending alternative forms of education are often offered part time provision due to an oversubscription of numbers. This not only compromises the Welsh Assembly Government policy on full entitlements for young people, but also has an effect on the evaluation of YOT practice. Clearly, these cases are not going to meet the YJB criteria for ETE (90% of all YOT cases in *full time* ETE) and it will reflect badly on their management reports. In reality this structural issue is as much of a problem for education providers as it



is for those trying to access the service and so it is difficult for YOT case workers to negotiate for better provision when adequate resources are just not available. However, the young people who are under sixteen and referred to the YOT are usually able to access some sort of education provision, even if it does not fully meet the criteria that is laid down. Perhaps it is for this reason that the over sixteen year olds are reported as presenting more of a problem for professionals working in the youth justice system.

*“The 16+ group are generally disinterested in ETE – they will start courses then leave. A major barrier is that benefits are changed or stopped if a young person goes back to education – it can be weeks before benefits are sorted out and this presents a serious risk of re-offending.”* (YOT case manager interview)

This professional’s interview reveals a very basic challenge for those working with young people who have been detached from education, training and employment for some time. It is in these cases where flexible and short term courses can be most useful and there are a plethora of community courses available. Indeed one professional noted *“The fact is that there are so many different schemes on offer that it is often easy to forget about some of the options.”*

### **Learning opportunities and experiences**

Conwy and Denbighshire YOT have good working links with schools and alternative education projects in the local area. Significantly though, in common with Estyn findings (2005:4), YOT staff recognised that ‘despite all the community attempts at promoting engagement, some of the best educational achievement can be found in custodial establishments.’ Although this is clearly linked to the ‘captive’ nature of custody – young people rarely have anything else to do and education provides some time out of their cells. These may also be partly due to the variability in what is on offer in the community, particularly across counties.



*“Access to projects such as DofE and Princes Trust is dependent on what is available locally – for example there is good involvement with DofE in Denbighshire because there is a reliable worker in place in that area. However, Conwy young people have no access to DofE at all.”*  
(YOT case manager interview)

This can lead to inconsistency in YOT practice for young people and frustration for staff. It is a pity because young people interview data reported some very positive comments (figure 2.4.2). As much as these short courses are clearly very valuable for personal development and learning, there is a concern over what happens on completion.

**Figure 2.4.2**

**Billie (17)**

“Princes Trust. I’ve been doing it now for 9 weeks – no 11 weeks, we’ve got 2 weeks left. It’s been great, I’m going to miss it when I finish. The first week it was an introduction week; the second week we went on an activity week for team building. Then the third week we discussed the week away and folder work, then we did our work experience. We’ve done our first aid, health and safety, food hygiene. Today we went to the fire station and got a certificate for that.”

*“Multi agency processes for the 16+ group seem to work but only a small number are fully engaged in ETE. Most projects are time limited and this can raise expectations only to offer nothing when the course ends. Young people can end up stuck on ‘Gateway’ courses or repeating programmes etc.”* (YOT case manager interview)

**Figure 2.4.3**

**Billie (17)**

“It takes you onto more courses – we find the courses we want to do and they provide them for you but after that I’m doing a drama thing but that’s in March. So I’m looking forward to that one.”

For Billie (figure 2.4.3), the Prince’s Trust course does assist with moving on to further learning opportunities and this may be one of the keys to its success. The other positive factor that Billie mentioned was that she can continue to claim Job Seekers Allowance and

was not forced to find work whilst on the Princes Trust course. Billie has got a lot out of doing the Prince’s Trust course, partly because she has been positive about her engagement with the project. Intensive Surveillance and Supervision Programme works with the most disengaged group – persistent young offenders – and YOT staff reported on the difficult task of meeting their ETE needs. The extreme disengagement of this group presents a challenge as



existing ETE projects are sometimes unsuitable or may have already been used:

*“They have often failed to make the transition from school to college or work and are left doing nothing. Youth Gateway is an option for disengaged young people but it is not a favoured one as there is often no end result. Therefore the programme can raise hopes and then let young people down at the end by failing to gain placements or proper jobs.”*  
(YOT case manager interview)

As a result, ISSP has set up a service level agreement with a co-operative enterprise in the local area. This has tapped into the Intermediate Labour Market Scheme funding and is an example of how important it is for YOT staff to be innovative in their approach:

*“One young person was offered a modern apprenticeship with a local firm at the end of the scheme. Although he didn’t take it on, he has now gained specialist work with a company in a different field of work. The ILM scheme gives the young people basic working skills in order to take on employment with more confidence and hopefully maintain a permanent position.”* (YOT case manager interview)

**Figure 2.4.4**

**Ryan (15)**

“The teachers there [Alternative Education project] are ok – better than school they are friendlier and stuff.”

**Caron (17)**

“Yes it’s really good and they are so understanding its great and if you ever just want to blow up – I mean you don’t turn round and say you’re this you’re that - but if you need to have a shout and a scream – they understand, they really understand they are great brilliant.”

These opportunities are vital for those of post compulsory school age as alternative ETE projects can be more focused on meeting individual need and maximising potential. However, in turn this can mean they are less rigorous about learning attainment (Estyn, 2005:4), making it difficult to assess the learning outcomes of

those who have completed courses. However, their value should not be underestimated; young people who reported having poor experiences in mainstream school were positive about the differences in teaching styles for the alternative education projects (figure 2.4.4). The very name associated with these projects reveals the sense that they do not have the same status as



mainstream school – they are considered as an ‘alternative’ for children and young people who have failed to follow the normative route. Yet these projects can offer an insight into how the mainstream system could be truly inclusive by adapting their practice. In alternative projects, young people can go on to achieve good qualifications despite the problems they have.

*“In one family, the older lad has been attending [project] and doing very well, although he is [just short of being] classified as having learning disability and has an SEN statement. LEA now want to reintegrate him back into mainstream which is where problems have occurred as he doesn’t want to go and so recently he has not been attending as regularly.”* (YOT case manager interview)

Here there is an inverse incentive for the young person to do badly; if he settles in the project and works well, he will be returned to school. If he was to misbehave and cause trouble he would remain at the project where he would like to stay. This type of policy knot is particularly frustrating for YOT staff and de-motivating for young people. Staff reported that YOT and Alternative Education projects work well together as they are ‘all working on the same lines with individually tailored

learning packages and aiming to get the best out of the children and young people.’

From the young person responses, this view also applied to further education (FE) colleges which were seen as positive (figure 2.4.5). Other respondents confirmed the range of vocational courses and the more flexible environment in FE means that it is a more acceptable option, most especially for those who have been unable to engage with school. There is the opportunity to get it wrong at FE; Luke had previously failed to complete a course at college but he was still offered the new option of a mechanics course. Luke has a positive

#### **Figure 2.4.5**

##### **Luke (16)**

“I’m starting a mechanics course in September and looking forward to it. Mum’s parent support worker helped by getting the forms for the course but it was own idea and made enquiries on own.”

##### **Ben (16)**

“In college, the teachers don’t tell you what to do; you basically do what you want to do. Like I say if you mess up its up to you. It’s just totally different – there are not so many rules.”

##### **Caron (17)**

“It has been good going to college, I am doing hair and beauty and it’s a great course – I am getting on well.”



experience of flexibility in the system; however, the hierarchy attached to the qualifications process can affect what is available to other young people.

*“There is a problem with move on NVQ Level 1 courses for young people who have done well at school. They are deemed to be able enough to go onto NVQ Level 2 courses but are unable to access them as they are work based qualifications and have to have a placement attached.”*

(Partnership agency representative)

In this case, a young person may be academically able enough to start the vocational course at level 2 but significantly lacking in the confidence to gain the work placement that has to be attached to the course. Work placements are oversubscribed and even more difficult to come by if there is evidence of a criminal record. In an evaluation of Modern Apprenticeships and National Traineeships, Wiseman et al (2003:6) found training providers were aware that more development work was required to ‘increase the flow of employers willing to offer placements.’ In addition, their survey of year ten and year eleven pupils revealed that it is

*the academic or ‘A’ Level route which resonates most strongly for young people as a post-16 option, followed at some distance by getting a job immediately after GCSE. (2003:6)*

It seems that despite the inclusive intentions of policy such as the WAG Learning Pathways 14 – 19 policy and Extending Entitlement, individual need is still lost in an education system which is still biased towards the mainstream and the A level route. This can set young people up to fail and a particular challenge for those with a special educational need.

### **Special Educational Need and disengagement**

At Conwy and Denbighshire YOT, educational concerns identified by ASSET will be referred to the YOT Education Worker by Educational Referral Form. The LEA representative will then supply details of educational history and flag up any issues that may present. One of these may be a Statement of Educational Need or involvement in the Action or Action plus schemes for pupils



with SEN difficulties. For young people who are involved with YOT, it can be hard to assess where presenting behaviour due to a special educational need ends and offending behaviour begins. For example, it is known there are high numbers of individuals with 'hidden disabilities' such as dyslexia, ADHD, autism and dyspraxia in the youth justice system and common features of these conditions are withdrawal, disengagement and difficult behaviour. (McKay & Neal, 2007:1) As the name suggests, it is notoriously difficult to diagnose a hidden disability and as such, young people can miss out on the appropriate support services as required under the Education Act 1981.

Figure 2.4.6 shows some young people's responses when discussing the extra help they have received in the school environment. Although these cases all have some kind of extra support available to them, it is not guaranteed that they all hold a SEN statement or that they have received an official assessment and diagnosis. SEN support services must be appropriate otherwise valuable resources are wasted and individual outcomes are negative. It is interesting to note that the majority of examples in 2.4.6 do not really believe the support they receive really helps them. In comparison to the others, Callum is positive about the anger management sessions he receives. He is younger than the rest of the respondent group and it would seem that diagnosis of problems and appropriate interventions have taken place early enough to prevent disengagement from the educative process. Referral for special educational need provision can be prompted by any adult involved with the child and in some cases this is the parent.

**Figure 2.4.6**

**Ethan (16)**

"I had a social worker because of the problems at school but they were useless – just told me what to do. I told them what was wrong but they didn't do anything."

**Al (21)**

"I saw psychiatrists, anger management, everyone that was there to try and help me but none of them managed to do anything."

**Gill (15)**

"Going to [mainstream school] it is alright but I have to have special counselling which is crap and boring."

**Callum (10)**

"I like school – they are strict but they do give chances. I go to anger management courses arranged by the school. They are alright; they try to make you act differently instead of fighting all the time."

*"I was worried about him and asked the doctor and school for help - this has been seen as positive by Social Services."* (Mrs King - Parent interview)



In the case above, the family had long term involvement with social services and their older children had been unable to engage with school and were at risk of going to custody for their offending behaviour. Therefore, it is unsurprising that their concerns were taken seriously and early interventions were offered; that social services were 'positive' about the referral says more about their interactions with parents. Clearly it was felt they should be congratulated for doing the right thing and acting responsibly. Whatever power relationships were revealed, the good news is that the parent went on to report that her younger children were happy at school and doing very well and this was a very different experience from that of her older boys. Other parent interviews showed that difficulties can arise for families who are new to welfare support systems:

*"There are services out there but it is very difficult to find out how to gain access. You have to badger to get anything – we found out about a lot of services for ourselves, through the internet etc."* (Mrs Knight – Parent Interview)

This parent was positive about her daughter's support but this may be because she had been able to be proactive about seeking help. Many parents are hampered by their own lack of confidence and educational disengagement; they may not have the confidence to continually 'badger' services. Professionals reported this as a barrier to ongoing engagement after YOT Orders have finished:

*"There is a frustration that interests developed during reparation sessions e.g. in gardening or forestry etc. are not capitalised on ... These young people rarely have parental support to encourage attendance and so the momentum gained on the Order can then be lost and the interest fades."*  
(YOT Support Worker)

The examples from figure 2.4.6 can all be described as being on the continuum of disengagement referred to earlier (appendix 2.5.b). All have an identified need that has required them to receive specialist help but the success of these interventions is not always guaranteed. Because of problems in the diagnoses of 'hidden conditions,' some pupils move further along the continuum and away



from the intended outcomes of educational engagement. As children and young people become more disengaged, more punitive measures may be employed to encourage them to comply (figure 2.4.7). It is worth considering how valuable compulsory schooling actually is for these young people; it seems unlikely that Alex' experiences will lead to increased educational achievement. During the last year of compulsory schooling, many of the young people known to YOT, mark time until they are old enough to leave and fail to achieve any qualifications at all.

**Figure 2.4.7**

**Alex (15)**

"I don't like going to the [alternative education] project, I only do it because it is part of the ISSP programme and there will be a breach of [court] Order if you don't attend."

### Careers and work experience

For professionals, there may be a myriad of performance criteria and targets but they are of little importance if young people do not have an interest in them. Furthermore, there are external barriers like the necessity to earn money which affect future planning and long term career aims. Figure 2.4.8 reveals the attraction of unskilled, casual employment and this can act as a disincentive to engagement with ETE projects.

As a fifteen year old, Alex is expected to attend an alternative education project but cannot actually see the point in it as he has access to a fulltime job and expects to work there on a long term basis. The calculations are simple – engage with education and receive no immediate gain or go to work and take a

**Figure 2.4.8**

**Alex (15)**

"I am working now anyway, in a café and that is what I plan to do after 16. It's ok and it's a full time job. I don't see the point in education when I can have a job at the café."

**Chris (16)**

"It might be possible to get some labouring work until the forces application goes through but there's not much point. The more money you have the more you spend at the pub."

**Caron (17)**

"I'd like to do a little bit of work in the summer; I mean nothing too special just anything really – a bit of retail ... shop assistant something like that."

**Ethan (16)**

"When I leave school, I am hoping to go to \*\*\*\*\*, I have been guaranteed a job by a family member working on the rigs."



full wage. The professional interviews also suggest that short term thinking affects engagement:

*“A major problem is that it is difficult to get the lads to think on a long term basis. If he is asked to think of his future, the youngest said he is likely to go onto DLA, like his father.”* (YOT staff interview)

Young people with limited aspirations can see education as an irrelevance. Similarly, Ethan and Chris are awaiting the point when they can take up plans which do not require any further qualifications and therefore are inclined to wait for the future to arrive. There is a sense that both of these young men are marking time until their lives really start. In these situations, it can seem meaningless to start a course or continue struggling with lessons that appear to have no importance.

These issues all combine to make partnership working with Careers Wales particularly important for YOT and case managers. They reported that all young people who are not in education, employment or training and are of post compulsory school age will be referred to a careers advisor. YOT case managers valued this involvement and reported good practice:

*In particular Careers Wales are good because after the initial appointment they will provide ongoing weekly appointments and try to maintain links with the young person.* (YOT Case Manager interview)

### **Education, employment and training – conclusions**

The stories that young people and families in this study have told about their ETE experiences were highly personalised and supported the view that ‘micro-barriers’ are important in educational disengagement. A concern that may be raised here is that, despite talk of flexibility in educational provision, practice still expects children and young people to conform to a mainstream. The idea of national curriculum based schooling and qualifications is so ingrained in public consciousness that young people often see their failure as a feature of their own inability to fit in rather than the system’s bias towards more the academically



able. Professionals working in the field have a much more critical perspective of the macro-barriers and they call for greater flexibility in education systems. In particular, the lack of full time alternative education was a concern as was the inconsistency of availability across the counties for community and short programmes such as Duke of Edinburgh. It is known that young people in the youth justice system fare badly when it comes to education, (YJB, 2006:7, Estyn, 2005:4) and these findings suggest that things are no different in the Conwy and Denbighshire area. However, it must be remembered these young people often present with the most challenging of welfare problems and special educational need. As the offending behaviour and subsequent referral to YOT is often closely linked to these issues, it is likely that their educational outcomes may be adversely affected even if they had not reached the youth justice system. Whilst resources and alternative provision is limited, a positive factor with ETE in the Conwy and Denbighshire areas is that working relationships are good. Therefore, even if formal provision is unpredictable, innovative ideas are sought and there is evidence of good practice as exemplified by the YOT's Hooked on Fishing project, links with RSPB and Prince's Trust.

There was a range of young people responses about the quality of available projects; however, this could depend on the level of confidence and commitment shown by the young person. For example, there were different views on the efficacy of the Alternative Education Project – some suggested it was much improved on the school experience, others failed to see the value. It must be stated that the higher up the table of convictions, the more likely that young people are negative about both mainstream and alternative education. For example, respondents from the preventative groups such as YISP and Prevent and Deter reported a higher level of mainstream educational involvement than ISSP which deals with persistent young offenders. Therefore, the young people who are at most risk of re-offending and custody are the same ones who are least likely to be able to maintain a fulltime education placement. This paradox occurs despite the best efforts of YOT and their partnership agencies and is the result of a lack of truly flexible and equitable ETE experiences. Although education policy emphasises diversity and choice in what is on offer, the overarching ten year goal of the New Labour 2001 election



manifesto is for fifty percent of young adults to enter higher education and, further, by 2010 to have a majority of young people in university (Labour Party 2001). Taken alongside the reluctance of Tony Blair's government to overhaul the A level system, this has signalled a continued emphasis on the traditional academic route to achievement. Not only does this undermine attempts to raise the status of vocational programmes, but it also risks consigning the remaining population who do not go to university to the level of underachievers and failures. There are signs of change from Gordon Brown that this is set to change with exam reform back on the agenda and the introduction of a diploma system which will incorporate academic and vocational subjects. As usual the challenge will be to transform innovative policies into everyday practice and this will demand a change in culture at every point of implementation.



## **2.5 Local area, transport and money**

*“They are quite happy drinking their 8 tins of Stella and smoking a half ounce of weed a day but I’m not.”*

AI (21)

### **Introduction**

This section looks at the way that young people in this study link with the community and use their leisure time. This is a large chapter because transport and money has been included. It seemed impossible to separate out these themes as they have such an integral effect on each other. All respondents groups were expansive in their descriptions and there were similarities in views, particularly on the state of statutory youth services. The descriptions often reflected the findings of broader based countrywide studies into leisure behaviour. However, rurality again emerged as a distinguishing feature in the experiences of young people in Conwy and Denbighshire. In particular, the staff and partnership interviews reported the difficulties attached to resources and staffing over such a large area. Young people focused on the importance of their social network and the things they did during their leisure time – or perhaps more accurately – the things they didn’t do.

### **Research, local policy and practice**

In his ethnographic work with boys in Sunderland, Paul Corrigan found the majority of their leisure time was spent hanging about on the streets ‘*doing nothing*’ (see chapter 2.1 of this thesis). He notes:

*The major element in doing nothing is talking. Not the arcane discussion of the TV talk show, but recounting, exchanging stories which need never be true or real but which are as interesting as possible ... It passes the time and it underlines the group nature of the different ways that the boys have of passing the time. (1993:103)*



Corrigan's work illustrates the importance of the social network; it's not what you do but who you do it with. It seems that the importance of extended social networks during the early and middle period of teenage years and later as adults should not be underestimated. Bourdieu (1983) and Puttman (2000) and their theories on social capital most readily come to mind when considering the relevance of these associations (see Chapter 1.3 of this thesis for further reference). For both, social capital is about networks and relationships and how these contribute to social cohesion and personal wellbeing. In their study of youth transitions, Webster et al (2004:30) recognise that the literature '*draws a distinction between 'bonding social capital' and 'bridging social capital.'*' 'Bonding' relationships are those which exist between close family and friends whilst 'bridging' ones, although maybe not as deep, offer an entry into a wider social world. This is particularly relevant for young people in the youth justice system; whilst they report very strong bonds with their social network, they are often disassociated from other groupings. Thus they may become part of a larger excluded group unable to access local facilities as they are often lacking in the necessary links and information. A result of this can be very limited life chances and lifestyles that are restricted to a small local geographical area. For young people, strong bonding relationships can be a disincentive to move on. Webster et al (ibid:30) write '*Some of our evidence suggested that the trust and loyalties engendered through such ties could result in alternative opportunities being ignored.*' These dangers become more entrenched as young people approach adulthood and begin to form their own families. Webster et al (2004:30) found those who were not in education, training or employment often described their families as their best friends. Previous teenage social networks had become smaller as other young people had moved on or their lives were filled with the domestic duties attached to caring for children.

These needs and challenges present clear opportunities for youth provision and welfare services. What many of these young people need is the prospect of developing new 'bridging' relationships and services should be well placed to address this. However, for them to do this properly, they must not be seen to be threatening to the existing 'bonded' relationships that are already in place. Thus opportunities that are offered to some, for example because they have



been identified at risk of offending, are not attractive if there are limited resources to include friends or siblings and cousins. The universal and open access nature of statutory youth services suggests that these issues should not be a problem; however, resourcing problems and the New Labour fixation on NEETS and social exclusion have led to a certain amount of refocusing in the youth service remit. Crimmins et al (2004:3) report on the repositioning of youth services in England towards '*target based, issues driven interventions.*' Whilst there are positive developments coming out of this, for example the increase in street based and out-of-hours youth services, Crimmins et al found '*Many workers were also concerned about the constraints placed upon effective practice by target driven, single-issue funding.*'

Extending Entitlement, the Welsh Assembly Government youth policy document emphasises a universal approach to youth services in Wales (see 1.4 of this thesis for a full analysis). Holmes (2005:15) building on comments by Drakeford (1998) notes how the policy creates tensions for youth workers and professionals providing a service;

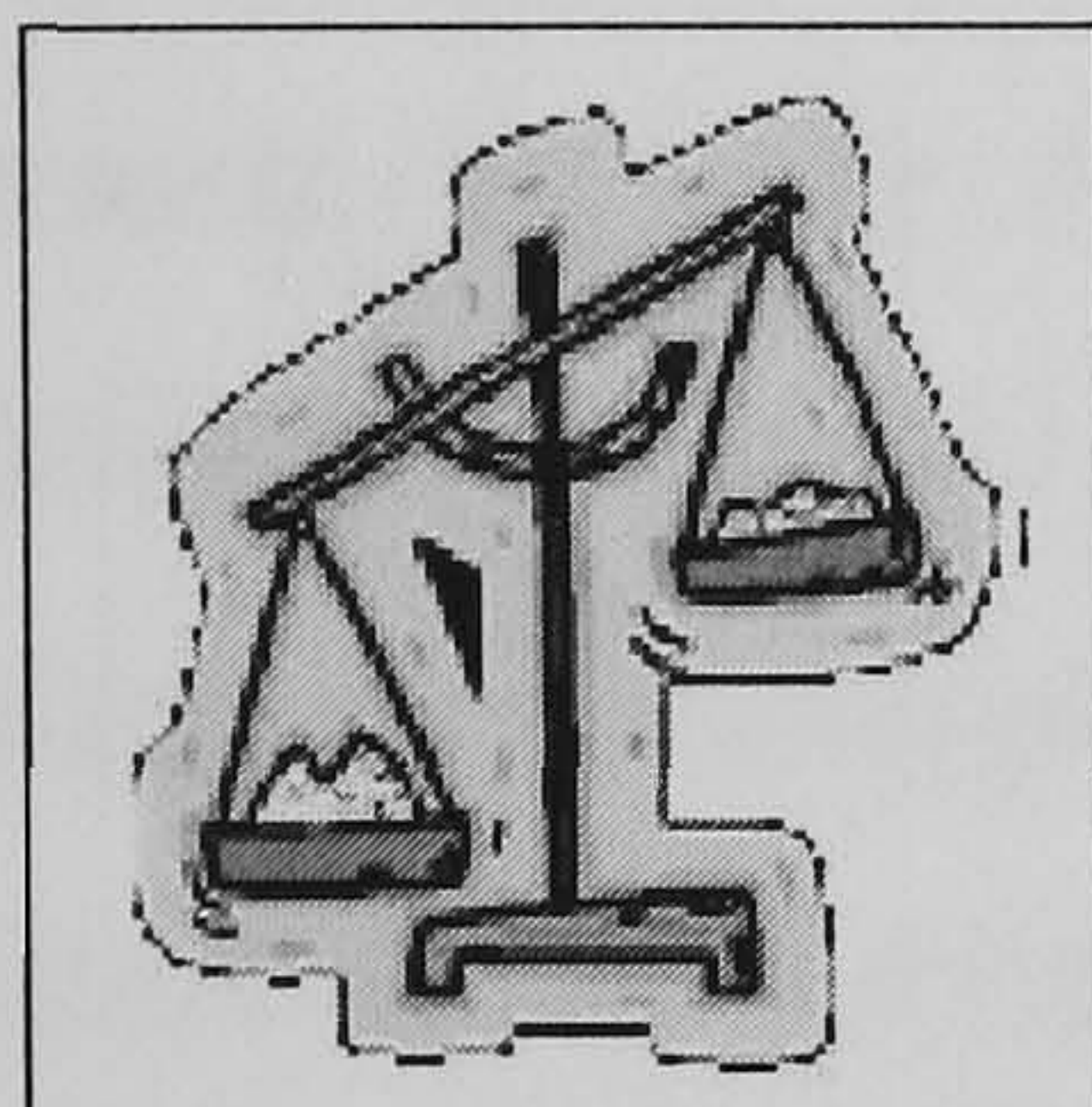
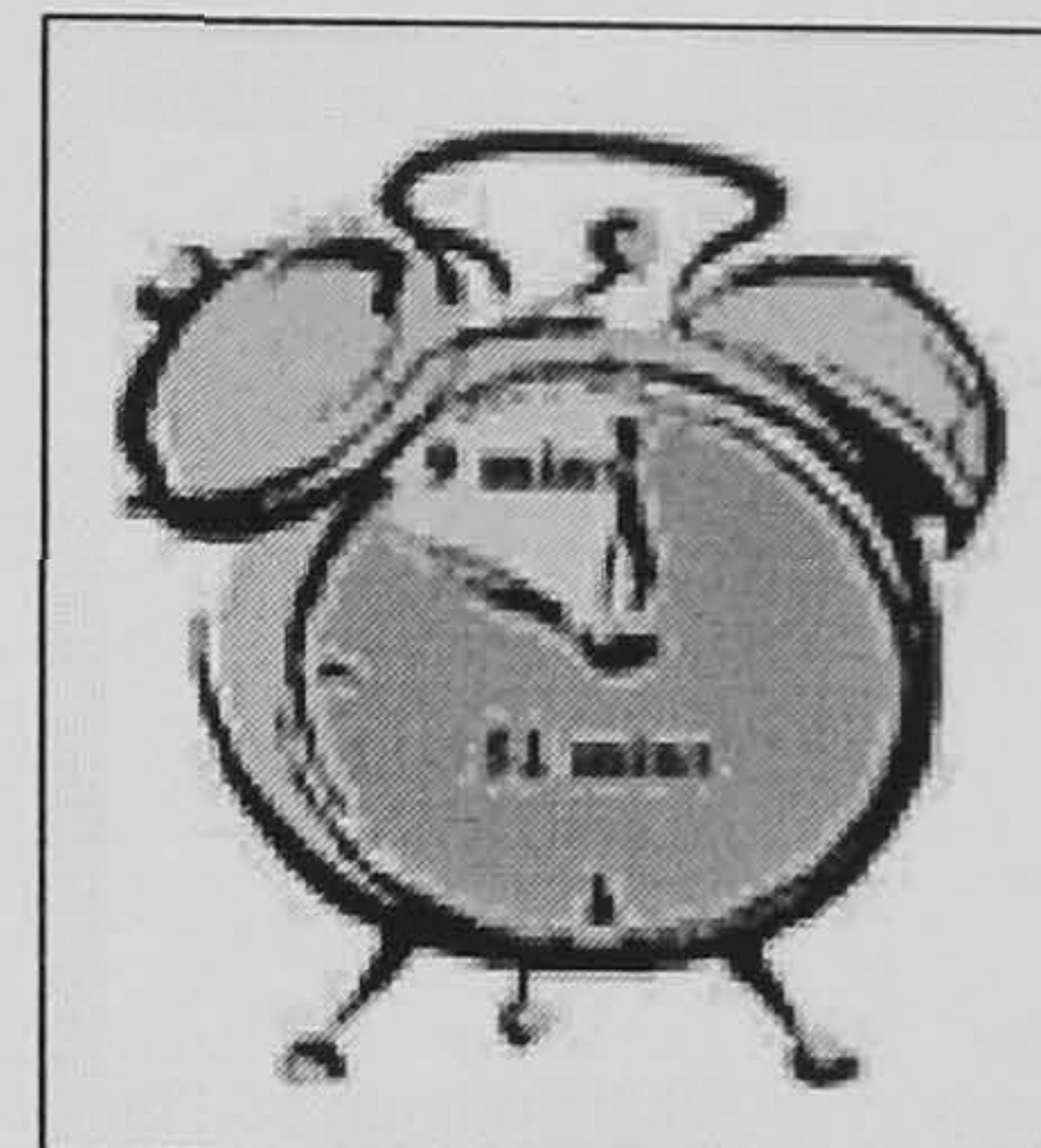
*The role of youth workers, as with other professional, is to deliver these services and ensure they work effectively with each other. Whilst this raises issues about autonomy of all professionals, it raises particular issues for youth workers who are starting closer to the interests of young people and who, unlike other professionals, have no clear specialist role (in relation to young people as pupils, patients, offenders, etc.). (ibid:15)*

Holmes sounds a note of caution over the contradictions that can be identified between WAG Extending Entitlement and the education and employment focus of the government. Certainly the state of resources for young people in Wales suggests a bias towards the ETE agenda. Using information from WAG National Youth Service consultation document (2006:6), table 2.5.1 illustrates the potential time available that could be maximised by youth services in Wales but also notes the massive imbalance in resources reserved for schooling and out-of-hours services.



**Table 2.5.1 : Towards a National Youth Service strategy for Wales. 2006:6**

The huge **potential** for community based education and learning is clearly illustrated by the fact that young people spend the equivalent of 51 minutes of every waking hour in the community and only nine minutes of every waking hour in school.



The average spend per year per young person for the 51 minutes they spend outside school is £54.61 (on a range from £21.68 to £87.03) In comparison the average spend per year per young person for the 9 minutes they are in school is £3,499 for those aged 11-15.

At a local level, the minute amount of spending on out-of-hours provision is reflected by key issues for action suggested in the 2001 Estyn inspection of Conwy Youth Services. Whilst there were many areas of service that were found to be good, excellent or outstanding, the state of buildings and equipment was, in some cases, unsatisfactory and that conditions vary widely across youth clubs in the county. The report notes:

*The youth service has prioritised funding to carry out a repair and maintenance programme, but the funding identified by the county's property maintenance service is far greater than the existing budget will allow. (2001:12)*

The poor condition of buildings and lack of equipment can be a contributory factor in whether a young person will engage with a project or reject it as no good. Much of the driving factors are linked to the way things look or the way that situations make young people feel and this is especially relevant in access to sporting activities.

Aarts et al (1997:363) acknowledge that 'An observation one can make when reviewing the literature on physical activity is that health enhancing exercise habits tend to wear off as soon as individuals enter adolescence.' Often, for workers at Conwy and Denbighshire YOT, the challenge is to try and encourage re-engagement with previous sporting interests or help to provide new opportunities. This is no mean feat considering the obstacles that are apparent.



In their review of qualitative studies on participation in sports and physical activities, Allender et al (2006:834) conclude, firstly, that involvement is *'motivated by enjoyment and the development and maintenance of social support networks.'* From the context of social capital theory, this may be difficult to action if the young person has a limiting 'bonded' network and difficulty in developing the all important 'bridging' relationships. In addition, they identified barriers *'include transitions at key stages of the life course and having to reorient individual identities during these times'* (ibid:834). Low self esteem is particularly relevant in sports participation and this can manifest in self consciousness about body shape, lack of sporting ability or the inability to buy the right trainers. Access to sport may be another problem – for example, transport to various different football grounds to play in a team can present difficulties for families with no car or for those who work weekends. Public transport is not always an option, in particular for those living in outlying villages.

The 2007 National Youth Association (NYA) dialogue discussions on transport found that young people in rural areas have to travel 40% more to gain access to services and facilities than those living in urban areas. This presents a very basic barrier to participation and if it is linked to 2005 research that found over 50% of households in the lowest income bracket had no car, the exclusion for some young people in Conwy and Denbighshire can be clearly illustrated. The NYA shows considerable agreement from research and policy makers that young people should be able to access concessionary fares but local authorities are varied in their response. Many areas say they require government funding to subsidise these concessions and as a result travel subsidies for young people have developed in a piecemeal fashion. Thus in the local area, Denbighshire introduced a pilot half price bus fare scheme in April 2006 but Conwy offer no concessionary travel for young people. Even if young people are able to afford public transport, the NYA found safety was a disincentive for travel. In particular girls and young women can feel vulnerable waiting at bus stops in the dark and young people described situations where bullying and intimidation was experienced whilst on the bus. The NYA calls for a uniform pricing structure and full consultation on transport policy with young people.



The final area of investigation in this chapter is about money and considers the income of young people known to the Conwy and Denbighshire YOT and whether poverty has an impact on their lives. The title of this study – Food, Clothes and Shelter – very much reflects the opinion that it is important to remember the very basic needs of young people in the youth justice system. Previous experience of working in the youth justice system had led to frustration when operationally, workers are expected to hold offence awareness sessions with young people who had not eaten for a whole day or had no proper bed to sleep on. When studying the literature on routes out of poverty, Kemp et al (2004:37) found that in comparison to research on children or older people, ‘*there was a relative lack of data and research into poverty dynamics.*’ Kemp et al use Cole’s 1995 pathway model of youth transitions to look further into the dynamics of youth poverty. The pathways are divided into school to work transitions, domestic transitions and housing transitions and the success or failure of these processes can affect the risk of poverty for young people. In this study, it is notable that previous chapters of the thesis suggest many young people and families known to the Conwy and Denbighshire YOT have indeed had difficult transitions in these three pathway areas and thus can be considered to be at risk of poverty. Kemp et al (2004:47) recognise the importance of government policy in providing ‘ladders out of poverty’ and list some of the initiatives that have been brought in to combat difficult transitions (Connexions, Minimum wage, NDYP, and EMA). However, they identify the gaps that are apparent, namely, the age restricted nature of the minimum wage, NDYP and income benefits that come from the assumptions in policy that young people generally are remaining in the family home and in education longer.

Particularly relevant to the following section of this chapter is Kemp et al’s view on local youth cultures:

*Local youth cultures – that is, the meanings, values, identities and practices shared by different groups of young people – can form snakes or ladders into poverty. (2004:44)*



The restrictive nature of some local cultures is easily recognisable in the following findings from discussions with young people in the Conwy area and further links the three overarching themes.

## Local area, transport and money - data and analysis

### General activities and hanging out

In common with the Joseph Rowntree study, the social network was a crucial factor and they wanted to be with mates, whether doing something special, just in the house, out on the streets. In figure 2.5.1, whilst all the young people make reference to the time they spend with mates, Ed, by being out and about in the street, is more likely to be known to the local police force than Ryan, who spends a lot of his time inside their mates' houses or Callum, who goes bowling. In an interview with Tom Simone in the North Wales Pioneer, PC Kevin Taylor describes his approach.

#### **Figure 2.5.1**

##### **Callum (10)**

If friends are there its better – I like bowling with my good friends.

##### **Ryan (15)**

We play on the computer, listen to music hang about.

##### **Ed (10)**

Hang around in [town] – top of the hill outside [pizza place]. We play football or just hang about. There aren't any gangs in [town] really we just hang about together.

*"I like to be able to go out and meet people and talk to them. It takes time, but I've got to know the usual faces and the kids that hang around on the streets."* (Simone, T - North Wales Pioneer Feb. 2007)

Whilst this is a positive representation of community policing, there is a regulatory angle to it (see chapter 1.3 of this thesis). YOT staff and partnership agency representatives in this study showed some concern over the more punitive approach of other police work:

*"The Police have introduced dispersal areas giving police powers to move on anyone gathering in groups of more than two people on the street. They can also remove young people who do not live in the area. There is a growing culture of exclusion – shop windows have stickers saying unaccompanied young people cannot enter the premises etc.*



*There is a feeling that the local newspaper encourages this perception and that services need to start working with the media to dispel the negative images.” (Partnership agency interview)*

**Figure 2.5.2**

**Denise (15)**

“We do nothing ... well just meet up with my mates, get pissed and that ... in my mates houses. Yeah it’s quite bad really [laughs] ... Like every time I have been arrested it’s because I have been drunk and done something whilst I’ve been drunk otherwise I wouldn’t have been arrested ... It’s when I’ve been out with my mates.”

In figure 2.5.2, Denise describes her drinking activities as ‘quite bad really’ but it is only when these activities spill out onto the streets that Denise would be seen to be committing a crime with her under age drinking, in particular if its gets too rowdy. She goes on to recognise the link between the way she spends her leisure time and getting arrested.

The North Wales Police Authority is an active part of the national Alcohol Misuse Enforcement Campaign and aims to send ‘*a clear message that those committing alcohol related violence or encouraging underage drinking would not, and will not be tolerated*’ (NWPA 2007-2008). Interestingly, most of the young people in the study reported in terms of the social activities that accompanied drinking – for example in figure 2.5.3 with Alex and Ethan going to pubs to play pool. For these young people, there clearly is a culture of underage drinking but it is not necessarily one that results in binge drinking or violence. However, these young people often start drinking alcohol in their early teenage years when there is potential for more physical damage, risky behaviour and alcohol misuse. The effects of cheap and easily available alcohol are becoming more widely recognised and there is the belief that the industry needs to be controlled:

**Figure 2.5.3**

**Alex (15)**

“If we go out, we go to pubs and play pool or go to the arcade. My friends are older so just go in with them.”

**Ethan (16)**

“In [the village] there isn’t much else to do if you are a young person. That’s why I spend most of the time at the pub playing pool.”

*Alcohol is racing ahead as one of the biggest threats to public health, not least in some of the most disadvantaged parts of the country. Fears of being accused of being part of the nanny state have intimidated governments from tackling head-on the manufacturers of cheap alcohol*



*in the same way that they would if this was any other kind of drug.*

(Professor Ashton in The Guardian 2006)

Although it is true that young people have always experimented with substances that are banned, the fact that a night drinking alcohol or even, to some degree, taking illegal substances is cheaper than going to the cinema or going to see a band can contribute to their decisions. As has already been identified, friends are the most important feature in their leisure time and for professionals working with YOT, it can be frustrating when funding for activities restricts the participation of the wider social network.

*“There is a pot of money available for ‘diversional activities’ but this is often quite hard to spend as young people do not know what they want to do/ don’t want to become involved with what is on offer ... They would go if their friends were also there but often some of the group’s members will not be on the case load and will therefore not be able to afford to go.”*

(Partnership agency interview)

These factors can affect young people’s willingness to join in with positive activities so instead of taking up the opportunities they will remain loyal to their friends and choose to continue to hang about, doing nothing or drinking alcohol. Some interviews suggest that the most successful draw away from existing social groups is a change in personal life circumstances like the development of a new personal relationship or having children.

In figure 2.5.4, Luke describes how having a girlfriend has changed his habits and Al, who previously had been involved with a gang who drank and smoked heavily, found the arrival of his little boy had an effect on his behaviour. Although these changes may have a positive impact on behaviour, they can bring with them problems of their own for young people.

#### **Figure 2.5.4**

##### **Luke (17)**

“We mostly hang around at each others houses though, playing music and computer games ... now I have a girlfriend though, I spend a lot of time with her.”

##### **Al (21)**

“The only thing that’s really changed in my life to make me stand on my own is my little boy. If it wasn’t for him I’d still be on the same path that I was going on.”



Caron (figure 2.5.5) finds herself tied by her responsibilities as a young mother and describes the need for specific clubs and activities to suit her situation.

These comments reflect the findings of Webster et al (2004:29); one mother in their survey described organising a night out with her husband like '*planning a military operation.*' As a result young parents more often describe having limited numbers of good friends and often count their extended families as a source for socialising. Despite the disengagement with structured leisure projects for some young people, there were a number who had experience of attending various clubs and enjoyed going to them.

**Figure 2.5.5**

**Caron (17)**

"I am quite isolated. . . even though I have got friends, its not like I can just go out and turn up and they're gonna be there – they've got lives of their own. I have things to do I can't just get up and leave you know – my washing or my hoovering or whatever. A mum and baby club would be great. Meet some new friends, you know – talk to people ... Its brilliant when my mum comes up because she's got my baby sister who's walking now and she's only ten months and its wicked cos [my baby] just forgets I'm there she is so into everything else, watching my, watching her dancing and singing."

**Figure 2.5.6**

**Gill (14)**

"I go to Sea Cadets –its not that I want to join the navy but I like the activities and trips out."

**Billie (17)**

"From about 6 to 11 years I was involved in a drama group and we used to do shows and plays and that ... I stuck with it – the woman that was doing it finished it all off because hardly anyone was turning up. So they finished the group altogether. . . I like music and drama; I not long finished a work experience up at [local] theatre with my cousin. I enjoyed that but I need to do some music courses and things like that – you know to work the technical equipment properly – to do sound and lighting. I'm hoping to do media and things like that."

In figure 2.5.6, Gill confirms that her interest in Sea Cadets was primarily social and the group met some of her leisure needs. In contrast, Billie's interest in music and drama was more vocational and she had more ambition about where her experiences might take her. These examples illustrate that YOT intervention programmes and youth projects have to meet the differing requirements of young people, with varied with levels of commitment which may change over time. In addition, YOT staff recognise that this as a challenge when working with some young people

*"Some don't have a family tradition of attending clubs, and so they can be uncomfortable with the prospect of going somewhere new, particularly in a group environment."* (YOT staff interview)



Families are important in encouraging participation and some are not equipped to offer support. They may have little personal experience of gaining access to leisure projects; in this parent interview, Mrs King discusses the limitations and her reliance on signposting from social services:

*“Social Services promised they would get in touch about leisure activities for kids over the summer holidays but they haven’t sent the details. We don’t know how to get into the summer clubs and a lack of money makes it difficult to do many things.”* (Mrs King – parent interview)

This helplessness can be misinterpreted as disinterest or an unwillingness to engage when, in many cases, it is really due to low self esteem and a lack of confidence. Families who are uneasy about engaging with leisure projects may find things even more testing if there is a lack of provision and YOT staff reported that this is the case in many of the local areas.

*“In [a coastal town] there is not much provision for young people and a feeling that the council do not give priority to services for the young – finance usually going elsewhere ... Young people do not tend go to youth clubs; the clubs are not open when they need them to be.”* (YOT staff interview)

Statutory youth provision is the most obvious when thinking about local area youth projects yet the young people respondents clearly reported that youth clubs are not the preferred option, indeed, they are often the last place they and their mates would think of going.

### **Statutory youth provision: refusals and exclusions**

Whilst all areas in Wales have some form of youth service structure, the 2006 youth Service in Wales consultation document concedes that *‘the structure, extent and quality of the works varies considerably.’* The 2001 inspection report on Conwy Youth Service provision was very positive but it must be reported that, from the comments gathered in this study, young people were less than impressed. In figure 2.5.7, Ryan reveals his dislike of youth clubs in his



criticism of their equipment but for Luke, it is more to do with territorial rights and the threat from other social groups. Chris simply sees no point in going to youth clubs but this may be because he and his mates have somewhere else to go that is less restrictive. David doesn't feel as though he and his mates would belong in the youth club as the rules and regulations are too strict and Callum illustrates this with his tales of being banned from his club. Commenting on experience of two brothers who were on the caseload, a YOT worker exposed the dilemma over poor behaviour:

*"The boys are not welcome at the local youth club due to disruptive behaviour. Behaviour that is seen as nice and cute at a younger age is not as acceptable as they get older."* (YOT staff interview)

#### **Figure 2.5.8**

##### **Ethan (16)**

"I don't go to youth club – they would be better if they did more trips and things like that. It's really the younger ones who go to clubs."

##### **Alex (15)**

"Youth Club and like that is for younger kids, they do childish things and it wouldn't interest us ... there are those who are not mature, they are childish and they will do painting and things like that. The ones who are mature won't do stuff like that – wouldn't go to youth clubs."

##### **Denise (15)**

I dunno, I just think it's dead childish, I don't know why ... I just wouldn't think of going ..."

#### **Figure 2.5.7**

##### **Ryan (14)**

"I have been to youth clubs but its crap – there is nothing to do in them. They need better equipment and more to do."

##### **Luke (17)**

"I have been to youth club but not locally as the kids from one estate go there and rule the roost."

##### **Chris (17)**

"No one would think of going to a youth club – with loads of friends around you don't need to. It's boring anyway just sitting around talking."

##### **David (17)**

"Here in Wales - none of my mates have ever gone to the Youth Clubs, kids in trouble don't go; they are there for the kids that do as you are told. It's a totalitarian regime."

##### **Callum (10)**

"I can't go to youth club because I got kicked out by the security guards anyway it's too far to go really."

The reduction in tolerance for older teenagers may be one of the reasons that youth clubs were overwhelmingly, thought to be childish and for younger age groups as shown in figure 2.5.8. These views are significant as the stated target age group of the Youth Service Strategy for Wales document (2006:5) is 11 – 25 and they are especially important when considering that the junior youth clubs (11-13) are generally only one night a week and, in



some villages, non-existent. Indeed, many clubs in the most rural areas only run for one or two nights and as the youth service is linked to the education department, this provision does not continue through school holidays. The examples in figure 2.5.9 confirm that the younger age group is more likely to engage; Gill is positive about what is on offer at her Church youth club and Ed goes further by reporting that he would actually go more often but is limited because of his age.

**Figure 2.5.9**

**Gill (13)**

"I go to a church club each Wednesday to play pool, ice hockey, football, table tennis. Its ok – about ten people go each week."

**Ed (13)**

"I go to youth club on a Weds and Thurs and would go more often but it is other age groups on those nights. Play ping pong, snooker etc. They would be better if they had more and better equipment – playstation etc."

This data would suggest that by resolutely focusing most youth club nights on the thirteen to seventeen year olds maybe one reason why a lot of youth clubs have low attendance. The comments made by many young people constitute a cultural shift in the perception of youth clubs. Where thirty years ago, the optimum age group for attendance may have been fifteen, sixteen or seventeen, these young people now have other interests and opportunities. YOT staff concurred with the idea that is easier to engage the younger age group:

*"Under 14s are happy to get involved with projects, clubs etc. but over 14s are not initially interested. However, with encouragement they will try out new venues. Prevent and Deter involvement is early in development so it is hard to evaluate the effectiveness."* (YOT staff interview)

This does show that the older age group will try out a new venture if there is extra encouragement and it is therefore important that projects like Prevent and Deter continue to be developed. The intermediary YOT role assists with access and allows time for young people to move into a new project.

*"Sometimes it's the way services are provided that is a barrier – The social worker turned up and offered recreational services to the young person. As would be expected from such an excluded individual, he refused the services. The social worker could then say the service was*



*offered but it was refused. A YOT Officer would spend many weeks getting the young person used to the idea of accessing a recreational service before expecting them to engage with it. However, the social services launches into a one size fits all assessment and expects a young person to fit in with it straightaway.” (YOT staff interview)*

This exemplifies the tensions in partnership working, in this case the assumptions of social services jeopardises the nurturing approach of YOT. For young people who have been excluded from youth clubs, there is a long journey ahead in persuading them back into structured activities, especially when those activities are not considered to be particularly good. Even those who have previously been passionate about an activity seem to have a natural disassociation as they get older and this is exemplified in the data examples that describe levels of participation in sporting activities.

### **Sports activities and non participation**

Figure 2.5.10 gives examples of the changes in participation rates for sporting activities. Luke’s interest in athletics was undermined when he realised he wasn’t good enough to practise as a professional. For Chris, although he does also concede that cost can be a factor, he suggests it is simply the fact that he got out of the habit, these comments are unsurprising if considered against the Aarts et al study mentioned earlier in this chapter (1997:363,365)

#### **Figure 2.5.10**

##### **Luke (17)**

“I used to do athletics but stopped toward the end of school. I ran for county but realised there was no proper future for me as a professional. My running partner went to county competition and was better – he was up there with the best. Used to be in a football team until about 13, wouldn’t do it now.”

##### **Chris (16)**

“Have been going to kickboxing classes over the years. I went regularly when young but got out of the habit so haven’t stuck at it. It takes up money as well.”

For young people known to Conwy and Denbighshire YOT there can also be problems with self esteem and the sense that they are not good enough.

*“Colwyn Bay leisure centre is good but these young people do not tend to access it. They are often banned anyway, but it is also due to lack of self esteem. E.g. they are self conscious about their ability to keep up with*



*the dress code and put off by those they consider to be 'swots' in their 'nice kit.' Therefore it isn't enough to just get funding to get into these facilities. These groups feel they are outsiders – they self exclude as they have not had the chance to sample things and become used to attending clubs etc.” (YOT staff interview)*

This YOT staff statement brings out the familiar view that facilities are really aimed at 'swots'; this has been identified earlier in the youth discussions about youth clubs. Even if these issues are resolved, it is suggested that there are more practical barriers to participation:

*“Leisure centres are often booked up in the evenings. Not only do economically inactive young people struggle with the cost but they are also are squeezed out by full fee paying adults.” (YOT staff interview)*

Where YOT use their targeted projects such as PAD and YISP, young people can be persuaded to re-engage and the projects can give them the long term support to enable these positive outcomes.

In figure 2.5.11, Ethan has been inspired by the YOT 'Get Hooked on Fishing' project and has clear ambitions for his future. The BBC picked up on the scheme (News online May 2006) and interviewed the Conwy and Denbighshire YOT worker who was involved in organising the scheme:

**Figure 2.5.11**

**Ethan (15)**

*“The fishing has been good and I am hoping to get a trial for the British team for fly fishing.”*

*“120 young people had benefited from the Conwy and Denbighshire scheme since it started in 2002 ... We have watched young people at risk of drifting into anti-social behaviour through lack of interest in anything, becoming good keen anglers and using their leisure time constructively.”*  
(Stephen Wood, BBC May 2006).

Sports activities have also been important for work with persistent young offenders on ISSP programmes.



*"ISSP can provide gym memberships and some young people enjoy them and engage well. There are also other activities such as golf, bowling which can continue after the programme. Football sessions have been set up in Eirias Park but there are practical difficulties with staffing. Shortage of access to local support workers makes accessing a full range of leisure activities difficult."* (YOT staff interview)

For those who are not eligible for the targeted programmes there is evidence of low participation rates in formal sporting opportunities, but it would be wrong to think that they are not engaged in sport at all. A number of young people talked of having a set of weights at home and in figure 2.5.12, Al suggests this is a cost effective way of getting fit. Despite the popular belief that young people are not getting any exercise, the majority of lads were involved in some sort of informal exercise with mates but unlike Ed in figure 2.5.12 who liked many kinds of sport, most talked about particular sport that was of interest. Ben, although only coming to a new foster home very recently, has quickly got involved with the informal games in the locality and his introductions have come through his foster family's existing links and his familiarity with being moved on to new places. These experiences, whilst positive both in physical and mental well-being terms, are at risk of being underplayed in the YOT and social service arena as they are not quantifiable and outcomes are pretty much uncertain. However, the responses in this study show that the boys value these informal activities as much as team or structured ones.

**Figure 2.6.12**

**Al (21)**

"Train at home or in the gym. Since a young age I've always been obsessed with being muscley. Yes, if I can't afford the money to go to the gym – that's why I bought the equipment for home."

**Ed (14)**

"I like to play a lot of sport – cricket, fishing, rugby. Not in teams or anything just with my mates."

**Ryan (16)**

"I play football with mates, just between ourselves but we also play football on the computer – Fifa game."

**Ben (17)**

"I am playing five a side at the moment at the pitch across from my house. I go with the little lad who lives at the house and then we just get other people to join in."

The evidence from the girls interviewed in this study was of more concern; although some did mention riding, athletics and netball, they were more likely to talk about sport in the past tense as something they did when they were



younger, revealing there is little current participation. In common with this, Emma, 14, writing for Denbighshire Youth Den's 'Your Shout' page, writes:

*"I, as a young girl of Rhuddlan, feel there is nothing much to do, and there is a lot more things for boys to do, like boys football teams and they can play on the astroturf or even on the playing field whenever they like rain or shine. Boys do much more sports than girls, they can go on bike rides and do more stuff but I really feel nothing there is to do for girls!"* (Youth Den)

Emma's thoughts on the lack of access for girls is supported by academic work that asserts gender stereotyping affects participation in sports for teenage girls (Allender et al 2006, Mulvihill et al 2000, Coakley and White 1992). Data from Conwy and Denbighshire also suggests girls are at a disadvantage.

**Figure 2.5.13**

**Anna (16)**

"There was free swimming at the Nova centre – I got offered it but I am not a very good swimmer."

**Caron (17)**

"Yeah I used to love it when I was younger, I used to be a right sports freak . . . when I got into secondary school you know you change friends and I got boyfriends. And I got quite fat, so I didn't do my sports then and I think that's when it went downhill."

In figure 2.5.13, Anna knows that opportunities are available to her but doesn't feel she has the skills to take them up. This may reveal a simple dislike of swimming but it could be the result of a lack of self-esteem that inhibits her ability to take up a new challenge. In comparison, Caron who has previously been very positive about sports, talks of new influences in her life that have affected her passion. Caron's comments

exemplify Allender et al's (2006:831) view that *'For many girls, impressing boyfriends and other peers was seen as more important than physical activity.'*

They go on to suggest that a negative *'butch'* stereotype is often attached to girls who are sporty and it is one that runs counter to the aspiration to become feminine and attractive. The peer group influence is, however, something that affects boys and girls alike, and it is at its strongest as they approach mid to late teens. This is reflected and discussed in detail in the next section of this chapter which looks more specifically at some of the factors that are evident in local youth culture and community.



## Peer influence and local community

Some of the young people interviewed in this study looked back on their experiences of socialising and peer group pressure as something that had a profound influence on their offending behaviour. Therefore, the process of rehabilitation from crime often includes the need to move away from existing social networks. In figure 2.5.14, Chris reports that all his friends have been in trouble; it is significant that the one who was offending but had never been caught had now moved away. One can suspect a situation where parents had decided that this might be a way of getting him away from his 'criminal'

friends. Al is looking from an outsider's perspective and sees his old friends as being stuck in the old groove and has no inclination to pick up on these friendships. Both he and David, recognise the influence that friends have had on their offending behaviour and the fact it was part of their offending habits. Whilst Al has moved on to a new family life and work environment, David is still attempting to disengage from the 'scene' and as such is quite isolated (figure

### Figure 2.5.14

#### Chris (17)

"All of them have been in trouble with crime. Except for one guy who has now moved away – he did the same things but didn't get caught."

#### Al (21)

"The socialising before I became a father – it was just going round my mates houses. Smoking drugs and drinking beer and that. . . I know it sounds horrible saying this – but they haven't moved on. They are still at that level. They can pull you down if they really want to – people like that."

#### David (17)

"In [city] there is a big thing with gangs linked to their home areas – [different districts]. In Wales it's more about the kind of people – hard, soft, good etc. I got in with the hard group who are always in trouble or breaking the law and that's what I am trying to get out of."

### Figure 2.5.15

#### David (17)

"One the main reasons things have changed is because I have been keeping myself to myself to keep out of trouble ... Now that I am keeping out of trouble I spend a lot of time at home."

2.5.15). It is important not to underestimate the strength of character needed to stay away from an existing social network; in particular it results in this sort of isolation. For David, the promise of being given housing in a different area gives him hope that he can make a new start. This is difficult to do when young people are destined to stay in their home town; if they are hoping to remove

themselves from one social network, they won't necessarily be accepted or want to associate with others in the local area.



*“In the towns provision is better than in the villages but generally there is a sense of exclusion from society – common experiences lead to a grouping together of the young people known to YOT ... . There are local patches where young people tend to stay on their own turf but this does not go as far as a gang culture.”* (YOT staff interview)

Here, the YOT worker summarises some of the problems for young people who try to disassociate with peers who are involved in crime. As has already been illustrated, leisure opportunities for young people are often limited or unattractive and this can impede the development of new friendships, in particular if individuals are considered to be ‘outsiders.’

In Figure 2.5.16, Chris is describing a project which I generally accepted locally to be an example of good practice, yet his view is affected by the area in which the youth project is placed. Caron refers to the problems of being an outsider and risk that this incurs. Many of the young people who were interviewed in this study felt at risk or had been a victim of violence from older youths in the local area. Despite this, a lot of community concern is around the threat presented by troublesome youth

**Figure 2.5.16**

**Chris (17)**

“I wouldn’t go to the [youth project] – its scraggy, in the bad part of town where the crack heads hang about.”

**Caron (17)**

“I don’t like [coastal town] – a few bad things have happened. [Boyfriend] has been jumped twice. He’d only gone up to meet his sister and she was sat in the car and as he was on his way back these lads said he had said something to them and there was about six lads started on him. The other time it happened again, he’d gone out with his friends and another group started on him, blackened his face . . . The only time I will ever go out in the evenings is if it’s an essential ... I wouldn’t just have a stroll around the street.”

*“Much work is now linked to the anti social behaviour legislation and this does have a tendency towards punishment and law enforcement and away from more welfare based solutions. Previously there was a focus on the improvement of environments –physical interventions on problems estates – although this is still considered; much time is spent on the gathering of ASBO evidence and the process of enforcement.”*  
(Partnership agency interview)

Meek (2005:9) makes reference to the fact that rural areas have less tolerance of anti-social behaviour with some responding more punitively. She notes that



this is *'further exacerbated in remote areas where young people are well known and highly visible within the community.'* This is a particular problem for young people who have a bad reputation in a small village community. The exclusion for these young people may be two ways; not only do they find it difficult to reinvent themselves but the 'non criminal' community itself is more likely to reject them even if they want to change their ways.

Ultimately, like David who was quoted earlier, new horizons are often linked to the ability to move or travel to a different locale and therefore it is relevant that the next area of analysis looks at transport and money and the barriers they often present to young people.

### **Barriers to engagement - transport and money**

In many discussions in this study, young people themselves did not report transport problems but this was not because they considered transport provision to be good. Many young people in this study did not have a strong opinion on public transport because they tended not to go anywhere outside of their home area. Even those who had the opportunity to travel for leisure like Chris in figure 2.5.17 didn't bother. Their life experiences are limited and this was noted by the professionals who were involved with them:

#### **Figure 2.5.17**

##### **Chris (16)**

"Transport is ok – don't really need to get out of [coastal town] that much – just go between [coastal town] and [next local town]. With the course you get a weekly train ticket – can use it to go anywhere but don't really bother."

*Young people often do not know the alternatives – they may live in Llandudno and never even go as far as Capel Curig. That's not to say there aren't alternatives – there is just no incentive for them to find out.*  
(Partnership agency interview)

For young people who are not aware of the alternatives, they may take the easy options and this can have an effect on their criminal careers, both indirectly as previously discussed but also more directly in the form of driving offences:

*"The young people don't generally go out of their home area. None of them have their own transport and, currently, only one has expressed an*



*interest in driving (legally). Many of them say 'stuff it' and then get driving offences on their record. Court impose disqualifications that only come into play once young people are past 17 – therefore the sentence is deferred, sometimes by years, and can prevent them taking the legal route to driving, even if they want to.*" (YOT staff interview)

**Figure 2.5.18**

**Caron (17)**

"It's really daunting for me knowing that you're in control of that vehicle and anyone that's near you. But [boyfriend] wants to go for his licence this year touch wood everything goes well."

Young people often don't realise the implications of these so called petty offences. Without a licence, employment and access to services and life choices in general are reduced. However, in this study, learning to drive was not often referred to and where it was, it was not in the

most positive of terms. In figure 2.5.18, Caron does not see learning to drive as the answer to her transport needs. Caron was one of only two young people who saw bus travel as a regular option for them. In figure 2.5.19, Luke notes that he has a bus pass and uses it a lot. However, although Caron points out that public transport to more rural areas is less often, she does know the buses well and uses them extensively. Despite this, her experience of bus travel is difficult, in particular, because of having a baby with her (figure 2.5.20). In reality, Caron and Luke's regular use of the bus was unusual in the general opinion of the young people in this study; others tended to rely on lifts from families and friends and valued the support from YOT (figure 2.5.21).

**Figure 2.5.19**

**Luke (17)**

"[Transport is] ok – I go with friends and get lifts from friend's mum. I might buy a moped to get to college. But I use the bus and my bus pass a lot."

**Caron (17)**

"If you are going to somewhere more remote you tend to have to wait. Llysfaen are every half an hour. With going Rhyl, Llandudno or Abergele, they are every ten minutes. Yeah if they are busy and packed and you cant get on them, there is a guarantee of one coming along soon after."

**Figure 2.5.20**

**Caron (17)**

"You'll get on and there will be about twelve little kids in the buggy bay and you will stand there and say 'excuse me, would you like to move?' A couple will move and the rest will stay there. I'll be look you all move – its either me or a wheelchair that's supposed to be there. Sometimes there will be a buggy there and there will be no child in it. So they should come down and fold the buggy up and move it out of the way. But people are ignorant."

**Figure 2.5.21**

**Alex (15)**

"Public transport is ok. . . I also get lifts from dad who lives close by in town."

**Ethan (15)**

"Mum's partner will give me a lift if I need to go out anywhere. YOT will pick you up – [YOT staff] picked me up for the fishing today."



For YOT staff there is a balance to be struck between offering support and encouraging self reliance:

*“Currently, there is a reparation budget shortage and future funding is not known until the last minute. Partly because of this there has been a move to encourage parents to bring their children to reparation sessions and take more responsibility. Young people are also encouraged to take public transport and be reimbursed for their tickets. This is a better use of resources as it can cost £80 - £100 to support a Llangollen session of reparation with travel and picking up by sessional workers. It also moves away from the dependency culture that many families have fallen into. It is never a good idea to give money to the young people but reimbursement or goods to support welfare need is a different matter.”*

(YOT staff interview)

It is interesting that the most efficient use of resources does not always require more funding; in this case the YOT worker notes the expenses involved in physically transporting young people for reparation sessions and the cheaper option of reimbursing public transport travel. However, the inconsistency with rural public transport does often put responsibility back onto the family and YOT workers recognise the tensions that can develop for families, emphasising the importance of policy based solutions:

*“For those in rural areas, arguments over lifts can create serious family conflict. Denbighshire have recently introduced reduced bus fares for young people which may help.”* (YOT staff interview)

The Denbighshire subsidy is a move in the right direction, but the inconsistency across counties is difficult for YOT when young people from Conwy do not have access to reduced fares. When asked if the cost of travel was too high, Caron in figure 2.5.22 was emphatic in her reply. The problem with relatively high bus fares highlights the economic plight of young people living in

**Figure 2.5.22**

**Caron (17)**

“Gosh yeah [the fares] they really are [expensive]. I mean if you are doing a couple of journeys it’s not so bad because you can just buy a day saver which is a little over a fiver and you get as much as you want for 24 hours. But if you go and you get a return ticket and you end up having to buy another single – it’s atrocious. It cost [partner] £5.20 just to get to [parent’s home town] and back.”



Conwy and Denbighshire and can be viewed within the wider picture of poverty in Wales as a whole. Although poverty in Wales has reduced since 1999, income levels are still low for all types of workers and worse than those in England. Large numbers of workers are earning less than £6.50 an hour; in particular, North West and North East Wales has the second and third highest levels in a table of Welsh regions (Kenway and Palmer, 2007:4). In view of this, young people known to Conwy and Denbighshire YOT are at increased risk of living in a poor household, even if their parents are working. Furthermore, with the higher travel costs involved in accessing services in a rural area, young people whose families are living on state income benefits also come off worse than their urban counterparts. Thus it is no surprise that young people interviewed in this study reported being restricted in their leisure because of a lack of money. Even for Sarah in Figure 2.5.23 who was relatively free from money worries, cost was a consideration. Ben notes that, although there are a lot of facilities near his home, they were inaccessible because of the price. YOT workers were also aware of the difficulties and re-introduced the problem over geographical boundaries:

**Figure 2.5.23**

**Sarah (14)**

"I spend time going bowling, swimming (which is good because it's free) and riding."

**Ben (17)**

"Yeah – the thing about [local town] is that you've got to have a lot of money. There a lot of things to do there's like gym, snooker, bowling alley stuff like that ... cinemas but its just you need a lot of money."

*"There is little to do that doesn't involve money. If a young person is with Youth Inclusion and Support Programme, then the opportunities are brilliant but it is geographically limited. There is some talk of a scheme in Conwy which would be positive."* (YOT staff interview)

Not only were concerns raised about the lack of money for leisure activities, but YOT staff also reported very basic deprivation and described young people who lacked food

*"Many children who are known to YOT do lack food; certainly those on longer orders who are higher up the sentencing tariff or those who are living independently. However, this could be due to*



*different priorities and expectations over money and how it should be used. (We may feel it is important to have three good meals a day but we cannot assume that others expect or even desire the same)"* (YOT staff interview)

**Figure 2.5.24**

**Ryan (15)**

"I have a job that mum got me so I am ok for money."

**Ethan (15)**

"Mum buys beer for me so there isn't a problem with money."

**Luke (17)**

"In receipt of JobSeekers Allowance so have some own money."

These views are borne out by the fact that many young people in this study were unconcerned about money when, by other standards, they were clearly very hard up. Figure 2.5.24 illustrates how relatively sanguine some young people were about their financial situation. Significantly, all these young

people had strong family support and lived at home. Where young people had some money coming in on a regular basis or they had a positive family relationship, they generally felt money was not a problem. However, YOT staff noted that this does not always protect young people from poverty and deprivation:

*"There are no benefits available if a young person is living in the family home. Even if a young person does live at home, this doesn't provide a reliable safety net ... their position is often vulnerable and the need for money both complicates this and provides another opportunity for sanctions."* (YOT staff interview)

For young people involved with the youth justice system, family tensions over their behaviour or lack of ability to bring in any money can lead to estrangement.



A number of young people who were estranged from their families discussed the difficulties they faced in gaining benefits and the lack of consistency once they were in receipt of them. In Figure 2.5.25, having chosen to stay in school, Anna expresses how difficult it is for her to arrange for a benefits application to support her independent living. Billie describes the process of gaining benefits as very complicated and it is to her credit that she persevered with it. Many young people fail to attend appointments or fill out the correct forms and this can lead to lapsed and uncompleted applications and it is in these situations that they can be at increased risk of falling out of the system and into street homelessness or the youth justice system.

Even when benefits are finally agreed, in figure 2.5.25 Caron's experience exemplifies the complications that can occur when more than one benefit is applicable. In these cases there is likely to be a multiplicity of need that makes deprivation even more damaging. As a carer of a disabled partner and a young baby, Caron is particularly reliant on benefit support. Partnership agency staff also showed concern about deprivation, here revealing a believed link between some petty crime and welfare need:

*"As already discussed most are in receipt of Income Support but many do present as in basic need. They do have very little money and often do not prioritise food over items such as phone top up. The homeless young people have particular problems in feeding themselves. With no*

### Figure 2.5.25

#### Anna (16)

"I am trying to get Income Support now I am 16. Before that I knew I was entitled to money under Section 17 but they just said there was no money in the funding. Which is a load of rubbish I think. I haven't done it yet – I have got to go to Benefits Advice but it's difficult with school because I don't want to miss any school. So I have got to make time to go."

#### Billie (17)

"I am on JSA – Job Seekers Allowance ... but it was hard for me to get. I had to go through Careers to get it. But it took them a few attempts before I actually got it.... because of the system. They gave me an appointment but because I was under the age of 18, they said I wasn't entitled to any money then as soon as I told them I wasn't living at home, that's when they started giving me money and that."

#### Caron (17)

"Well it's the benefits really. They get stopped and I have to start it again – it was the Income Support last time me and [boyfriend] were getting it as a couple and then when [baby] gets so many weeks old, it stops cos rightly one of us can go out to work. Which is understandable but we were entitled to it because [boyfriend] gets DLA so I should have been getting Carer's Allowance . . . we was waiting about two and a half months. So until that got sorted out they couldn't start paying me the Income Support."



*proper cooking facilities, they buy take away food or sandwiches. Many of them appear unkempt - haircuts are a problem. Some shoplift to gain basic items of toiletries etc.” (Partnership agency interview)*

These issues have a knock-on effect on the ability to participate both on a social and employment level. YOT staff went on to suggest that young people, whether on benefits or in employment find it difficult to live independently:

*“Lack of money is liable to contribute to offending behaviour. E.g. In temporary housing – B&B with no cooking facilities. £44 (Income Support) is not enough to meet basic need. Also about life skills – when helping with shopping it was observed that convenience food was chosen above cheaper, fresh food.” (YOT staff interview)*

In the responses from the professionals it is easy to see the fragility of maintaining independent living, especially where transitions have been hurried because of family tensions. In these cases, young people are often unprepared for coping with life on their own and have limited life skills such as cooking or budgeting:

*“When money is available it may be that a young person will choose to top up their phone before buying something good to eat. Also money will go further if basic life skills like cooking are evident. It is cheaper to eat home cooked food than TV meals or take-away. If life skills instruction is required, case workers may use materials provided in the Pathways leaving care booklet.” (YOT staff interview)*

This YOT worker’s use of the Pathway’s leaving care booklet as a valuable tool would suggest that those who are in the care of the local authority might be better prepared for independent living. However, the evidence from discussions with parents and young people does not support this assumption:

*“When [my son] turned 16 he was referred to the Leaving Care team, taken out of the Unit and moved from one B&B to another. He did return home for 5 to 6 weeks but it started to fall apart and he had to go back to B&B. The social worker gives him money for essentials but he doesn’t know what to do with it or how look after himself.” (Mrs Lord - parent interview)*



Mrs Lord's son had been in care for some years but still had very poor life skills: his mother went on to suggest that this is one of the reasons for his persistent homelessness. Al, who was in long term local authority care describes his experience in figure 2.5.26. These problems can be even more difficult to

**Figure 2.5.26**

**Al (21)**

"My mum used to ask about independent living skills. Independent living was teaching me how to use a cheque book! Well I've got no money in an account to use a cheque book so why do I need to use a cheque book – why don't you teach me how to use a cooker?"

**Figure 2.5.27**

**Al (21)**

"Well some parts of it [being in care] are better than being at home. Like for instance, when I was 14 years old – a weekly allowance, my pocket money was £35. Now I don't know if you have kids at home but would you give your kid £35? .... So money wise – it can be better. That's the lovely side of care, you get everything you want but that's also making me very spoilt. I was like wow I'm being rewarded for bad behaviour – but you are giving me a lot more money than I would get at home."

deal with for care-leavers who have generally not had to cope with budgeting or gaining access to money whilst in local authority care. In figure 2.5.27, the liberal approach to money experienced by Al whilst in care, provides a stark contrast to Mrs Lord's earlier account of her son after he left local authority care. Given all the attempts by the state to improve parenting skills, it seems rather ironic that the local authority seems to fail on such a basic level.

## Conclusions - local area, transport and money

A number of messages have emerged from the data collected in this section of the study. In the first place it is clearly not enough just to offer social and leisure opportunities to young people and expect them to happily start attending. This is particularly true of those who are from families who are themselves part of an excluded network. There is much work needed to prepare young people to take up opportunities on offer and encourage their full participation. This challenge is something that may be taken up by schools at an early age with the provision of extracurricular activities and clubs. If young people are to become confident about getting involved in more structured leisure activities, then there needs to be a culture of participation around them. Therefore it may be that youth service provision has to be more proactive in its service approach. There is much to applaud in the Youth Service's voluntary and egalitarian approach to



work with young people but it is clearly not reaching many of the young people interviewed in this study. A major part of this appears to be that facilities and premises that are considered to be shabby, old fashioned and boring and this lets the service down. Even where new clubs have been set up and facilities include up to date activities such as consoles and kickboxing, some young people are put off by the fact they are out of their local area and their friends do not attend. These are all indicators that, in a rural area, youth services need to be mobile and able to go out into the communities that need them. Both Conwy and Denbighshire youth services have recognised the value of detached and street youth work. Conwy have introduced a youth bus pilot scheme which has visited a number of outlying villages and has received a positive response from young people. Denbighshire is developing a detached youth work strategy and aims to reach 80% of young people who at present do not access their service (Denbighshire County Council, 2007:814). However, the Principal Youth Officer notes that '*any significant increase would require considerable extra funding*' (ibid:815). This is a welcome departure from the traditional youth centre view of the service but, at present, there are still far too many resources being wasted on services that the majority of young people appear not to want or, in some cases, even need.

At present youth clubs in the larger towns are often available on a nightly basis when there is already a range of other possible leisure choices. This leaves the villages, where there is little provision otherwise, with youth clubs that often run only once or twice a week. Even with the youth bus option described above, this would only be visiting areas on a periodic basis. The response from young people, especially the older age group is that they would rather have the money to go to facilities such as bowling, leisure centres and cinema. There are positive examples of youth information services' (Castlegate 2007), which are relatively cheap to provide and offer a small drop in centre with trained youth workers who encourage access to leisure, sport and educational projects in the area. It may be argued that resources for this age group would be better spent on substantial subsidies and signposting so that local young people can gain access to the leisure and social activities they are interested in. In particular in tourist towns, leisure providers should be encouraged at planning stage to



commit to providing lower cost facilities for local youth. In this study, there is good evidence that the more traditional youth services still have an important role to play. However, these should now be targeting a younger age group, eleven to fourteen year olds, as they are keen to try new activities and this should be capitalised upon. The positive tales of church and youth clubs came from the fourteen year olds and under in this study. They liked the secure environment, the opportunity to try new activities and, effectively, spend some time 'hanging out' with their friends. If youth services were to accept the shift towards the lower age group as a cultural change there would, perhaps, be less resistance from youth workers. In this post-modern age where there is such a range of diversionary activities on offer, even within the family home, it seems absurd to expect sixteen and seventeen year olds to attend the same youth club that their mothers and, in some cases, grandmothers enjoyed in earlier decades as is the case with some youth clubs in Conwy and Denbighshire. It is not really enough to expect the addition of a computer or console will bring a club into the new millennium and make it attractive to older teenagers who have already experienced nightclubbing and internet networking sites.

For young people who are involved with YOT, there are considerable attempts made to involve them in positive leisure activities because of the known protective factors and subsequent reduction in offending behaviour that seem to result from engagement. However, the targeted nature of some of these projects is a clear disincentive to participation and it can be argued, may be even detrimental to wellbeing. The young people in this study widely reported how important their social networks were to them and it seems ambitious to expect them break away from their social groupings just because they are allowed to go to the gym for free. Many confident and well adjusted adults would find the experience challenging and both anecdotal evidence and research shows that continued engagement is more likely if a friend comes along to keep you company. If the universal services were operationally more accessible to everyone, this would have a knock-on effect for access by the more difficult to reach, often those who attend YOT. Clearly, if the ethos of entitlement professed at policy level was transferred into practice, many of the difficulties discussed by respondents in this study would be addressed. If all



young people had reduced or free access to leisure facilities there would at least be an accepted culture of participation which is something that is not too apparent in the general population, let alone amongst those who have specific problems. The evidence suggests there is recognition of this and there are early indications of change but it may be that to truly extend entitlement it is not solely about raising extra resources but also the allocation of existing resources. Inevitably this leads to a difficult process of evaluation and possible reallocation of resources away from existing provision. However, it must be remembered that this is public money and services must be seen to be meeting the public need, something which in the case of youth services is perhaps in question.

As might be expected a similar resource based question is relevant when thinking about young people's access to transport, something that is particularly important in Conwy and Denbighshire. Young people in Denbighshire are in a privileged position to be in receipt of half price bus fares and it is hoped that Conwy may follow this example. Though, as research and data from this study suggest, this is not entirely a resource issue as some young people are just not mobile because of their own perceived geographical limitations. As YOT staff noted, there is some work to be done in developing a culture of independent travel in this group, sometimes they try to encourage the use of public transport and self-reliance by refunding fares. How far this approach can be taken is debatable as young people who feel unable to take up this challenge are more likely to breach their YOT appointments and put themselves at risk of reconviction or even custody. It seems unsurprising that there is some reluctance to use public transport as adults do not lead by example, something that is illustrated by the ever increasing number of cars on the roads. Indeed it is sometimes the young people with more family support who are most reluctant to travel by public transport because they are used to being ferried around by parents. The limitations to bus and to an even greater extent, train timetables, particularly on rural routes create a further barrier; young people are unlikely to rely on public transport if they have to curtail their activities in order to catch the last bus home. The need for an integrated transport policy to support the whole community and as the National Youth Agency (2007:4) calls for the recognition of the *'distinctive needs of young people'* by transport operators, local



authorities and central government. This theme has been evident throughout this chapter and beyond and certainly links to the discussions in this study on money and physical deprivation.

In this study, the staff and partnership agencies were much more vocal and concerned about the lack of money and the physical state of young people that they worked with. However, some did point out that the outrage may be due to subjective assumptions by adults on what young people actually need. Adults, who feel a responsibility to care for the young, may misinterpret what is required and it is here that consultation with young people is particularly relevant. In fact a number of young people reported having enough money to do what they wanted; this is clearly linked to the limited lifestyles and low expectations that were observed in this study. If you don't actually want to do a lot with your spare time then you don't need a lot of money; similarly if you have never been used to having three meals a day as a child, then you will not expect it as a young adult. Furthermore, these young people tended to be still living in the family home or at least with some sort of support network. However, that is not to say that inequality does not exist, even for those who felt ok about their money situation; in fact a well trodden path can often be traced for young people known to Conwy and Denbighshire YOT. From families who have their own financial problems, through school exclusions, early transitions and disassociation from employment and training. All these factors combine to guarantee that state benefits are the most likely income for young people interviewed in this study. In this, young people focused more on the complex application process than the benefit rates and reported numerous failures in eligibility and the need for repeated applications. Even where they had managed to get benefits, there were often delays and changes in payments which left young people vulnerable to deprivation. This is further evidence that when social and welfare provision fails to meet the need it is often because of the operational complexity rather than individual incompetence or policy indifference. Access to state benefits and welfare help is also affected by the individual skills of the young person in negotiating for services and articulating their needs. This is an area of common concern for all respondents in this study.



A number of YOT staff reported how young people would often have different priorities on how to spend their money and suggested that many did not have the basic life skills to live independently. Attention has been turned to addressing these problems with a number of local organisations tasked with providing life skills training for young adults but it would seem that this is something that needs to be introduced earlier. Some have suggested that this should be achieved through the national curriculum by adding Personal and Social and Health Education classes to the list of compulsory subjects (The Independent Advisory Group on Teenage Pregnancy 2006). However, this sets the agenda in the statutory education system when these types of subjects may be better taught within a voluntary relationship with youth services during the extensive out of school hours that were shown to be available in figure 2.5.1. On balance, the responses from young people in this study who had been involved with skill building courses through The Duke of Edinburgh scheme or Prince's Trust (see 2.5 Education, Training and Employment chapter) were more positive about their experiences. As has already been illustrated, young people known to Conwy and Denbighshire YOT are often out of mainstream education and so attempts to provide lifeskills training through the education system may well result in a situation where the ones who are most in need of help will miss out. It is particularly worrying that even young people who are in local authority care are lacking the knowledge to look after themselves as adults. Ultimately, effective lifeskills are crucial for all the aspects of this chapter and this was highlighted by staff and parents – if young people do not know how to cook, budget and articulate their needs then it affects their sense of wellbeing and can ultimately impair their ability to become happy and participatory adults. Inadequate diets, lack of exercise and a feeling of exclusion all have serious implications for general health and wellbeing and this is something that will be investigated in more depth in the final area of data analysis that follows.



## 2.6 Wellbeing and health provision

*“When I train at home, my little lad comes and watches. Gives him the right idea to train and be fit. I don’t expect him to start pumping iron at the age of five but sit and do a couple of sit ups and push ups will do him no harm whatsoever” Al (21)*

### **Introduction**

The health of the people of Wales is a primary concern to the Welsh Assembly Government (WAG). Improving the nation’s health is one of the four keys areas mentioned in Wales – A Better Country (2003:8) and the WAG consultation document Wellbeing in Wales (2002:5) notes how a high level of wellbeing is an indicator of successful communities. Health in Wales has previously been found to be poorer than in the rest of the UK, with more people made economically inactive because of illness (HMSO, 1998:2:13). Contrary to these figures, the conversations with young people in this study revealed that most were relatively positive about health status. Illnesses that were revealed ranged from viral and cold infections to depression and responses to risky behaviour such as drinking. Nevertheless, young people reported they rarely used NHS or dentist’s services; generally, they would self medicate, watch daytime TV and wait until they felt better. In contrast, staff and parents were more concerned about health and reported a high percentage of young people known to them who were suffering from short term and long term illness, including chronic conditions. Therefore, these differences in responses may say more about the personal perceptions that young people hold than their actual health status. Nonetheless, the data from this study indicates some lack of access to services; YOT staff and some parents were particularly concerned with waiting times for mental health services and saw this as a primary area of difficulty. In contrast to other geographical areas in the UK, most respondents in this study mostly reported young people to be registered with GPs. This may be a positive result of living in a largely rural area and within a relatively low population – primary care services may not be as overstretched as urban ones. Even for dentists, a surprising number of young people reported as registered although many did



not actually attend any appointments. As the rate at which they actually used both services was varied and their experiences were quite mixed, the data in this study does reflect the findings of research and policy documents that look at health provision in Wales.

### **Research, local policy and practice**

Wellbeing in Wales (2002:4) recognises health and wellbeing as an intersectoral matter and therefore this thesis turns to health as a final data chapter, after considering provision from other areas of social and welfare provision. The housing, education, leisure, transport experiences of young people known to Conwy and Denbighshire YOT, all contribute to their sense of wellbeing and have a bearing on health matters. The WAG consultation document illustrates this point well in this example:

*Nutrition is a good example of an issue that cuts across policy areas. It is a major influence on people's health at all ages yet in many disadvantaged areas, diets are poor. Improving people's diet relies on learning in schools and in the community as well as access to food. (ibid:4)*

In fact, recent evidence suggests the assumption that diets are poorer in disadvantaged areas is not as pronounced as was thought at the time of the WAG consultation document. The 2007 Low Income Diet and Nutrition Survey suggest some aspects of poor nutrition in the low income population are '*similar to those already identified in the general population*' (2007:44). Whilst there are still areas of difference between rich and poor, for example fruit and veg intake tended to be lower for poorer families, a change in the food culture of the whole population is more evident. Caraher et al (1999:601) agree:

*The restructuring of the food economy has been exemplified by the emergence of high value-added foods, the rapid up-take of microwave*



*foods and by trends towards what marketing specialists have called 'grazing' of foods.*

Therefore in similarity to everyone else in the population, the young people known to Conwy and Denbighshire YOT are subject to the same commercial pressures, which include high sugar and salt ready meals that are cheap and easily available. The result is a tendency towards food preparation rather than cooking and this has been further reinforced by the withdrawal of compulsory cooking classes in the mainstream education system. Despite these survey findings, there is still a common belief that it is the 'poor people' who don't know how to cook and that they are the most in need of instruction. However, for cooking skills education, Caraher et al (1999:606) note that if a universal approach is taken, classes could '*play a useful part in generating a common food culture rather than reflecting a divided food culture.*' This is indeed a very positive view on how to promote healthy eating across the whole population. However, providing life skills education is difficult for those who are disengaged from mainstream school or living transient lives through homelessness and these circumstances may be a challenge to this perspective. Many young people known to YOT fall within these excluded groups so careful thought must be given on how best to provide cooking and general life skills training. This is also a factor when considering how to link them with other essential services such as GPs and dentists.

In their review of healthcare in the community for young people who offend, the Healthcare Commission stated (2006:8) '*Children and young people who offend have a range of characteristics that distinguish them from the non-offending population of children.*' They concur with the findings of other research (further listed by Anderson et al, 2004:150) that has found higher levels of drug misuse, mental health problems, learning disabilities and difficulties such as being in care or living in a violent household. As a result of these issues it may be expected that young people known to youth offending teams are more likely to be in receipt of healthcare services, however, there is a perception that some are not even registered with a GP. The Youth Justice Board corporate brochure on health makes reference to this:



*Appropriate healthcare while young should help to reduce problems in adult life, but a quarter of these young people have never been to their GP, and many of those who use conventional GP services say they do not find them helpful. (YJB: 7)*

In view of this, YOTS have an important role in encouraging young people to gain access to both mainstream and specialist health services. The ASSET assessment form highlights any health problems there may be and concerns identified there can trigger an in-house mental health assessment or a referral to a range of healthcare services. The Asset will also pick up on whether the young person is registered with GPs and dentists and the case manager will assist with the registration process if required. A seconded healthcare worker is a statutory requirement for all youth offending teams and crucial in maintaining positive relationships with health providers. Therefore it is of some concern that the 2006 Health Commission review noted:

*Many PCTs [primary care trust] provide excellent funding and support to youth offending teams. However, we have found that too many PCTs have failed in this regard by providing insufficient funds and/or staff to youth offending teams. (2006:29)*

In the Conwy and Denbighshire area, the PCT and the YOT management board have fulfilled their statutory responsibilities. There is good access to health professionals as the team has one part time Community Psychiatric Nurse and a full time drugs worker. In addition there is a close working relationship with the local Young Persons Substance Misuse Project. These statutory links are particularly important because of the confidentiality issues that are evident in health care practice.

Although vitally important for human rights, data protection and confidentiality factors can often be a barrier to effective working practice between agencies. Within health services, data that is collected is, by nature, personal and sensitive and is therefore subject to data protection law and local information handling protocols. One of the benefits of the seconded multi agency team



structure, such as the youth offending team, is that a health worker employed by the local Primary Care Trust and seconded to the YOT team will have full access to personal information through their PCT link. The YJB have produced a practice guide to support information sharing and fully endorse moves towards a 'common assessment framework' for agencies working children and young people at risk of offending. In effect, these measures should speed up the process of assessment, information gathering and decision making, thus allowing young people to gain quicker access to services. However, professionals can feel very threatened by the need to share data about their clients and work and this can lead to reluctance to fully embrace the multi agency approach. The YJB accepts:

*Exchanging personal and sensitive personal information between agencies, without the consent of the data subject, is seen as difficult and this is often used as an excuse for not doing it. (YJB corporate brochure:2)*

Anecdotally, the majority of young people and families seem not to mind if personal information is shared if it will result in a better service and will often give their consent. It is often the professionals themselves who are more sensitive about when and how much to share. Even with a health professional on the team there may be situations where health related personal information may not be shared with case managers. Happily, the responses from this study do not suggest this is an issue in Conwy and Denbighshire but there is a more general lack of clarity about multi agency collaborations that does not fully protect future working practice. Mental health services are at the sharp end of this debate; with rigid diagnostic guidelines and an array of different therapeutic services available, there are potential difficulties in information sharing. The YJB advocate '*appropriately framed data-sharing protocols*' to ensure co-operation within the law but these protocols are often hard to develop where services use different languages and levels of confidentiality. A 'medical model' of interventions is often favoured by the health sector and this relies on a system which is governed by diagnosis, treatment and cure. Other practitioners, such as social workers or youth workers may use a 'social care



model' of interventions, where the process is far more fluid and interventions are not necessarily awarded on diagnosis but because of the behaviour that presents. Clashes of professional opinion can occur when, for example, 'John' is displaying symptoms of ADHD but does not receive a conclusive diagnosis so is not eligible for medical treatment. Even when interventions are awarded after a clear diagnosis, medical confidentiality can often restrict the involvement of outside professionals and a break down in communication can occur. Increasingly, low level behaviour and mental health issues that do not reach the threshold for Child and Adolescent Mental Health Services (CAMHS) are being redirected to more general frontline services and this has training implications for non-specialist practitioners.

The 2001 WAG child and adolescent mental health services strategy document adopts a four tier principle for mental health services (see appendix 2.7.a). The strategy advocates a '*CAMHS concept*' where all agencies work together to create a common service framework for child and adolescent mental health services.

*This requires a shared vision and an agreed programme of action jointly owned by families and carers, the National Assembly for Wales, the responsible authorities and the service providers of all relevant agencies. Each needs to be committed to a partnership in which the agencies work together to design and deliver shared local strategies and services. **No sector can be absolved from the duty to play its full part in CAMHS and to co-operate across professional boundaries** (2001:22)*

In the strategy, Tier 1 services could be performed by YOT at the basic level of case management with support from YOT Health worker and Tier 2 services may also be fulfilled by the YOT health worker. In the case of Conwy and Denbighshire, this could overstretch the provision as the mental health worker is only part time. This problem faces many agencies that are already working at capacity – the strategy redirects basic mental health provision away from the specialist CAMHS service without necessarily providing extra specific funding to the agencies picking up the low end mental health need. However, it is true that



in the previous system, young people at Tier 1 and in some cases Tier 2 would not have been deemed eligible for specialist CAMHS provision so the strategy may constitute an improvement for that group. The April 2005 meeting of the Welsh Assembly Health and Social Services Committee reveals the tensions that can occur across multi agency targets. Youth Justice Board targets require a formal CAMHS assessment within 5 working days for acute cases and 15 working days for non acute cases referred by Youth Offending Teams.

*These targets have not been formally accepted by either the Department of Health or the Assembly Government as there are concerns that giving priority to young offenders would constitute a distortion of clinical priorities. Clinical autonomy is seen as a basic principle of treatment and the imposition of targets would tend to undermine this. (April 2005:3)*

This creates an interesting juxtaposition for the YOT staff and management boards who are required to meet YJB targets. Research by Chitsabesan et al. (2006:538) suggests that there is need for improvement as they found '*high level of mental health, educational and social needs*' in their sample which comprised of young offenders both in custody and in the community. In addition, the needs of those in the custody group presented as lower than those in the community. Significantly, Chitsabesan et al was able to deduce (ibid:538) '*needs are only temporarily lower while young offenders are in custody and increase again on release.*' It is early days for the mental health strategy and screening programme but these new processes may help CAMHS to emulate other areas of health provision that appear to be more advanced in their multi agency practice.

Drug and alcohol services for young people at risk of offending have been in focus for some time now and there appears to be a more advanced and cohesive approach. As part of Home Office Named Drug Worker programme, all 155 YOTs in England and Wales had to have a named drugs worker in place by 2002. An evaluation of the project concluded the programme had been '*effective in enabling YOTs to develop the way in which they address the drug related needs of their client population.*' A sense of shared goals is a key factor,



with the National Treatment Agency agreeing a joint target of an assessment within five days and, if required, access to intervention within ten days (YJB website Health). In Conwy and Denbighshire YOT, the results of positive working partnerships are evident in the work with the Young Persons Substance Misuse Service (YPSMS) and they are particularly fortunate to have a dedicated drug worker seconded on a long term basis within the team. In common with underpinning principles from Welsh Assembly strategies (2000:14) to reduce drug misuse, the Conwy and Denbighshire YOT and YPSMS have a cross sector approach to the issue. The drugs worker is actively involved in assisting with welfare issues such as homelessness and disengagement from education or employment. In addition, they are involved with emotional and mental health counselling for problems such as anger management and bereavement.

For many young people at risk of offending, health issues such as drug dependency, mental health issues or conditions such as ADHD behaviour may be directly symptomatic and it is therefore crucial that health professionals involved in the case have close working relationships with YOT case managers as the court may need the reassurance of specialist knowledge. In this way young people can be protected from sentences that are unjustly harsh or that may put them at risk whilst in custody for non compliance. Jacobson and Hough (2007:62), in their study on mitigation in adult court, found there were varying degrees to which judges took account of personal factors such as mental illness or difficult childhood when sentencing and suggest *'there is a case for structuring judicial discretion as it relates to personal mitigation'*. In adult and youth court alike there is a tradition of leniency towards those of "previous good character" but this can prejudice against those who have had unproductive lives due to health and welfare problems. Jacobson and Hough (ibid:32) note *'Pleas in mitigation often make much of past traumas, abuse or general disadvantage suffered by defendants, but such factors do not appear to carry a great deal of weight for sentencers.'* Similarly, sentencing guidelines for young people recognise *'peer pressure, the influence of adults, and the very uneven rates of development for 10 – 17-year-olds might be mitigating factors for younger offenders in particular.'* (NACRO March 2006) but do not explicitly state health and welfare problems as mitigating factors. This is of particular



concern as recent changes to the youth court system allow a much wider range of offences to be considered for custodial sentencing. It is sobering to find that over a period when youth crime has reduced by at least 25 per cent, custodial sentences for young people have risen by 90 percent (The Children's Society 2006). Future outcomes are impaired by custodial sentences; this is made worse in North Wales where young people are sent to England to complete their sentences. Health problems complicate an already difficult situation and can contribute to the risk of re-offending. As will become obvious from the following data, personal wellbeing is closely allied with good health and basic welfare concerns often compromise both individual welfare and youth justice outcomes.

## **Wellbeing and health provision - data and analysis**

### Basic wellbeing, health and nutrition

In common with the concerns raised in Wellbeing in Wales (WAG, 2002:9), staff and partnership agencies linked to the Conwy and Denbighshire YOT recognised inequalities in health across the families they worked with.

*“Many do not seem to have come from a culture that encourages a healthy lifestyle. They have poor diets and no interest in positive activities.” (YOT staff interview)*

Throughout the interviews with professionals, there was concern over a lack of basic skills such as buying the right food, cooking ability and prioritising budgets.

*“A lot of children who are known to YOT do lack food; certainly those on longer orders who are higher up the sentencing tariff or those who are living independently. This may be due to different priorities where money is concerned and different expectations - we may feel it is important to have three good meals a day but we cannot assume that others expect or even desire the same.” (YOT staff interview)*



It is therefore no surprise that the majority of young people had little to say about their food habits. If a child has 'existed on butties' (YOT Staff interview) during their formative years then they are largely unconcerned about what sort of food they are exposed to as teenagers. Neither was there much to share from young people who lived at homes where cooking was a regular activity – as far as they were concerned, they ate what was provided to them.

Ultimately, young people's eating habits are the product of family culture and were only questioned if new challenges develop such as becoming a parent or periods of homelessness and the need to take responsibility for food provision. In figure 2.6.1 both Caron and Al describe the difficulties of providing food for a young family. Caron, her partner and baby lived in a B&B hotel for a number of months before alternative temporary accommodation was found. Al directly links his shoplifting activities to the problems of living in B&B and one of the consequences of having no cooking facilities. Whilst it is important not to over emphasise this link, staff concurred that deprivation does play a part in offending behaviour

#### Figure 2.6.1

##### Caron (17)

" ... [we had] no cooking facilities and you only get a basic breakfast in the morning which is served between half eight and half nine and if you are not up by then you don't get. So it wasn't very good and we was there for a few months and it was getting to the age where my little girl was starting on solids and things so I needed a microwave – so they had to move us then."

##### Al (21)

"[There were] no cooking facilities at all, so once we had bought tea for the three of us – at £10 a time – you can only feed yourself three times a week. That's when I started shoplifting and that."

*"The homeless young people have particular problems in feeding themselves. With no proper cooking facilities, they buy take away food or sandwiches. Many of them appear unkempt - haircuts are a problem. Some shop lift to gain basic items of toiletries etc."* (YOT staff interview)

A lack of life skills may become an everyday reality for young parents but, for those without responsibilities, it is often only health education that introduces them as an issue at all. Many professionals in this study raised the importance of this sort of training and were committed to projects that provided opportunities:



*“There is an emphasis on health awareness with young people’s health projects and clinics available in the area. There are also after school sex ed. clinics run by the West Rhyl Young People project. There are ‘cook and eat’ sessions planned for the Youth Café in Rhyl. Drugs and Alcohol awareness is raised at Crucial Crew events, to which each year 7 pupil in the area is invited.” (YOT Staff Interview)*

The YOT prevention project, Youth Inclusion and Support Panel, has helped to support the health promotion activities at the Rhyl Youth Café and this is an example of where shared policy priorities can benefit targeted groups in need and also provide the more universal approach promoted earlier by Caraher et al (1999:606). YOT case workers also use existing tools and materials such as Social Services’ *‘Pathways leaving care booklet’* and refer to other agencies. In some cases Lifeskills education is on offer from welfare agencies but young people do not get involved;

*“Healthy eating and cooking classes have been arranged in the shared hostel kitchen but there is poor attendance, despite expressed interest.” (Partnership agency interview)*

Therefore, it is often necessary to introduce an element of innovation to encourage engagement and the YOT is looking at alternative methods such as drama and arts to expand the possibilities:

*“PAD [Prevent and Deter programme] do provide sessions on ‘basic feelings work.’ These include role play techniques which have the potential to develop into drama. The important thing to do is meet individual need by using imaginative approaches.” (YOT staff interview)*

Ultimately, deprivation is an issue that YOT sometimes has to deal with on a very basic level and as such it can be necessary to provide food and clothing in some circumstances. For example a young person attending Reparation sessions, where heavy work may be undertaken, has to be appropriately dressed and have enough energy to complete the tasks:

*“If a young person has no lunch or has not eaten then there is some petty cash to buy some food if it is appropriate. These decisions are*



*underpinned by the notion of humane treatment – it is clearly unrealistic for young people to be expected to take on heavy physical work without being fed and watered or having appropriate clothing. Some money and goods are available from various sources.” (YOT Staff interview)*

Charities such as NCH and church groups periodically run schemes where basic items will be funded or donated. In moments of crisis, this money or goods may even come from the member of staff personally. Where a young person is in dire need then it would not be unusual for a member of staff to buy food out of their own pocket. Often the issues are ones that are taken for granted by most families; three meals a day, appropriate clothing for the time of year, a warm and comfortable home. However families who are unable to provide these, either because of financial deprivation or different priorities, may also be the most likely to also eschew basic rights to universal welfare provision such as dentists, GPs and hospitals.

### **Dentists, GPs and hospital services**

Even though most of the young people and parents interviewed in this study reported that they were registered with dentists, there appears to be a very low attendance rate. For dentists, this is illustrated in figure 2.6.2 with comments by Gill and Anna. Billie, who reports never having been to a dentist, also believes there isn't a problem in not using dentists. This confirms that perceived good health depends on personal perspectives; in comparison to Billie, many people with 'chips' and 'toothache' would expect to attend a dentist in those circumstances.

#### **Figure 2.6.2**

##### **Gill (14)**

"I am registered a dentist who is nice but I don't like going there."

##### **Anna (16)**

"I used to go to the dentists but I don't really now. They have thrown me out – because of the big lists and everything. Not due to money though, NHS pays for those still in education and there is an NHS dentist in the area."

##### **Billie (17)**

"I have never been to a dentist ... [I have] not really had problems with my teeth, just a few chips and things. But I hate dentists. For a toothache I just take painkillers and wait for it to go away."



Few of the young people respondents attended a six month check up at the dentists even though many said their dentist was ok and they were not afraid of going. However, no-one reported being unable to go because of the cost; the lack of attendance was more clearly linked to family culture and whether they were in the habit of going to the dentist. YOT staff can identify young people who are not registered with dentists or GPs through the YOT Asset assessment. Anyone who isn't registered will be supported to find one in the local area. However, there are sometimes barriers to the process

*"In some cases it can be a particular aversion to doctors that affects the provision. One 17/18 year old who had serious health problems would not register with a GP. [one] worker collected him from hospital and had arranged to take him straight to doctors but he legged it before they arrived."* (YOT staff interview)

A basic indicator for YOT standards is that young people should be supported in registering with health provision so these personal issues can be problematical for a case manager. In YOT assessment, another warning indicator may be a number of different addresses as transient families are less likely to be registered with local health provision. It can be very difficult to persuade young people in this position that registration with a local GP and dentist is worthwhile if they know they will be moving on. A further effect of this is that health provision is used only in crisis at emergency clinics or casualty departments. Staff confirmed that if treatment was sought, it was often by using emergency services:

*"... They often do know how to access emergency dentist treatment. e.g. in Rhyl they can go to the Royal Alex hospital. Young people seem to be reasonably treated by the services – they have a level of equality."* (YOT Staff Interview)



**Figure 2.6.3****Sarah (14)**

"Registered with a doctor and he is really nice and funny. He does listen to you when you speak to him."

**Caron (17)**

Its only small surgery so there is one doctor, one health visitor, one midwife, one nurse and the receptionist ... Yeah it is [nice] because it's only small and friendly and they are very helpful

**Anna (16)**

"Yes, she's nice - supportive of me ... I don't tend to go to her that much though. But if I needed to I would."

**Ben (16)**

"I am registered with a [local town] doctor. It's not really a problem anyway if I feel ill I just stay at home watching the telly until I get better. I can't be arsed with the doctors waiting around."

**Chris (17)**

"I don't go to the doctors that much - if ill will tend to go to bed and wait until you are better. I did go when things were really bad with the drugs and things - doctor just talked and talked and then said 'There's nothing I can do for you.'"

Significantly, most of the young people and parents who were interviewed for this study were registered with GPs. However, as figure 2.6.3 suggests, this again does not necessarily mean they use the service very often. The indications here are that girls seem more likely to go to the doctors than the boys. Both Ben and Chris talk about self medicating any problems they may have and waiting '*until I get better.*' The chaotic lifestyles of some young people known to YOT can lead to peaks and troughs in personal wellbeing.

*"One young person does have a GP and attends appointments. However, when life is most chaotic and there is great need, some help will be required to gain access as, otherwise, appointments will be missed."* (YOT staff interview)

Clearly, in these cases, access to a GP is crucial but may be difficult put into practice for YOT staff. Appointments with dentists and GPs are often hard to gain and non-attendance may be penalised. Whilst staff did suggest that GP access and service is '*generally ok,*' they did sometimes find that gaining services for young people who have offended '*tends to be harder.*' It is unwise to draw conclusions from this information as apparent barriers may not be entirely because of status of '*young offender.*' It could be the result of background indicators like the lack of access to transport or motivation to attend appointments. The picture that emerges from these young people and staff interviews is one of crisis management of health; the only young people who were properly involved with preventative or early health intervention were parents themselves and their regular contact came through links with Baby



Clinics and Health Visitors and even this can be affected by personal circumstances.

**Figure 2.6.4**

**Caron (17)**

"[Baby] was meant to have her eight month check but I had to travel to get there – it was last week – and I didn't have the bus fare so I couldn't take her. So I'll probably have to end up taking her in the next couple of weeks. . . but they [the clinic] are quite regular like if I haven't checked in with them they will look out my address and they will write to me – same with the injections cos you know when you're a mum you forget things. Well I have always had a letter through when she has been due injections."

In figure 2.6.4, Caron describes her experiences of providing health care for her baby. Clearly the service is quite proactive in ensuring the links are maintained and there is some element of compulsion under child protection principles. Similarly, the under sixteen year olds who were interviewed generally reported that '*mum sorts all that out*' when asked about GPs and dentists. Older teenagers, particularly

those who had left the family home, are not necessarily told they must seek medical attention if they have a broken tooth or a bad cough; ultimately it is their decision on whether or not to seek help. Throughout the interviews, staff showed considerable concern about many areas of health education and provision. Young people were much less interested in health related issues, although they did become more animated when discussing their experiences with hospital services. Due to their limited use of general services, it is no surprise that a number of young people in this study had experience of hospital provision. In figure 2.6.5 Luke and Chris comments are typical of the most vocalised criticism – length of waiting times in casualty units.

**Figure 2.6.5**

**Luke (17)**

"I went to casualty once and had to wait four and a half hours with one doctor to see everyone."

**Chris (17)**

"I have been to hospital casualty after being knocked out but usually just keep away as the hanging around is too much hassle. E.g. got some fingers broken in kickboxing – just strapped them up together at home and waited for them to get better."

Staff also reported further difficulties in the treatment of young people:

*"Not sure if there is prejudice against the young people – although there are cases where young people have been in hospital and they don't seem to have been dealt with effectively." (YOT staff interview)*



The regular use of emergency services is bound to affect consistency of health care as casualty doctors do not have immediate access to background medical health records. Consistency can also be affected by the time of day and availability of professional staff:

*One young person was hospitalised for a suicide attempt and did not get a full psychological assessment as an out-of hour's duty doctor at the hospital felt it wasn't necessary. It was felt this was an out-of hours issue and the workers involved believed that this would not have happened if the incident had not occurred at night time.*

The pressure to quickly attend to a night time casualty list may act as an inverse incentive to ensuring that full assessments are completed. In any case, even if assessments are made, specialised services are unlikely to be readily accessible. The only way to deal effectively with the example given above is to keep the young person in hospital. This would not necessarily please the young person and the general lack of available

**Figure 2.6.6**

**Denise (15)**

"Yeah they [the hospitals] were ok. I cut my ankle so I had some stitches and I had to have my belly pumped for drink – that's happened twice . . . I had to go and see a bloody psychiatrist after it had happened and they tried to say I'd tried to kill myself. I'd drank myself to bloody kill myself and I was like what? ... they were trying to put words in my mouth – the doctors were."

hospital beds means this is not always possible. Crucially, young people often need services at the most inconvenient time with professionals who are able to communicate effectively with them. In figure 2.6.6, Denise feels she is not being listened to; she is not interested in the performance indicators that require doctors to check for warning signs of suicide; she just wants her immediate

**Figure 2.6.7**

**Caron (17)**

"I didn't really have problems but I felt like I was being judged because of my age – I did yeah – because on my ward, everyone was older than me. There were some young girls but I think I was the youngest one there and I did feel really uncomfortable.... I think that they [the staff] just thought I didn't have a clue but they don't know my life – they don't know me as a person. So they had no right to judge."

physical symptoms to be dealt with. Denise is unhappy about the assumptions made by doctors and this is echoed by Caron' experience of hospital maternity services in figure 2.6.7. Health provision sits uncomfortably with policy aims to meet individual needs, perhaps because of its 'medical model' of treatment. Unlike social care models, this approach relies on



diagnostic techniques intended to identify a ‘condition.’ Caron feels she has been judged by her type; the youngest in the ward rather than by how she has presented as a person. Where mental health issues are in focus, the challenge to meet individual needs becomes even more acute.

### **Mental health services**

In the data collected in this study, the in-house assessment of mental health issues at Conwy and Denbighshire YOT is reported to be consistent and effective. However, much of this data has been collected from staff and parent interviews as they were more expansive on this subject. Many of the young people who responded had had no history of mental ill health or had not engaged with services that would meet their mental health needs. Nonetheless, across the respondent groups, there is recognition that the community psychiatric nurse (CPN) in the team has created a positive system of referral and evidence to suggest that access to Child and Adolescent Mental Health Services (CAMHS) is improving all the time.

*“There is a good internal referral system with all staff using the SDQ [Strengths and Difficulties Questionnaire] to help identify mental health issues and a referral to Pete (CPN) if any concerns emerge. There are long waiting lists for access to CAHMS service and this is where the specialist role can help (as referred to earlier). There is internal and external specialist help available for all areas of welfare need.” (YOT staff interview)*

Many staff reported that it was reassuring to have a mental health professional in the team as informal chats help effective decisions over whether referrals to be made.

*“In this, less formal role, the CAMHS worker is reassuring for case holders in the team. Informal chats will take place about the case and a joint decision will be made on whether the young person should be referred for an assessment. Further advice can also be sought at any time and there*



*is a lot of discussion between case holders and specialist workers which helps to ensure that concerns are not missed.” (YOT staff interview)*

Similarly, young people using the YOT referral process recognised its value. Figure 2.6.8 shows that Chris gained access to CAMHS much quicker than Anna who had been referred by her GP. However, the CPN role is limited by the fact it is part time and this affects the level of intervention that can happen in-house. A number of staff felt they had the in-house expertise to deal with

problems such as bereavement, anger management and self harm. As a trained mental health professional who could undertake Tier 3 interventions, the CPN could provide a lot more treatment but time is mostly taken up with assessments and referrals.

*There is a high incidence of mental health concerns. Access to adult mental health services does move quite quickly. YOT have their own CPN but the role is only part time and it is overburdened with referrals. Referrals do go in but are often discharged after initial assessments by CMHT. Diagnosis is often personality disorder [which will not result in intervention]. (Partnership agency interview)*

As is described here, referral to mental health services does not necessarily result in a service as there are strict diagnosis criteria. For staff, in particular those who are involved in short term prevention work, there is the concern over *‘digging too deeply’* for fear that they may *‘open a can of worms’* and not be able to provide the necessary interventions. Referral rates also differ over the counties *‘in Llandudno, adult services will pick up young people whereas in Colwyn Bay they won’t.’*

YOT is not the only agency that is able to expedite the referral process, other agencies such as education and social services also help as illustrated by this parent response:

**Figure 2.6.8**

**Chris (17)**

“[YOT worker] made a referral to CAMHS and it did help. There wasn’t a long wait – I think it went through [CAMHS worker] at the YOT. Not attending now but still on the list and can go back at any time.”

**Anna (16)**

“[the GP] signposted me onto counsellors and everything ... I’m still on the waiting list, so I haven’t seen one yet, it was about the middle of last year. [Over six months]”



*“CAMHS have been good and referral process was fairly smooth as it was made from the LEA Behaviour Unit. It was a nightmare time though as there were serious concerns over self harming behaviour.” (Mrs Knight, parent interview)*

Mrs Knight does remind us of how upsetting the process is, even where referral processes are smooth. All the interviews suggested that extra support from a named agency both helped with the emotional difficulties of the situation and with the move onto mental health services. Unfortunately, many young people and families are so disengaged by the time they are involved with the youth justice system that it can be difficult for YOT workers to gain their confidence and persuade them to seek help for mental health problems. A further challenge is that some case managers felt they sometimes had only family responses to rely upon as data protection impedes the gathering of information directly from CAMHS.

*“There is a cloak of confidentiality about the services provided. It is often not possible to find out whether a young person is already being seen by CAMHS or Adult Mental Health Services. This can lead to duplicated referrals which are a waste of time and resources.” (YOT Staff Interview)*

In this case, however, the member of staff does later concede that the *‘CPN in the team helps with this problem.’* Relationships after referral were also noted as a problem area as after one case referral *‘YOT were kept out of the loop’* (YOT Staff Interview). Others agreed there was a problem but noted that it has been recognised:

*“Medical confidentiality is a big barrier to meeting the health needs of young people and this flies in the face of partnership working, even the seconded health worker has problems accessing information. However, the situation is changing, although the change is slow. There are systems in development that may help confidentiality between some agencies although not necessarily the link with health – e.g. The CAF database.” (YOT Staff Interview)*

Any shared database should ease the problem with exchange of information as it reduces the number of human barriers. However, this is the very issue that



some professionals, and indeed human rights campaigners, are concerned about. There are different aims and objectives in youth justice and it may be justified that the supervisory aspect of YOT should lead to suspicion from health services. For example, it is untenable to expect attendance at CAMHS to become part of a compulsory court order and health professionals may feel compromised in their own aims and objectives if they have to report how well a young person is engaging to a 'court representative.' As a team largely comprised of social workers and professionals from helping professions it is easy to forget that other agencies workers may view YOT as an extension of the policing and court process. This is especially likely if their reports are going to contribute to an offending behaviour assessment. Thus it was true that although a YOT referral may speed up the process, some staff also felt that YOT status can undermine welfare services that should be accessed as a child in need. The paradox is that, as noted earlier in this chapter, children in the youth justice system are now more likely to be fast tracked and this has implications for everyone involved.

*“There long referral time for accessing CAMHs – even those referred through the Prevent and Deter project can have an 18 month wait. There is a growing tendency towards accessing services through the at risk route: e.g. father who referred his daughter to Prevent and Deter project in order to fast track referral to welfare services.” (YOT Staff Interview)*

This is a clear example of how parents often feel they are unable to access services unless their child is seen as a 'potential threat.' Anecdotally, many parents reported they had begged for help when their child was younger but had not been listened to. Some had been told the problem was a result of their poor parenting but had not been offered any help to improve. For parents who had been able to negotiate the referral process and gain a diagnosis, there is evidence of good support and flexibility.

*“An appointment with a child psychologist has been available every week since last July (about a year?). They are planning to gradually reduce the appointments but the case will not be closed so support will continue if required.” (Mrs Knight Parent interview)*



However, there are some indications that 'hidden disabilities' (Rack et al 2005) such as ADHD, dyslexia and those at the milder end of the autistic spectrum can remain undiagnosed and this can lead to difficulties.

*"It is often only when a professional becomes involved that health problems like ADHD will be detected. A professional assessment can sometimes spot an underlying health problem where a parent may have just dismissed it all as bad behaviour."* (YOT staff interview)

Staff reported high levels of these types of disabilities and also noted that bereavement is a particular issue for many of the young people referred to them. This correlates with YJB findings on persistent young offenders (2005:4) who have *'higher than average levels of loss and bereavement.'* Taking this alongside the fact that many families have been disengaged from welfare and education services, it is no surprise that young people present at YOT with severe behavioural difficulties and conditions that have not been properly diagnosed. (See Chapter 2.5 of this thesis). Even where a diagnosis has been made, parents sometimes struggle to find the value of it

*"At 18, the older lad was left to get B&B himself despite the fact he is on medication for ADHD and hasn't got the skills to look after himself. When he was remanded, I was not even told that he had been transferred to the hospital wing as a suicide risk."* (Mr Duke Parent interview)

Mr Duke's son had been in long term local authority care where it would be expected that disabilities would be properly addressed. Young people also described feeling negative about the help they received (figure 2.6.9). Services are aware of the shortcomings in addressing mental health and social care needs and there are some new developments.

#### **Figure 2.6.9**

##### **AI (21)**

"I used to go and see the psychiatrist and he would hold up a piece of paper and say to me "name the first thing that comes into your head". Now how that is helping get out of a life situation? I haven't got a clue ..."

##### **Alex (15)**

"Counsellor Services are available but they don't really help."

Conwy Borough Council has implemented a new service to support practitioners:



*“The Conwy Therapeutic Forum, which consists of psychologists, is the statutory response to emotional/mental health issues. However, the process takes a long time; starts with assessment, referral to social services, referral to forum, final decision on what will be provided – it can take months.”* (YOT staff interview)

Staff reported feeling exhausted by the process of having to access support for mental health and other welfare issues. A YOT case worker dreamed of *‘everybody working together properly – partnership working that is effective’* and described how present negotiations can be *‘a wearing battle.’* As a representative of the criminal justice system, the interface with Court is a particular challenge.

The Court has to ensure an appropriate sentence is given to a convicted offender whilst taking account of relevant individual issues. Particular attention is given to mental health conditions in the following contribution from a partnership agency:

*“It is very easy for defence solicitors to cite this as a factor as there is little hard evidence in most cases. Psychiatric reports are rarely requested by the Courts – it could be due to funding implications as the agency who requests a report, has to pay for it. Requests for reports hold up the process. This might impact on targets but magistrates are not interested in targets. Each case is considered on an individual basis – focus is on what is needed to reduce offending behaviour.”* (Partnership agency interview)

However, as the research suggested earlier in this chapter (Jacobson and Hough 2007), the evidence suggests mitigating circumstances do not always hold sway, perhaps because options can be more limited for young people. For example, young people with mental health issues are problematical for schemes such as the Intensive Supervision and Surveillance Programme, which have stringent criteria to follow. Staff pointed out *‘it is important not to set these young people up to fail’* and as a result they are *‘generally considered to be unsuitable for ISSP.’* As this is a final chance before custody, there may be concerns over what can be offered as an alternative and whether these young



people are at a greater risk of custody (as the figures produced by Chitsabesan et al in 2006 would suggest). Similarly, court appearances by young people who misuse drugs and alcohol provide another challenge for sentencing structures and welfare provision and this is another focus area for the Youth Justice Board and YOTs.

## Substance misuse and health services

### Figure 2.6.10

#### Denise (15)

"... It's when I'm drunk it is. Like every time I have been arrested it's because I have been drunk and done something whilst I've been drunk otherwise I wouldn't have been arrested. So I don't really do anything wrong then when I'm not."

In figure 2.6.10, Denise describes a clear link between her alcohol drinking and subsequent offending behaviour. Conwy and Denbighshire Youth Offending Team have been fortunate to be in the position to work closely with Young Person Substance Misuse Project in Colwyn Bay. The agencies

previously shared an office space and one member of staff from YPSMS is seconded as a fulltime drugs worker within the YOT. YPSMS is therefore referred to in positive terms by young people and staff in this study illustrated by figure 2.6.11.

### Figure 2.6.11

#### Chris (17)

"I have been to YPSMS and I hoped that I can keep on seeing \*\*\*\*\* as it has helped. First of all we talked about drug use but this has now been replaced with work on alcohol use, although it's not such a problem since I have been on my army course."

#### Denise (15)

"I go to counselling with \*\*\*\*\* at YPSMS. I've only had one session with her but she was alright. She just asking about drugs and drink and that ... at first because I didn't really know her she's just like having a chat really."

YPSMS will work with young people on many different levels, from information sessions on drug awareness to support for addicted young people on treatment programmes.

*"The substance misuse problems that present at YOT are generally cannabis/alcohol related – in six years only four heroin users have been referred. The team can offer community detox programmes. Residential detox for young people is not available locally and access to national residential places is usually through the adult services. A specific young*



*person's residential detox would be preferable." (Partnership Agency interview)*

As noted here, although more residential services for young people are needed by some, the numbers who fall into the group are low. Therefore the community based programmes are particularly important for the YOT group. Where more serious problems are present, it is often because of parental use and the effect on the family as a whole.

For Luke in figure 2.6.12, the link with the Drug and Alcohol Rapid Response Team (DARRT) allowed his family to stay together and this had a positive effect on his own behaviour. For example, the family support worker helped him to apply for a college course. The YOT project Prevent and Deter (PAD) has helped to identify those in need of referral to DARRT:

**Figure 2.6.12**

**Luke (16)**

"There was serious drug use at home and we had contact with social services and DARRT with support workers coming in once a week ... \*\*\*\* from DARRT was really good - we felt like it might not have worked with anyone else."

*"PAD worked with a 14 year old and parent and compliance was inconsistent. Mum eventually broke down and admitted a problem with substance misuse. PAD set up a parenting contract with substance misuse help for mum. The priority was working to get the substance misuse under control and involved close working with DARRT." (YOT Staff Interview)*

This work is supported by the fact that DARRT has a representative on the Prevent and Deter Panel and therefore is familiar with its aims and working practices. However, this type of joint working is not always apparent; this member of staff goes onto note:

*"Despite this work, housing services still threatened to evict the family due to poor behaviour. This illustrates that impatience is a problem with housing services – they want instant results." (YOT Staff Interview)*

In this case, an eviction would threaten the success of all the inventions taking place and this reveals how fragile the process can be. Again outcomes are crucially affected by agency priorities and individual working practice. In 2.6.11



Luke reaffirms the importance of reliable professionals and how this affects engagement. These issues are particularly relevant when considering the status of young offender; the comments below illustrate the serious implications of not engaging with drug services:

*“Ultimately engagement with health services is up to the young person – similarly the amount of drug services intervention that goes on is reliant on a positive working relationship. For young people who have been referred through YOT the serious implication of non – engagement is a court breach which can ultimately result in a custodial sentence.”*

(Partnership Agency interview)

Despite the compulsion involved in youth court sentencing, a personality clash can lead to problems (figure 2.6.13). Fortunately, Denise was able to access an alternative worker, thus flexibility is very important. Denise’s comments also show that it is not always easy to predict reactions. In this case the worker may have felt that revealing her own drug history would provide a bonding opportunity whereas, in reality, it alienated her even further. It also reveals the complex set of morals involved in substance use; although

**Figure 2.6.13**

**Denise (15)**

“I was with someone from Social Services but this woman she didn’t have a clue ... and I’d think you’ve not got a clue ... you’ve never been where I am so how can you tell me when you don’t understand. Then she turned round and she said ‘I used to be a heroin addict.’ Well I just didn’t want to have nothing to do with her then. Because at first I just thought she didn’t have a clue, then she told me took heroin and I was like ugh! I didn’t want to know that! And I asked to be moved to [YPSMS] and I did.”

in trouble for her own excessive use of alcohol, Denise judged heroin to be disgusting and felt no sense of empathy with someone who used to be an addict. This introduces another aspect of substance misuse; staff interviews reported a ‘normalisation’ of underage drinking and smoking. This can have implications for completing work with the YOT, in particular, during reparation sessions:

*“It is unusual for young people attending reparation to be non smokers. Many have parents who buy them a weekly bag of baccy. The group influence on this is strong, most of their friends and family smoke and there is anecdotal evidence that smoking and drinking starts very young.”*

(YOT Staff Interview)



It can be very difficult to challenge behaviour that is not considered to be a problem. However, the strong relationship between YPSMS and YOT allows for a rapid and effective referral process. In comparison to the way that mental health concerns are dealt with, the young people have good access to intervention services provided by specialists even at a basic education and prevention level. This is important as a large percentage of the young people referred to YOT are misusing substances, most especially cigarettes and alcohol and, in some families, this consumption is excessive and condoned by parents:

*“Drinking is accepted as the norm, they heavy use of alcohol (and suspected drug use) by parents means that the children’s behaviour is unchallenged. It is a very unsafe environment.” (YOT Staff Interview)*

Unsurprisingly, sometimes these concerns are of such a level that child protection procedures have to be considered and, even with joint referrals, the process can be far from effective:

*“A child concern referral was made jointly by Educational Social Worker, Young Persons Substance Misuse Service (YPSMS) and the school head teacher. A month later there was still no response from Social Services and YPSMS sent a letter voicing concerns; a further letter was sent by the GP, supporting YPSMS. By this time the young person had been thrown out of the family home and was living with various friends. YPSMS sent a letter to the Area Child Protection Committee detailing the evidence of excessive substance misuse and the vulnerability of the young person’s situation. Two months after the initial referral, it was confirmed that a worker had been assigned to the case but it is understood that this was not a qualified social worker.” (YOT Staff Interview)*

The problems with the case have continued over a number of years; the young person is still on YOT caseload and has climbed the ladder to custody, where she was recently put on remand after a recent arrest. Although there is evidence of some very positive working relationships, the system only needs one area of provision to fail and outcomes are jeopardised. The frustration felt by staff involved in this case was palpable and the problems are liable to result



in a breakdown of trust between agencies. One of the real difficulties for YOT case managers is that it is their job to return a young person to court if they fail to comply with the terms of their order and make an assessment of the risk of re-offending.

### **Health and Wellbeing - conclusions**

The story of health and wellbeing of young people known to Conwy and Denbighshire YOT is one of varied perspectives and echoes the wider difficulties over public health education faced by national government. Recent alarm over poor diets and obesity has sparked a debate on how far government and its agencies should attempt to direct personal habits. There is far less data collected from young people in this chapter, those interviewed just had very little to say above their health status. Many saw nothing wrong with ready meals, not going to the dentist or drinking alcohol. It seemed these behaviours were normative in their lives and generally developed from their family background. For government policy, pronouncements about how people should lead their lives are often countered by accusations of being a 'nanny government.' In this study, professionals were comparatively more vocal and revealed extensive concerns over diet and risk behaviours but, at the same time, they did recognise their concerns may be borne of different expectations. There is a fine line between positively educating towards healthy lifestyles and negatively condemning old lifestyles that may be strongly traditional in the family background. Family members can be an important indicator in developing a healthy lifestyle (Food Standards Agency 2001, Heaven 1996) and is therefore crucial in their influence. With the implementation of projects like SureStart for families with young children and other prevention and parenting support, it is hoped that the teenagers and families of the current generation will be more educated about living healthy lifestyles and will be supported positively towards preventative strategies.

Despite the fact that young people were generally registered with doctors and dentists, there was little preventative healthcare taking place and the use of



crisis services presents a financial burden for health service provision. In view of this, the Welsh Assembly would be well advised to follow the example of NHS Walk In Centres in England, where patients can attend on a first come first served basis and provide a good range of basic medical services or referral to GP and hospital. There is some evidence to suggest that this type of flexible delivery is attractive to young men (Salisbury et al, 2002: ii); the same group who in this study were most likely to self medicate at home and wait until they get better. For mental health and long term medical conditions, early diagnosis is a critical factor in health and wellbeing. Data revealed significant frustration at the length of diagnosis times and the criteria used. Although there is an effective in-house referral system at the YOT, the difficulties become very apparent when seeking CAMHS provision. As it is agreed there is a high level of mental health difficulties in young people at risk of offending, the YJB lead a singular focus on properly identifying anything that may be symptomatic of mental illness. This, in some cases, runs counter to strict medical diagnoses; for example, a case manager may believe a young person is displaying behaviour that is symptomatic and then be unable to access CAMHS because they are found to have a non specific behaviour disorder. Therefore, there is a real possibility that these young people will left to be dealt with by the youth justice system when they have a considerable welfare need. Some of these tensions can be identified in the different approaches of the medical and social model of care. In medical terms there is no such thing as nearly suffering from ADHD; diagnosis will always be either positive or negative. However, young people who present with symptoms will not suddenly change because they are told they do not have the condition. In some cases, it would be easier for parents to be told their child has ADHD as at least there is medication and treatment. A non diagnosis leaves the question open as to why the symptoms are presenting and it is these cases that are often left to the social care professionals. In Wales this is intensified by the tiered approach to mental health services where case managers will be required to provide at least Level 1 care; in Conwy and Denbighshire YOT there is evidence that the need for a full training and support programme is recognised (Youth Justice Plan 2007/2008). If there is to be more in-house health interventions, although an extra burden for staff, there is evidence to suggest that their own professional



expertise may be more valued and they will be able to use skills that are presently underused. This could lead to better job satisfaction as the commissioning process often leaves case managers frustrated, in particular when they feel they could provide intervention if only they were allowed the time to do so. For young people, there are benefits from keeping low level health provision within the YOT as they do not have to develop yet another professional relationship and tell their story over again. However, if communication systems between agencies are improved, as is hoped by new joint assessment procedures and online databases, then information will be more easily shared. This surely will lead to better and more quickly accessed services even if some doubts remain about the effects of such freedom of information.

The relationship between YOT and the Young Persons Substance Misuse Project is an example of good practice in the Conwy and Denbighshire YOT. The data suggests that referral is a free flowing process and both young people and staff revealed a mutual respect between the agencies that helped the joint working of cases. In similarity to YOT, YPSMS has a holistic approach to the problems of young people who are involved with substance misuse and this allows for joint objectives to be developed easily. The project is also used to negotiating services against the background of criminal justice as many who substance misuse are involved in criminal activity. However, complications can occur when other agencies such as social services or housing are required as YPSMS are subject to the same barriers as YOT in accessing general welfare provision.

As appendix 2.2.e has shown earlier in this thesis in, the wellbeing and health of young people at risk of offending is linked to every area of welfare reported on in this study. In turn these factors further link into and affect the day to day practice in youth offending teams and the next chapter will investigate this aspect.



## **2.7 YOT Orders and Partnership Arrangements**

*“I don't need to be shown a piece of paper, I need to be shown how to get out of debt that I am in, or how I need to get food on my table without doing anything illegal.” Al (21)*

### **Introduction**

Welfare provision for young people at risk of offending in the Conwy and Denbighshire area relies on effective partnership working across county and professional boundaries. Whilst the majority of young people who work with YOT live in the coastal towns, there are referrals from some areas that may be as much as forty miles away from the office base and these young people have a right to an equality of service. In addition, as there are no custodial facilities in North Wales, for example, young males who are sentenced to custody are generally sent to Stoke Heath Young Offender's Institution which is over seventy miles away. These factors have serious implications for youth justice practice in Conwy and Denbighshire. And there is no doubt that the rural nature of the YOT area has a significant effect on the service and, as a result, the following data chapters will return to this theme on a regular basis.

In comparison to geographical factors, the negotiation across professional boundaries is something that is a challenge to all YOTs, whether rural or urban. Partnership working had already been a developing theme in provision for young people at risk of offending during the eighties and nineties, but the 1998 Crime and Disorder Act set this in law. Local authorities were then required to commit resources and staff to the new youth justice project and were formally responsible for reducing the risk of youth crime. The commissioning nature of YOT practice means that responsibility at steering committee level is crucial to successful outcomes for young people.

### **Research, local policy and practice**

In order to ensure an equality of practice, the 1998 Crime and Disorder Act states that where two authorities combine to provide a YOT service, representatives from both areas are required for YOT steering committees



(appendix 2.3.a). For such a widespread and rural area this presents a number of challenges to Conwy and Denbighshire YOT, not least the very practical one of where these committees should meet. Tensions can also be felt over the amount of resources that are used across the counties and whether there is parity in service. An obvious factor here is that the YOT office is in the Conwy area and so its presence is more visible in that county. However, this is being addressed in 2007/2008 with the implementation of a satellite office in Rhyl. The reality of the outlying rural areas, in particular in South Denbighshire is that there may well be more welfare need than in the coastal areas. In looking at the rural dimension of Wales in 1999, Day identifies a cultural and economic split

*Many parts of Wales, and many sections of the rural population, appear to have done well for themselves ... at the same time, there is also ample evidence of genuine poverty and insecurity, not least among the farm population. (Day, 1999:88)*

In reality many of those who are doing well for themselves are incomers who have moved in for the 'rural idyll' as a life choice and have brought with them sufficient resources to protect their status. Day notes the established residents can be disconcerted by their behaviour and how the '*direction and purpose of rural society is much more contested than in the past*' (ibid:88). Young people who have been brought up in these communities can find themselves increasingly marginalised; through lack of affordable housing and lack of local jobs and services. This has a direct effect on the work of the YOT as young people referred to them are often those most affected by these changes.

It is therefore, even more crucial that representatives on the YOT Steering Committees should be from an appropriate management level with a full commitment to developing the new service. However, even if partners are diligent in their responsibility for YOT, Smith (2000:132) points out the challenges that may occur to impede progress. Citing the experiences of interagency working that had occurred in the previous youth justice system, he recognises power differentials as significant:

*The specifically relevant powers were identified as control over resources and over information, the ability to define the problem and make one's definition stick, and the capacity to influence the workload of other parts*



*of the system without the possibility of reciprocal or retaliatory action.*

*(ibid:132)*

Thus, in a system that is subject to co-operation with agencies that have differing aims and objectives, YOT welfare practice is at the mercy of providers who, even if they are properly represented at YOT steering group level, may be more concerned with their own agency priorities. In 2004, Conwy and Denbighshire YOT were subject to a joint inspection of their service and the subsequent report, whilst noting many areas of good practice, expressed some concern over the membership and attendance of statutory partners. They recommended that members of the steering committee should be of the appropriate level within their organisation and that attendance improved. However, the concerns voiced by HM Inspectors are part of a much wider problem that suggests Conwy and Denbighshire YOT were not alone in these early strategic difficulties. Allen (2006:9) illustrates this by suggesting generally, the organisational arrangements for YOTs *'at the centre and locally are inconsistent, fragmented and contain perverse incentives.'* He supports the view that policy and practice should not be led by the Home Office but placed within an educational remit with a focus on preventative measures. He argues that more emphasis needs to be put on *'making a reality of prevention'* as he identifies *'clear grounds'* for the effectiveness of intervention before things get too bad.

This emphasis on prevention is important in welfare provision for young people at risk of offending. The data examples from Conwy and Denbighshire YOT confirm that many young people and parents are positive about preventative services. It is interesting to consider whether this is because of the voluntary nature of relationships in projects such as Youth Inclusion & Support Panel and Prevent & Deter. However, it is unfortunately true that families who are in most need are often the ones who are least likely to take up offers of voluntary help, so engagement with preventative services can be variable. The example of SureStart, which provides voluntary early intervention measures for families with children up to four years old, can illustrate this issue. The National Evaluation of SureStart Study (NESS) in England found



*... overall reach of service was disappointing ... Providers found barriers to attracting 'hard to reach' families difficult to overcome. (Anning, 2007:1)*

Non-users of SureStart gave some valuable insights into why they did not use the projects (Table 2.7.1) and these can exemplify the challenges faced by YOTs and welfare agencies.

**Table 2.7.1 NESS: Barriers to Engagement**

- Fathers told us they felt like 'women's spaces' and they felt ill at ease there.
- Working parents were excluded as services were provided during 'traditional time slots' such as 9.30am to 3pm.
- Black and minority ethnic groups reported a lack of interpreters and unease about professionals' capacity to respect their cultural preferences and faith requirements
- Others said that they felt centres were dominated by 'cliques' - sometimes by stigmatised people who 'needed help' or sometimes by more advantaged groups.
- Some parents reported that they lacked the confidence to go into a building and meet new people, and others that they did not want to discuss intimate family issues in public spaces.
- Others told us that they already had good networks of support from family and friends and did not need services, or that they did not want to be patronised by professionals.

(Anning et al 2007:6)

cautious about the implications of net widening and the risk agenda (see Chapter 1.3 for a more detailed analysis of the literature). The staff data in this study suggests these concerns are felt in Conwy and Denbighshire and that they have an effect on how welfare services are provided once a young person is identified as 'at risk of offending.' Again we must remind ourselves that at this stage the young person has not committed a crime so why should interventions come from a 'risk of offending' rather than a 'child in need' approach?

Where resources are tightly monitored and controlled, the brokering relationships between YOT and welfare agencies can become strained over these kinds of question. As in the case of housing, should YOT be responsible for providing a temporary address for a homeless young person to 'protect the public from offending' or should Social Services be providing housing for a 'vulnerable young person'? Even if vulnerability is the focus, in Conwy and Denbighshire it is a challenge to meet the welfare needs of young people living far away from the central YOT hub in Colwyn Bay. These debates are prevalent in day to day practice in youth justice and it is to be expected they can



be observed at Conwy and Denbighshire YOT. The following data examples illustrate the effects on outcomes for young people and families in the area and investigate local factors affecting YOT Orders and partnership arrangements.

## YOT Orders and partnership arrangements – data and analysis

### Young people, YOT practice and welfare need

When a young person is referred to YOT there can be differing perceptions over what form interventions can take. As can be seen in the quotation at the head of this chapter, young people who are in need of welfare help often emphasise the need as a signifier of their offending behaviour. This can conflict with the, somewhat convoluted and wary, professional views of causality and risk of offending behaviour (see Chapter 1.3 for background literature on this debate). For the young person it can seem much simpler – ‘if I had money, I wouldn’t need to steal’; ‘if I had a flat, I wouldn’t hang about the streets causing trouble, if I had a job, I wouldn’t have time to get into trouble.’ When young people arrive at YOT, the process that faces them can seem overly complicated and a waste of time. On the face of it the comments in figure 2.7.1 are negative; however, further analysis reveals the predicament for youth justice professionals. It is interesting to note that Alex ‘is sticking with ISSP’ even though he doesn’t really believe it helps. For persistent young offenders who are the most disengaged from services, this in itself can be considered

#### **Figure 2.7.1**

##### **Alex (15)**

“I am sticking to ISSP but it doesn’t really help. These schemes don’t make much difference – there’s no one in particular who has helped.”

##### **Al (21)**

“Well I had a YOT worker but he wanted to see me once for an hour and it’d be like me coming in here now – yes he’s been here and that would be it – they have seen me.”

##### **Chris (17)**

“The work with YOT has just been a lot of talking – doesn’t really help but work with YPSMS has been more useful.”

something of a success. When asked why he was sticking with the project, Alex said he didn’t want to be breached and end up going to prison. This would suggest a shift in thinking behaviour and one that might reduce the risk of further offending. Al’s frustration with YOT comes from the fact that his priority is the desperate welfare need that he is experiencing. As a brokering service, YOT can only refer onto other agencies so it cannot directly meet welfare need. This is borne out by Chris’ comments; the fact is that, through its



assessments, referrals to other agencies and offending behaviour worksheets, the YOT does do a lot of talking! For this reason, it is important for case managers to create a good working relationship with young people who are referred to them. YOT Staff are aware of the need for young people to see them as committed and some recognise that low morale may affect working practice:

*“This job should be vocational. YOT workers have to negotiate with public sector managers who have a lot more power and influence. They often have to do this without the appropriate status – something reflected in the wage scales of YOT staff. When staff have low morale or a lack of real interest, things are not always done in the most efficient or effective way.”* (YOT staff interview)

Effective working practice is important so that young people know that, whilst YOT may not be providing the welfare service, it is able to assess which service is appropriate and help to access it. For Conwy and Denbighshire YOT however, the data is reassuring in that young people do report they have good relationships with their case managers.

In figure 2.7.2, Ben has been asked why he feels he gets on with his YOT case manager. This response is a familiar one – many young people reported that the key to good relationships was that workers were ‘not too posh’ or ‘would come down to our level.’ For Caron, she very much appreciated the extra effort that her YOT worker made – it made the relationship seem less coldly professional and more humanitarian. Al recognises that the Youth

Inclusion and Support Panel now presents an opportunity for help that wasn’t available when he was in need, whilst also confirming that effectiveness is

#### **Figure 2.7.2**

##### **Ben (17)**

“[YOT Worker] he’s just down to earth ...”

##### **Callum (10)**

“I get on well with [YOT Worker] – I like the fishing – its good.”

##### **Caron (17)**

“[YOT Worker] went around the office and everyone put money in an envelope for us. When she presented us with this envelope – it was lovely – so thoughtful of them and it really helped us out.”

##### **Al (21)**

“You could go to [YISP Worker] for help because he would know who to get in contact with and point you in the right direction. Whereas, years ago ... I could never have got that. Yeah everywhere you go every person in [local town] knows [YISP Worker] because of how nice he is.”

##### **Anna (16)**

“Met the YISP worker and he like got me off the streets and helped me find my way ... they help me try and get in touch with social services and signpost me on and go with me for support.”



sometimes down to individual personalities. Anna is expansive in her praise for her YISP worker and she can see the value of the YOT in brokering and supporting access to welfare help.

Prevention services provided by YOT such as Youth Inclusion and Support Programmes and Prevent and Deter were also mentioned in a very positive way by parents. Perhaps the important factor here is the voluntary nature of these projects and also that there is a sense that work can be flexible and long term if necessary:

*“There is the opportunity to dip in and out of the YIP project which is useful and, although there is no YOT Order at present, there has been a good relationship with a previous worker. This has included a period of voluntary involvement at the end of a previous Order.”* (Mrs Lord, parent interview)

For strategic managers, prevention projects are attractive because the resources that accompany them are often less constrained by funding rules and they are therefore useful for developing innovative ideas that are flexible enough to properly meet local need. In consequence, it is easier for young people and parents to see how YISP can help in supporting their access to services. YISP can help parents who are often caught up in the middle of the professional wrangling over what services should be available to them. Without adequate advocacy, parents can feel they are a forgotten voice with no ability to influence events. Even for parents who are more positively engaged with services, the experience of accessing services can be frustrating:

*“There are services out there but it is very difficult to find out how to gain access. You have to badger to get anything – we found out about a lot of services for ourselves, through the internet etc” ... “When you are involved with lots of different services, its disappointing when there is no continuity. You have to tell your story over and over again. Then there is a sense that the services don’t always listen.”* (Mrs Lord, parent interview)

Other data from this study suggests there is a consistent and accessible service from Conwy and Denbighshire YOT; most parents and young people reported



that they could generally rely on being able to contact YOT workers and that they did listen to their needs. There was a sense that YOT staff 'tried their best' and were helpful in referring to other agencies.

**Figure 2.7.3**

**Anna (15)**

"I'm on the waiting list for flats and everything with agencies. This has been done with the help of YIP and [local hostel] ... we could do with some social services assistance though."

In figure 2.7.3, Anna reports that although with the help of YOT and a local hostel she has gained access to housing lists, she still needs some social services help which hasn't been forthcoming despite this support. The 'we' in this quote seems to show YOT and

Anna as a united front but one which has been defeated in its attempt to access help. This is an interesting comment on the effectiveness of YOT and rather suggests that young people recognise there are limits to the power of the YOT.



## Inconsistencies and perverse incentives

The young people and parent interviews show there are a lot of individual workers who are making best efforts to follow good practice but, at times, overall systems can prevent positive outcomes.

*“An Intensive Supervision and Surveillance Programme (ISSP) proposal was made at the first remand hearing for my boy. This was not accepted as it relied on a placement with social services. The Unit were due to go away on a camping trip the following week and the Magistrate was not convinced there would be experienced enough staff to sufficiently supervise the child.”* (Mr Duke: parent interview)

This 14 year old boy was subsequently remanded to a secure unit, despite the fact that individual workers do seem to have been diligent in their duties. An ISSP proposal was made by YOT, Social Services offered a placement with a Children’s Unit and the magistrate evaluated the evidence effectively but concluded the situation would be too risky. Ultimately, this outcome was down to resources – if social services or YOT could have supplied an extra support worker for one to one work with the young person at camp, or extra staff to allow care at the Children’s Unit to continue when the group was away at camp, then the Magistrate may have been reassured. However these issues can lead to parents feeling that everything is a constant battle. For this father, the situation seemed quite straightforward; his 14 year old son had been sent to a secure unit because there wasn’t the appropriate service available in the community. Although YOT has access to welfare services through its negotiated partnerships, staff interviews in this study give further evidence of the problems caused by lack of protected money for welfare.

*“Basically there are no actual resources for welfare provision. Case managers juggle the welfare need with offence focused work – for example - it would be lovely to have mentors who would provide support for welfare need, attend appointments and support applications etc.”*  
(YOT staff interview)

A welfare perspective is apparent in conversations with staff at Conwy and Denbighshire YOT but it is one that can conflict with the ‘justice’ principles



coming out of the Home Office and the Youth Justice Board (see 1.2 of this thesis for a discussion on the theoretical considerations). In YJB guidelines, there is a clear imperative for YOT case managers to undertake cognitive behaviour work with young people to address their offending behaviour and this can sometimes be difficult to achieve where there is severe welfare need:

*“One [Young person] had such an array of welfare and health problems that criminogenic work had to be delayed. Although working with YOT for a number of years he has only really been able to undertake offence focused work in recent times.” (YOT staff interview)*

For example, the HM inspectorate report highlighted offence focused individual and group work as an area for improvement in practice at Conwy and Denbighshire YOT (2004:28). The fact is that addressing welfare need can swallow up the whole of an hour long supervision appointment with YOT, thus making it difficult for staff to complete other work with the young person. Practice guidance may fail to recognise the realities of welfare work on the ground, where it may take many phone calls or meetings to even gain access to a service. This issue is illustrated well in appendix 2.7.b which was compiled from staff responses at a meeting in 2006; YOT is linked to over fifty different agencies and case managers have to be able to decide which one applicable and how to contact it.

In addition, some criminal justice legislation which is specifically designed to protect the welfare of young people can, in practice, lead to complications. The Police and Criminal Evidence Act of 1984 dictates the treatment of individuals arrested by the police. Under section 3.15-17 the arresting officer must ensure young people under seventeen years have an appropriate adult to accompany them through the interviewing process. For example in figure 2.7.4, Luke had to stay in police custody much longer than an adult detainee would have been required to do as the police could not conduct any interviews until the appropriate adult arrived. Therefore, young people who cannot ask their parents to come to the police station are more

**Figure 2.7.4**

**Luke (17)**

“My interview with police had been going to be without an appropriate adult as they didn’t realise my age. When they realised, they contacted social services and I had to wait for hours for the social worker to



likely to spend longer in custody waiting for a professional appropriate adult to arrive. This in turn presents a risk to their welfare as they may be witness to adult offenders' behaviour. This kind of contradiction is also evident in some of the Court Orders used for young people. In particular, Anti Social Behaviour Orders (ASBOs) are controversial in the way they can affect the welfare of young people.

*“ASBOs should be used appropriately. The guidance states that an assessment of needs must be made and unmet needs should be addressed before an ASBO application is made. Presently, this does not happen to the degree that it should.”* (YOT staff interview)

Staff reported an example of a Criminal Anti Social Behaviour Order that stipulated a 12 year old should not be allowed to see his cousin. Not only did this have implications for the families as whole but it was also impossible to supervise as the two boys lived near to each other. Staff felt strongly about the effects of ASBOs and the frequency with which they are used.

*“These have a significant impact on young people’s lives and are used as a way of regulating petty offending behaviour. Despite the fact that ASBOs were originally designed for adults, it is easier to get them through court on a young person and so they are used too freely.”* (YOT staff interview)

Staff and partnership agency representatives felt that, ideally, more measures should be available to prevent problems developing in the first place:

*“Social need may be identified by the ASBO [multi-agency assessment] group but individual agencies sometimes do not have the resources to intervene at an earlier stage or have different assessment criteria that affect the level of available service. As a result, intervention can come quite late in the process.”* (YOT partnership agency interview)

The interventions referred to in this statement are often welfare in nature and, although increasing amounts of work at YOT now takes with those at risk of ASBO, outcomes are dictated by the nature of negotiations with partner agencies. However, it appears that the wider the scope of work taken on by YOT, the more it affects working relationships with welfare agencies.



*“A problem with the partnership agencies is that there is resentment about the money spent on YOT staff – e.g. it is seen as a loss of revenue to Social Service budget. The approach is that ‘You have social workers in the team, why can’t they provide the social care’” (YOT staff interview)*

This quote suggests that other agencies display a lack of understanding of the YOT worker’s role within the criminal justice system. In addition to using their social care skills, social workers who are seconded to YOT, are required to service the court with reports, information and evidence of offence-focused work and record the data required by the Youth Justice Board (YJB). Effective practice guidelines provided by the YJB reinforces the emphasis on multi-agency work to properly access mainstream welfare services (YJB a: 11) and this is also referred to in YISP guidance for projects in Wales (YJB, 2005:3). Whilst there has been a considerable shift towards preventative interventions in YOT, many of the young people who are presently on high end Supervision Orders and in custody (see appendix 2.7.c for list of orders) are those who were not able to benefit from help prior to their offending behaviour.

Custodial remands and sentences cost a great deal of money and this was referred to in the data.

*“Its frustrating to think of the money used to keep young people in custody – it is just not effective use of resources. It’s sad to think that they often have to go to prison to get a basic service. There’s a feeling that once a 12/13 year old has gone into secure – that’s it – they are lost.” (YOT Staff interview)*

It is salient to remember that it is extremely rare for young people to commit a crime so serious that they are sent to custody on their first offence. Most custodial cases have been known to YOT and welfare services previously and yet they still arrive in custody with severe welfare problems. It is well documented that custodial cases have poor levels of literacy and a high incidence of Special Educational Need and mental health issues (Allen, 2006, Rack et al 2005). These levels of welfare need require significant levels of support, effectively targeted and easily accessible. In Conwy and Denbighshire YOT, rurality emerges as an extra barrier against meeting these needs:



*“It costs double the amount of resources to provide these services and funding formulas don’t take this into enough account.” (YOT staff interview)*

The large geographic area not only increases the costs but also spreads out the population. With a relatively low crime rate, there are small numbers of young people requiring a service and as a result, groups of only two or three attend sessions that cost more to provide and are difficult to organise. At the Reparation Session, that was observed in this study, five young people were due to complete a beach clean but on the day only two were available to attend and support workers were forced to waste time and money in travelling around trying to pick everyone up. Ideally local towns would all offer reparation opportunities locally but staff also identified differences in the way local communities treated young people in trouble. When talking about opportunities for work in the community as part of a restorative process it was noted:

*“Geographical areas differ over how much ownership they take of their young people: Old Colwyn, Colwyn Bay, Llangollen and Llanrwst are very good and Denbigh are improving. They are aware of the issues and are trying to get the youth involved with the community. They are also positively involved in reparation opportunities. Llandudno and Rhyl don’t want to know; they don’t respond to ideas for reparation.” (YOT staff interview)*

Here we can return to the dangerous/perishing children debate that was introduced early in the historical section 1.1 of this thesis. Local areas are affected by their view of young people at risk of offending and in some cases it seems that by committing a crime, children and young people are considered to have, to some degree, abdicated their welfare rights as a child in need. This is despite Welsh policy guidance that reminds us that *‘Children should be treated as children first and offenders second’* (WAG/YJB, 2004:3). Whilst much of these inconsistencies and perverse incentives were generally vocalised by parents, staff and partnership representatives, young people tended to reveal the inadequacies by articulating their frustration of the welfare support experience.



## Families and welfare agencies

When considering their relationships with welfare agencies, the data collected from young people interviews indicates low satisfaction levels (figure 2.7.5).

In comparison to the reports on YOT relationships, young people reported inconsistency with regard to accessing welfare provision. Anna referred to the difficulties in getting in contact with her social worker (figure 2.7.5) and this perhaps comes from the fact that, unlike YOT there are fewer standard stipulations about how often social workers have to see

### Figure 2.7.5

#### Anna (16)

"I had a social worker – she was just never in contact and I couldn't get hold of her or anything."

#### Ben (17)

"As far as I know they are all cack."

#### Ethan (16)

"I had a social worker because of the problems at school but they were useless – just told me what to do. I told them what was wrong but they didn't do anything."

people. For most YOT orders, both the young people and the supervising officer are bound by court expectations that they meet at least once a week. Although this may be considered to be part of the supervision and punishment angle of YOT, in fact it also ensures the young person has regular access to a professional who can help with problems. Therefore, it is not surprising when YOT is reported as being more accessible and YOT staff are 'always there to help.' Contrary to this, social services and other welfare agencies were seen as unhelpful and strongly directive. In Ben and Ethan cases, whatever the intent of the service had been, both came away with the view that they had not been listened to or helped. It may be argued this occurs because of unrealistic expectations on the part of the young people but the body of opinion collected from all respondent groups in this study confirms that difficulties appear to be more widespread than can be explained by individual expectations.

Both young people and parents reported that individual relationships are important.

*We are okay with our new social worker; there is regular contact and he is quite good. Personalities make a difference though – you have to be able to get on with them. (Mrs King: parent interview)*



There needs to be some recognition that personality clashes can occur and are not always the fault of the families and young people. In figure 2.7.6, the evidence supports the idea that the family are willing and able to engage but the level of service they are receiving has changed.

**Figure 2.7.6**

**Luke (17)**

"At first social worker was really good with full involvement with the family. He was a really good - reliable and could sit and talk, built up trust ... after that there were two social workers who were rubbish - for example, my little sister has just come out of foster care and has only seen a social worker once since."

In this case, it may be assumed that when the social worker does eventually visit, relationships will already be strained because the family already feel let down. However, in support of the social workers who are tasked to work with these families, it must be noted there are recognised problems with staff shortage and case loads for the profession at present. In a 2007 study of social workers' experience and perception of depression in the profession, Stanley et al found nearly 60% of their respondent group described a heavy workload as a key factor in the development of their illness. Social workers described '*a huge pressure of turnaround and lack of resources,*' '*no control over workload*' and '*trying to be all things to all people*' (ibid:287) as significant in their feelings of distress. Stanley et al conclude that whilst the government has focused on improving social work recruitment by expanding training, retention of staff must form part of the strategy or '*the effect may be to simply create a younger workforce which burns out earlier*' (ibid:295). A matter of particular concern that can be identified from this study is that many social workers reported they '*delayed seeking help because they were concerned about the consequences of disclosure at work*' (2007:288). Whilst there needs to be sympathy for the professionals who are themselves struggling to meet the, arguably unreasonable, demands of the job. The report of the WAG Safeguarding Vulnerable Children Group opens these issues to a wider debate in the context of the situation in Wales:

*The reality is that there are many dedicated, skilled and hard working professionals in all branches of services for vulnerable children, including the education, health and social care professions. However it also appears to be the case that many of these professionals, particularly social workers, do not have adequate access to continuing training and*



*good professional support, and they are overworked, stressed and demoralised.* (WAG, 2006:58)

The Group refers to previous guidance that had been circulated to raise the professional status of social work in Wales (Garthwaite et al 2005) and urged employers to act on the recommendations 'as a matter of urgency' (2006:63). As these recommendations were still to take effect at the time of this study this may explain some of the responses from the young people and parents in Conwy and Denbighshire.

For young people and families interviewed in this study, the demeanour of professionals and the way they communicate was crucial to successful relationships. In figure 2.7.7, Denise reports her social worker is 'alright' but then goes on to describe how she finds what he says difficult to understand. This is clearly articulated by Al who reiterates that some workers use terminology that is ambiguous.

**Figure 2.7.7**

**Denise (15)**

"He's alright ... he's just not very ... I don't know he's really weird he is. He says things and I don't understand him."

**Al (21)**

"Like some social workers would say I want you to be a nuclear family – in my eyes – nuclear is a warhead – it causes destruction. So someone telling me they want me to be a nuclear family, I couldn't get my head around it. I was like n-u-c-le-a-r family?"

Professionals also recognised the problems in provision for young people and suggested that services could do better

*"Welfare services are not often young person centred – the questions are boggling and there is a lack of respect shown – e.g. young person walked from 12 miles for an arranged appointment and was left waiting for an hour over the meeting time whilst the worker had their lunch – no wonder young people often just walk away."* (Partnership agency representative)

For professionals who are feeling overworked, the young person's needs can be overlooked in the battle to ensure personal requirements, such as making time to have lunch, are met. Stress may lead to poor organisational skills and time management issues – here it should be queried why an appointment was given over a lunchtime period in the first place? There is a sense that in a welfare environment where resources and personnel are overstretched, those



who are not as good at articulating their needs and rights, are less likely to receive an appropriate level of provision.

In figure 2.7.8, Caron points out that young people are not treated the same as adults and are not offered as much. This seems at odds with the rights based agenda of Extending Entitlement (see 1.3 of this thesis for an analysis of policy). In his consideration of the extension of rights to young people, Freeman (2005:66) recognises that '*Rights without remedies are of symbolic importance only*' and suggests;

**Figure 2.7.8**

**Caron (17)**

"I mean there is a lot of things that could be changed but the one that I think is the most is the way people do deal with young people because we don't get the same respect as a lady of your age say. You'd go in and you would get a lot more respect, a lot more help than somebody say my age, male or female – it doesn't matter ... They do listen but they are just not as helpful, you know. They don't offer you as much, they are not as nice and friendly and they don't smile as much. The little things you pick up on. Well I do and it does knock you back a bit."

*Remedies themselves require the injection of resources and a commitment on behalf of all of us that we regard rights with respect and that we want them to have an impact on people's lives (on all people's lives and not just the privileged).* (ibid:66)

**Figure 2.7.9**

**Caron (17)**

"[NACRO support worker] has taken a step now cos she's has seen that I'm doing well – the financial things, budgeting my money and things like that she helps me through that ... I have been helped by the Genesis project in considering course options etc. Also there will be help with childcare costs if [baby] needs to go to the college nursery."

One way that Extending Entitlement appears to have been implemented more effectively is through the third sector in charity, voluntary and localised projects. It seems that individual projects are more aware of the need to engage effectively with young people and this is supported by the positive comments in figure 2.7.9

In this example, Caron has been given the space to develop her own lifeskills and the NACRO worker has respected her ability to gradually take these things on. At the same time, Genesis has been there to provide practical support in gaining a college place. This flexibility has been repaid by the fact that Caron is now on her college course and doing very well, despite having heavy family responsibilities. When talking about third sector projects, young people appeared to view them as partners rather than adversaries in the quest for



welfare provision. In contrast to this, professionals from statutory services providing housing and social care were often portrayed as alien to their culture.

**Figure 2.7.10**

**AI (21)**

"Social workers put it across that you should be how their kids are. But you can't be – if you are not brought up to that society, into that way of living, you are not going to know that way"

In figure 2.7.10, AI's view reflects the fact that young people and services don't always have a shared vision of what successful outcomes should be. Sociological theories of social control are relevant here (see 1.3. of this thesis) and services can be seen to manipulate behaviour by their regulation of resources:

*"One of the problems is that Social Services will pay for one thing but not something else. For example, on a contact visit, they will pay for transport and the food for the child in care but they won't pay for food for the parents so it makes it difficult to spend a day with them if you have no spare money."* (Mrs King: parent interview)

Although this example could occur because of overstretched social service resources, the result is that these parents had struggled to attend contact visits with children – a scenario that is negative for the family and affects overall outcomes. In fact, the inconsistency of welfare provision can have a knock-on effect for Social Service's own aims. This family received some support with their parenting skills from Social Services but its efficacy is affected because they had been waiting for re-housing for four years:

*"Parenting classes were of some help. However, it is difficult to put the ideas into practice in an overcrowded high rise flat ... but the children are in a better routine now though with proper bedtimes and they are going to school regularly."* (Mrs King: parent interview)

These comments suggest that classes and programmes can only help within the confines of current family situation and that success may be limited if basic needs are not met appropriately. Many of these examples had experience of the local authority care system and in common with statistics which show that a large number of young people in the youth justice system have been in local authority care at some time or other in their lives, data from this study suggests there are specific factors that affect young people and families in this group.



## Local Authority Care, welfare provision and youth justice

When describing their experiences in care, young people in this study stressed the importance of consistency of care. In figure 2.7.11, Al and Ben found the foster parent experience difficult because it was always changing. Even though the accepted belief is that Children's Homes are a poorer option than foster parents, Al reported feeling more secure at the Home because it was more likely to be long term for him.

### Figure 2.7.11

#### Al (21)

"[In the Children's Home) I knew when I come home at night that my bags were still going to be in my bedroom. When I went out in the foster homes sometimes I'd come home and there'd be a car waiting for me and they'd be like get in here you're going somewhere else now."

#### Ben (17)

"Its annoying - keeping moving, you settle in one place then."

Ben also reported his feelings of frustration, he was aware there were various companies dealing with fostering in different areas and he noted that '*It just depended, some are alright and some aren't.*' Ultimately, although behaviour was often a basic cause for changes in foster parenting, both felt they had no voice and provision was arranged without consultation. This dissatisfaction mirrors the findings of a number of studies referenced in the WAG Safeguarding Vulnerable Children Group report and they remind us the specialist help needed by children in the care system is '*rarely available to them in a sustained way*' (2006:89). This feeling was echoed by the parent interviews in this study and one example gave clear evidence of a lack of help even in extreme circumstances:

*"I referred my 8 year old stepsister to Social Services because of my worry over her parent's drug use and lack of care of her. More than once, I had seen drug paraphernalia used in the flat with the child present. Social Services made one visit and did not pick up the case. They gave no feedback to me and I now feel at risk because the father has said he will 'kill the person who got social services on to them.'"*

(Miss Noble: family interview)

In this case, the older sister's vulnerability was as a direct result of a lack of continuity and, as a result, the referral is quite likely to have made things worse for everyone. This is despite the clear directive in all policy guidance that



parents and families should be consulted and included in any social services process. There were a number of references to the ineffectiveness of communication;

*“The biggest problem about welfare services is that they don’t keep you informed. Since my son being taken into care, social services have never kept in touch; I have always has to chase information.”* (Mrs Lord: Parent interview)

In this case, the mother was not even told when her son was due to be in court and up for remand. This lack of information could have serious implications for their relationship as children who are in local authority care have difficulty in maintaining relationships with their families at the best of times. Parents were left feeling helpless and somewhat penalised for not being the main carer:

*“When my son ran away from a Children’s Unit in [English county], I was not told until the following morning. The worker told me that they had to give chase to the boy to catch him and that he was at risk as they were near the railway line. I shuddered to think that he wasn’t there and that I didn’t even know my boy was missing. They should have phoned me straight away so that I could help to find my son – not as an afterthought the next day. It should have been the first phone call.”* (Mr Duke: parent interview)

Again the rurality of Wales has a bearing on these issues – parents and families are often separated by many miles once a child goes in the care or youth justice system.

In the example above the father felt very estranged, something exacerbated by the delayed contact about his son’s disappearance. Parents interviewed in this study had also not been able to visit their sons who were on remand in England. Two of them had heard from other people in their community that the boys were threatening to harm themselves and this was causing them extreme anxiety. This feeling of helplessness was also described by young people and professionals when talking about the barriers to welfare provision that occur because of geographical boundaries:



As a young person with ADHD, David (in figure 2.7.12) was a particularly vulnerable young person and YOT staff, whilst continuing to work with him, found it difficult to meet his welfare need;

**Figure 2.7.12**

**David (17)**

"I had been in care system in [English County] - mum and dad moved to Wales so Leaving Care team arranged a move to a B&B placement there. [After a number of incidents], housing turned round and said I was intentionally homeless and argued that I should go back to [English County] as my local link was there."

*"He has been living in sheds and with other young people in their Conwy temporary accommodation (which is in breach of their licence rules and has alienated him further from local housing providers). The home area has already withdrawn any duty and, on the day of this interview, with Conwy housing reporting that they had no duty to house the young person, the YOT is left in a difficult position. Effective welfare practice for this person now relies on a protracted negotiation process with YOT in the middle, stressing his vulnerability and the likelihood that his case could result in a remand to local authority, or worse, remand to custody."*  
(YOT staff interview)

His case manager reported that the gap left by the statutory services was filled because of a good working relationship with NACRO at a local level. Despite the fact that the criteria for funding support were not formally met, NACRO agreed to help. This example reinforces the point that sometimes welfare provision is accessible because of individual good practice and despite the constraints of policy structures. This is an important point because without the NACRO support, previous experience suggested it would be unlikely that a placement in the family home would be sustainable. As this example has shown, welfare support may well be more readily available from individual projects and outside of formal procedures but the statutory agencies are less forthcoming and this is a source of frustration to YOT staff:

*"Again the problem of YOT status is evident – although parent agencies are fulfilling their statutory requirements on secondment of staff, there is a sense that lip service is being paid to policy. The Local Authorities provide 'first aid bandages.' Young people are being failed by the adults around them – in poor parenting and inadequate welfare services."* (YOT staff interview)



## **YOT Orders and partnership arrangements – conclusions**

The constraints and issues involved in the commissioning model of service exemplified by the youth offending team structure are documented in previous works (Sweeney and McHough 2006, Knapp et al 2001) and the data from this study confirms the difficulties that can occur. One of these is the structural commissioning power brought about by legislative changes in the Crime and Disorder Act of 1998. This Act requires the key parent agencies of YOT to invest in services for young people in the youth justice system. However, the data suggests this is misconstrued at ground level, thus local authority social services are sometimes reluctant to take cases where a YOT social worker is already involved or health services may expect their YOT health practitioner to provide a service, when their time is limited to assessments only. It is important to recognise that partnership agencies linked to youth justice have been required to make a huge change in mindset as previously probation, police and health did not even need to think about young people and offending as they could leave it to the social work team. Ultimately, the new youth justice system has brought along many challenges and it is to its credit that evaluations are as positive as they are (Audit Commission 2004).

For the young people in this study, there is clearly some way to go before partnership arrangements meet their welfare need effectively but there are promising signs. For example, the mixed economy approach means that when statutory services fail to provide, positive working relationships may enable non-statutory projects to step in to help. Indeed, this may be considered preferable for the young person as working relationships with non-statutory projects seem to be more positive and flexible. The problem for professionals working in the system is that this kind of provision cannot be relied upon as resources are often limited by strict criteria over who is eligible and who is not. This is also relevant to some distinct YOT projects such as YISP, where only young people from a particular geographic area and demographic profile can benefit. Available resources are also affected by the size and rurality of the YOT area. Whilst this issue was more frequently mentioned by professionals, the problems of providing adequate welfare and more general YOT services across Conwy



and Denbighshire had a palpable effect on consistency for young people and this was observed during the fieldwork period of this study.

Overwhelmingly, the data from young people in this chapter reveals that the way professionals communicate with them is important in whether or not welfare need is met. Effective communication is important at all points along the way; first impressions will expose a worker who is 'too posh' or 'weird'; terminology will either help or hinder understanding of the process; consistency will ensure that expectations are realistic and therefore more likely to be met. It is good news that young people reported YOT workers were there when they needed them and generally helpful. It is of concern that all respondents were negative about the accessibility of statutory social services but it should be remembered that, as a study based in YOT, there could be some bias in the responses towards it. The situation at social services warrants more research, as there could be organisational reasons for the difficulties that have been reported here. In the tradition of social policy, these data chapters have looked in depth at particular aspects of welfare services in a thematic way. The next chapter will bring together the themes that have emerged from this study and consider some of the implications.



# Food, Clothes and Shelter? Welfare provision and young people at risk of offending in North Wales The Dreamworld Question - What one thing would make the situation better?

Basics - an example of good basic accommodation such as Ty Newydd. Where they can get shelter, heat, light and food, not of a superior standard but certainly good enough and reasonably safe.

More access to accommodation with support.

More prevention work - it would be better if these young people never get as far as needing to come to Court.

There are protocols in place that can promote joint working between housing and social services but they don't work effectively in practice. There is too much concern over financial implications of taking cases.

Young people who can access emotional warmth, love and care from someone. There are 12 and 13 year olds who don't get this. Sort out the parenting skills.

More sessional workers to undertake the work with young people. To be able to employ a full time worker, preferably male, as many young people on reparation are short of a positive male role model

Better parenting - there is a lack of parent education. There is a feeling that damage has already been done for many of the young people.

More emphasis on parenting problems and preventing parenting difficulties. Much parenting is support focussed and it would be worth considering whether more challenge should be put to those who do not take responsibility for their parenting.

Offering interventions within the team. Much of the work could be done in house if the resources were there.

Proper accommodation when son turned sixteen and appropriate support to make sure he can look after himself.

Resources - more time to deal with welfare issues. Sessional workers who can focus on welfare need and support young people through the system

Someone to sit there at my level, like I am with these kids, and understand what I am saying to them. So when I am explaining I'm all angry - they are saying you need anger management. Not listening to find out what is making you angry. Just the fact of go and get rid of your anger here - go to the gym, go here, go there. If someone had listened to me and understood me that would have been a massive help

Places to go where you can stay out of trouble. They would have sofas, computers - good equipment

More sports clubs. Colwyn Bay is ok but other areas have little facilities

Ideally the system would provide a range of housing options for young people.

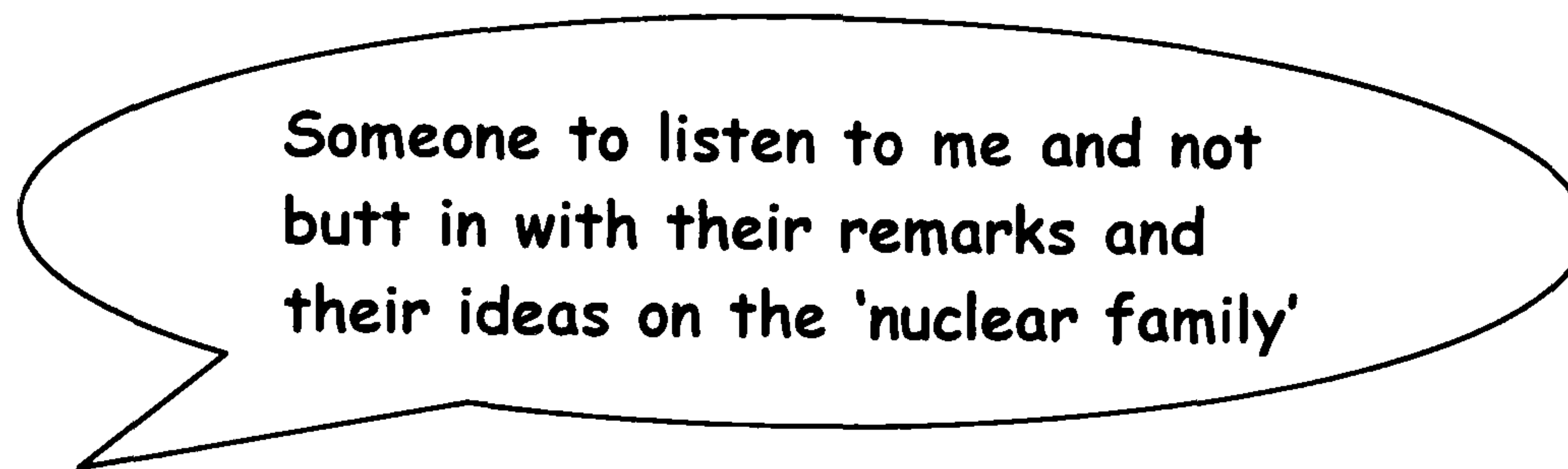
Support needs to be from a mentor figure (super social worker) who will take on the job of looking after the children, meeting their basic needs and in the process showing mum how to do it properly.

Recognition that kids are part of the community. This perspective is not helped by terms such as 'youth and community services' - the phrase itself treating youth as a separate entity

In this study, the 'Dreamworld Question' was asked at the end of each individual data collection session. All answers recorded as stated at the time. There has been no attempt to analyse these statements as the question was designed to allow respondents the space to state in their opinion the one factor that was the most important in welfare provision and young people at risk of offending in their local area.



## 2.8 In a Dreamworld: ideas emerging from this study



The front and end piece to this chapter – the Dreamworld Question - represents the main aim of this study which has been to give voice to local individuals who are affected by welfare issues on a daily basis. After many months of analysis of the rich data collected in this study, it seems only right to allow each respondent a final word on their welfare experiences. As a qualitative study, this raw data is valid because it provides the most heartfelt responses and, at the same time, reinforces some of the main themes that have emerged over the course of analysis.

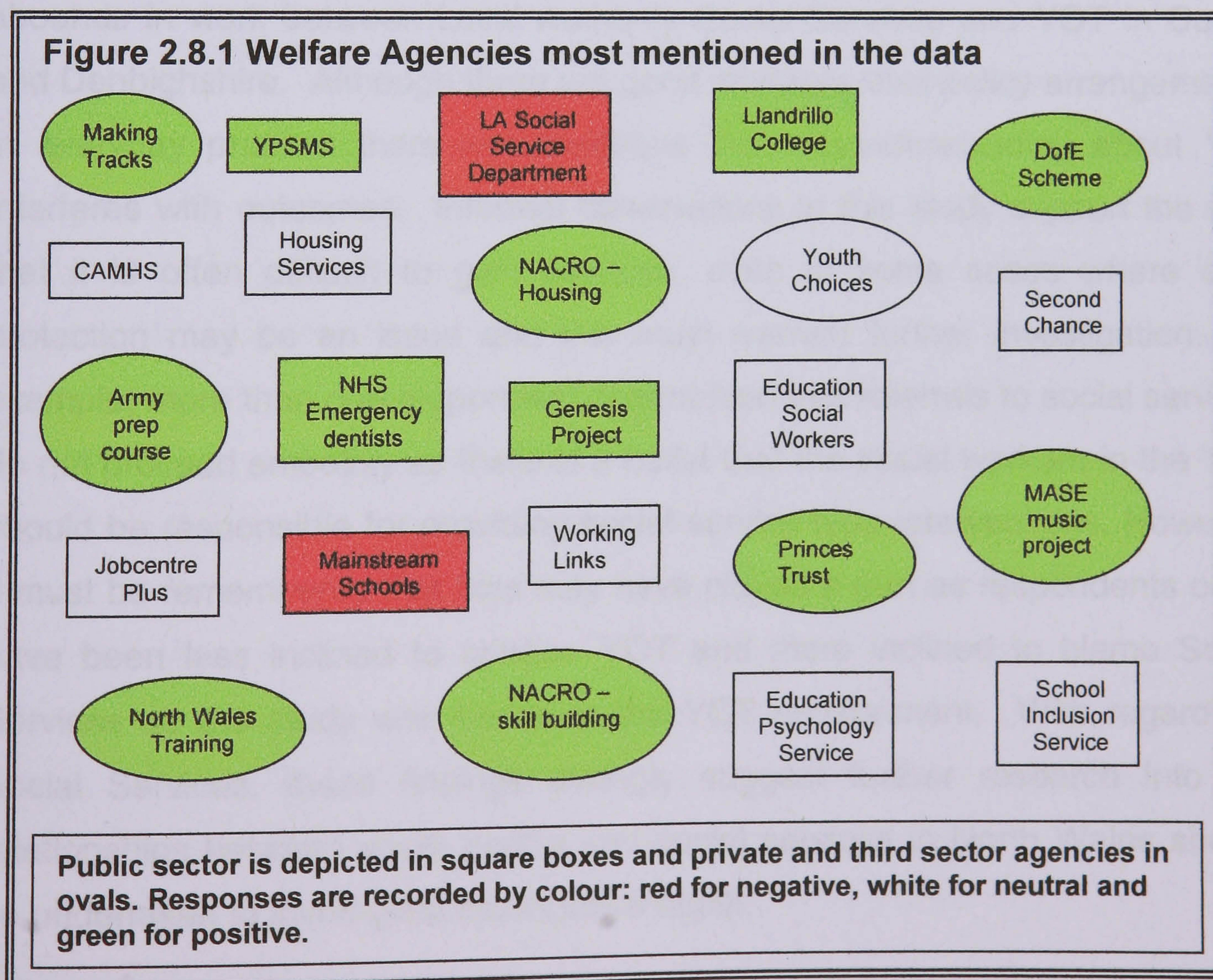
Young people who were interviewed in this study were expansive on their experiences of welfare and their views largely focused on micro aspects such as quality of service, relationships with case workers and being allowed to articulate their individual needs effectively. Parents and professionals in the study were more concerned about macro issues that affect welfare provision and reported widely on the gulf between policy and practice and the way that children's rights were sometimes lost in the middle of the wrangle for services. These factors have already been considered in their individual policy themes in the data chapters. The final discussions presented here have been formulated from overarching topics that have emerged as cross-thematic concerns.

In all areas of welfare provision, young people respondents, in particular, supported less bureaucratic working practices and were happier when they could see agencies 'actually doing something.' For example, despite good referral links between YOT and Child and Adolescent Mental Health Services (CAMHS), CAMHS, as a therapeutic agency, was often considered to be slow to intervene and make any difference. In comparison to this, the Young Persons Substance Misuse Service, who offer a mix of practical welfare support and therapy, were universally reported to be reliable and helpful. The data suggests that effective communication at all levels is crucial. This goes far beyond assessment, exchange of information and even issues of native language. For the young people, it starts even before the first words are uttered and it is important that professionals recognise the effect their chosen style has on the way relationships will develop



(see chapters 2.3 & 2.7 for examples of this). In addition, reliability emerges as fundamental to positive outcomes; young people and their parents like to know how to access workers effectively and what help they can get, so clarity is paramount. However, in the environment of multi agency working this can be very difficult to achieve as, potentially, there are so many different services involved in a case. In their associations with YOT, young people often have to tell their story many times to various different professionals. This is now recognised as a problem and local authorities and national legislation is working towards a common assessment route. The approach will be of great benefit, in particular to cross-county YOTs such as Conwy and Denbighshire, but it should not be considered as the final solution.

Figure 2.7.1 shows agencies that were mentioned most frequently on YOT cases. During the course of the study, young people, parents and professionals mentioned over fifty different welfare agencies that were used in their work with YOT. Some of these were formally linked through joint funding or partnership arrangements and others were by mutual benefit, often relying on good relationships between individual workers. Thus the worker's knowledge of what is available and how to access the service was seen to affect outcomes.





Many agencies were reported in neutral terms – as many people were positive about them as those who were negative. A large number of public sector agencies were reported in this way and it suggests that these organisations are not managing to meet the needs of everyone. The third sector and private agencies fared better, with many young people volunteering positive experiences in their stories. These agencies seem more flexible and individually focussed, with a broad approach to welfare need. Interestingly, the public sector projects that came out better were task oriented and similar in organisational structure to these third sector and private agencies and this may indicate a positive way forward.

In negotiation for services, the issue of YOT status was raised frequently with many respondents recognising that YOT workers are limited in their ability to gain access to welfare services. The commissioning role is dependent on relationships with welfare providers and the fact that YOT is a relatively new phenomenon presents a challenge to effective practice. In particular, confusion abounds in work between Local Authority Social Services and YOT in Conwy and Denbighshire. Although there are good strategic level policy arrangements, in everyday practice there was evidence that misunderstanding about YOT interferes with outcomes. Informal observations in this study support the idea that it is often difficult to gain services, even in some cases where child protection may be an issue and this must warrant further investigation. For example, more than one respondent commented that referrals to social services do not proceed smoothly as there is a belief that the social workers in the YOT should be responsible for providing social service type interventions. However, it must be remembered that bias may have played a part as respondents could have been less inclined to criticise YOT and more inclined to blame Social Services as the study was based in the YOT environment. With regards to Social Services, these findings strongly suggest further research into the relationships between youth justice and social services in North Wales should be undertaken to investigate this in more depth.

The negative findings on mainstream schools and access to alternative education projects are no surprise as they concur with the 2005 Estyn report on education and young people in the youth justice system in Wales. It is hoped



that the newly introduced 14 – 19 Learning Pathways policy from the Welsh Assembly may have some positive effects, as it advocates more individually focused educational options. Though, it is important that any new developments take account of local need, for example the issue of travel and accessibility. Although responses were less negative for Housing Departments as some people were happy with their service, generally the feedback suggests that, along with Social Services, education and CAMHS, it does qualify for ‘dinosaur’ department status – large, slow to react and almost from a time past. It should be acknowledged there is a lot of evidence to show these departments are aware of the difficulties and are considering ways to improve their service. It must also be stated that young people and parents were sympathetic to individual professionals who they see as working hard to address their needs. The problem was seen to lie with operational policies that are often short of resources and extremely complex in its procedure. In Conwy and Denbighshire YOT, this complexity is magnified because of its geographical rurality and the need to work across county borders.

One of the basic requirements of the young people in this study was for the service they receive to be consistent. For the professionals working with these young people, a high level of consistency is very hard to achieve in such a large area and with such varied populations. As the data chapters have shown there are considerable challenges to be faced in ensuring young people receive an equitable service whether they are from a Conwy coastal town, five miles from the YOT office or a South Denbighshire community living over forty miles away. The basic matter of finance is a first barrier to equity - to achieve this more money would need to be spent on the outlying villages even though the minority of cases come from those areas. It is important that funding providers fully recognise the fact that a rural service is costly, despite working with fewer people and, as such, can appear far from cost effective. A large part of YOT budget is used for travel costs and the problems faced by the Intensive Supervision and Surveillance Programme (ISSP) exemplify this. The Conwy and Denbighshire YOT Youth Justice Plan for 2007/2008 acknowledges considerable challenge in the fact that the 12 young people on ISSP are spread over a fifty mile radius. With the intensity of intervention required on the



programme, this creates an almost unmanageable situation as budgets just do not compensate for the high cost of travel.

Cross border differences in working practice also hinder consistency in the provision of services; this is a factor that emerged time and again from staff interviews and was illustrated in young people's experience depending on where they lived. Welfare provision was dependent on different policy criteria across the two counties; therefore service provision is not driven by need but by what is available and whether young people meet the required criteria. Whilst this is not unlike YOT experience in many areas of England and Wales, it can be argued that the situation in North Wales is exacerbated by its distance and difference from Westminster justice principles and a Cardiff Bay welfare policy which is, arguably, urban biased. Although political devolution has made some real and positive differences, it should not be assumed that the policies from Cardiff are able to meet the rural need that manifests in Conwy and Denbighshire. Much of Welsh Assembly policy has been conceived from a South Wales Valley perspective; the WAG talks of an inclusive Wales but there is a feeling from the respondents in this study that the voice of rural North Wales is marginalised as it is viewed to be backward looking. In the race to create a new Welsh identity, the North Wales life experience is in danger of being ignored and this has particular implications for those in the youth justice system (see Chapter 1.5 of this thesis for background evidence of this).

Despite these misgivings, it is certainly true that policies from Cardiff do attempt to address the specific welfare concerns that are apparent in Wales. As has been shown, there have been Assembly initiatives to combat high rates of child poverty, address the low rates of economic activity, encourage business enterprise and tackle poor health outcomes (chapter 1.4 of this thesis investigates this in depth). However in the case of youth justice, these economic and welfare considerations can lose out when set against the overarching justice policy directives coming from Westminster government. Although Tony Blair's 1993 stated intention was to be 'Tough on crime, tough on the causes of crime,' both the data collected and review of literature in this study has shown the balance of Westminster youth justice policy has been towards the more punitive 'Tough on crime' perspective.

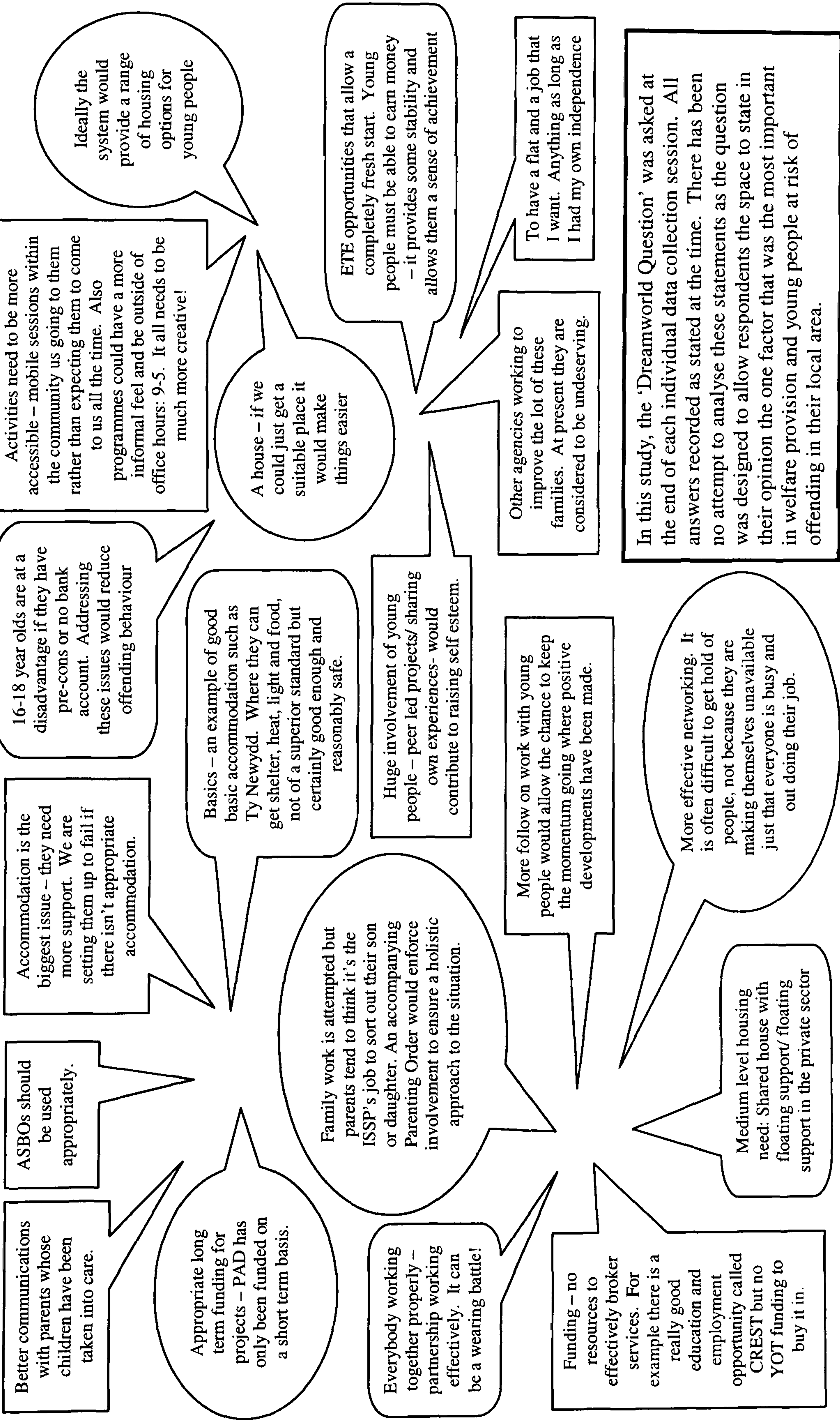


Thus, in some cases the negative responses over access to welfare provision by young people in this study may be as a result of conflicting policies that have aims and objectives that are incompatible. For young people at risk of offending with severe welfare need, access to provision will be by way of a plethora of policies set at all different levels. Examples of this can be found in all the data chapters of this study but are especially illustrated by the plight of homeless young people in the youth justice system. They are often subject to restrictions on where they can live because of bail conditions, electronic tagging devices or ASBO criteria. Therefore, housing options are limited by Westminster criminal justice legislation and this has to be managed against Welsh Assembly policy that has its own welfare targets on youth homelessness (see chapter 2.4). Couple this with the fact that youth crime in North Wales is a very different beast from the one present in the urban environments of London and Cardiff (see chapter 1.5) and it becomes obvious that Conwy and Denbighshire YOT may be forced to follow some procedural policies that do not necessarily fit with the local environment and welfare need.

The response to the 'Dreamworld Question' shows that the main concerns of those involved in the youth justice system in North Wales are many and varied. It is significant that a number of answers raised concerns over accommodation but even more so that there were many different suggestions on how the situation could be improved. Having presented the emergent themes and ideas from this study, it is now important to link these back into the theoretical context and consider how part one and two of this thesis might help to inform the academic and political debate on welfare provision and youth justice.



Food, Clothes and Shelter? Welfare provision and young people at risk of offending in North Wales – The Dreamworld Question - What one thing would make the situation better?



In this study, the 'Dreamworld Question' was asked at the end of each individual data collection session. All answers recorded as stated at the time. There has been no attempt to analyse these statements as the question was designed to allow respondents the space to state in their opinion the one factor that was the most important in welfare provision and young people at risk of offending in their local area.



## 2.9 In the Realworld: debates and deliberations

In Conwy and Denbighshire, the explorations for this thesis indicate that welfare service relationships for those involved in youth justice are affected by the Welsh devolution settlement and a continued Westminster responsibility for criminal justice. From the social policy literature, there has been a clear indication of a divergence in policy approaches between Cardiff and Westminster (as discussed in chapters 1.3 and 1.4). Academic writers have recently been increasingly preoccupied with the question of a distinctive Welsh Social Policy (for example Williams and Mooney 2008 and Drakeford 2007). If the Welsh Assembly policy documents are to be believed, then there is certainly a rights-based agenda developing (for example *Extending Entitlement*, *All Wales Youth Offending Strategy* and *Wellbeing in Wales*) and this is explicitly stated as opposed to the implicit version that is popular in Westminster. However, as always in social policy, others have pointed out that the implementation of this is not so simple and this study has provided evidence of some of the difficulties. Williamson's (2007) critique of youth policy in Wales since *Extending Entitlement* is cautious about the expansive vision of the policy, arguing that it has put excessive strain on practitioners. This view is borne out by descriptions of day to day practice collected in the data for this empirical study. Many respondents were enthusiastic about the claims of policy but disheartened about how they translated into practice. This problem is a continuing challenge to social and welfare policy. If a policy document is too ambitious, it risks undue pressure on those tasked with implementation. On the other hand, a policy without vision is really no more than practice guidance and fails to instil a sense of any theoretical perspective.

For youth justice in England and Wales this debate is very familiar and, as has already been identified in part one of this thesis, one that has persisted since early times. Rob Allen's 2007 paper (see chapter 1.3) has been recently criticised as 'fatally compromised by its intrinsic pragmatism' (Muncie & Goldson, 2008:63) and this illustrates the challenge for policy makers. In addition to practical concerns of how to convert policy into practice and the political implications that might result, there are ethical factors to consider. Over



the ten years since the Crime and Disorder Act 1998, government has been criticised for being too soft (view of the press), producing too much legislation (view of opposition parties) and for being too punitive (view of critical social policy writers). Despite the addition of £45m (Soloman and Garside 2008) into the budget and the initiatives it has funded, it seems that many are quick to see the negatives in the new youth justice system. Yet, it must be remembered that the young people interviewed in this study were quite positive about how the YOT helps them sort out their problems. Matthews (2005:195) suggests that writers on youth justice have to be careful that too much emphasis on the polarities of welfare/justice, non-punitive/punitive, new/old can result in us 'being lost in a series of false dichotomies.' Here, the real value of this thesis can be found; as academics, it is easy to become removed from the lived experiences for young people in the youth justice system and as such it is all the more important that their voices are heard clearly. As we have seen from the data chapters, there are a lot of professionals who make the best efforts to meet welfare need for young people and there are many young people who appreciate that they do their best. However, it is also true that the barriers that were discussed at length in the previous chapter (2.9) combine together to inhibit successful outcomes.

This leads onto the question of how policy can meet the needs of the whole population of Wales. The themes that have emerged in this study are unique to the story of one geographical area and should not be over generalised. However, what the stories do reveal is that experience is certainly localised and policy makers need to pay more attention to the differences that are faced by practitioners. One way this could be achieved might be to strip away some of the policy layers that, at the moment, hinder service provision. In the Welsh Assembly, there is to be some consideration over the devolution of Criminal Justice from Westminster to Wales (Labour and Plaid Cymru Groups in the Welsh Assembly 2007, Plaid Cymru Manifesto 2007). Carwyn Jones, the Counsel General, (2007) has argued that the creation of a Welsh criminal justice system is inevitable. Analysis from this study supports the idea that, at the very least, youth justice is an area that may benefit from devolution. A devolved youth justice system might encourage better integration of progressive



universalism in Welsh social policy for *all* young people (i.e. not just the 'good ones'). Whilst a unified approach to welfare and youth justice may result in more streamlined aims and objectives, implementation of policy could still be affected by such a momentous change and we must be sure that a Welsh youth justice system would have an adequate structure and the professional skills to ensure quality standards. Jones (2007:29) identifies a gradually devolving criminal justice system in Wales and welcomes the policies and strategies that are starting to develop to meet localised need. She does, however, sound a cautious note about the idea of wholesale devolution of criminal justice: 'to devolve the entirety ... is ambitious to say the least and perhaps a little unrealistic.' Her main concerns are regarding capacity, noting law making, professional training and adequate funding formulas as challenges to the proposal. At a time when training in Welsh law making is limited, numbers of 'home grown' legal professionals is 'rather small' (Jones, 2007:30) and recent reports have found that Wales loses around 40% of their graduates to employment in England or other countries (Higher Education Statistics Agency 2008) , these could be relevant points.

Despite these concerns, there is a general awareness that changes are needed. In the course of the fieldwork, it was obvious that professionals from YOT and partnership agencies recognised that working practices could always be improved and plans are underway to address the difficulties. There are also indications that even those in leadership at the Youth Justice Board are recognising there may be differences in the Welsh youth justice system. Early 2008 has seen a consultation process on the devolution of three key performance indicators on accommodation, substance misuse and education training and employment. Delegates to the Wales Youth Justice Conference in April 2008 conducted workshops on how these criteria may be made more relevant to Welsh experience and a consultation process has included all partners involved in the system (YJB 2008). This ended in June 2008 and we can now await the report on this activity with some anticipation. In addition, the new Criminal Justice and Immigration Act 2008 and the introduction of the new Youth Rehabilitation Order (YRO) will also have an impact. The YRO is individually focused, proposes a 'menu of requirements' (YJB 2008a) and



replaces the confusing array of community orders that were previously on offer. There is already a sense that, in government, the tide is turning against the ASBO as panacea for society's ills and towards prevention and restorative justice techniques. However, it is important that the challenge of combating structural inequality is given an equivalent status to concerns about personal responsibility and rehabilitation.

Whatever happens to the youth justice system over the coming year, there is some way to go before a unified Welsh service experience can be expected. This study is a first step in giving a voice to individuals who are easily ignored, not least because they live far away from those who are making policy decisions. As has already been noted on a national basis, Wales is lacking in research on young people, in particular those who are in welfare need and those from ethnic minorities (Haines, 2004:66). The challenge is even greater for those in the youth justice system where young people are often disadvantaged in multiple ways. It is hoped that this thesis will contribute to a growing body of evidence that helps to tell a new story of Welsh youth justice and these findings will encourage more acknowledgement of the local welfare issues that affect to the wellbeing of young people at risk of offending in North Wales.



## Appendix 1.1

### Table of Acts and developments in youth justice policy up to 1997

<b>1815</b> Society for Investigating the Causes of the Alarming Increase of Juvenile Delinquency in the Metropolis.	<b>1899</b> children were no longer sent to adult prisons
<b>1817</b> The Society for the Improvement of Prison discipline and the Reformation of Juvenile Offenders	<b>1908</b> Prevention of Crime Act
<b>1829</b> Metropolitan Police Act	<b>1908</b> Children Act
<b>1834</b> Deregulation of the apprenticeship system	<b>1933</b> Children and Young Persons Act
<b>1834</b> Poor Law Amendment Act	<b>1946</b> Curtis Report
<b>1837</b> Parkhurst Act	<b>1948</b> Children Act
<b>1839</b> Rural Constabularies Act	<b>1960</b> Ingleby Report
<b>1847</b> Juvenile Offences Act	<b>1963</b> Children and Young Persons Act
<b>1847</b> Larceny Act	<b>1965</b> White Paper: The child, the family and the offender
<b>1847</b> Summary Jurisdiction Act	<b>1968</b> White Paper: Children in Trouble.
<b>1854</b> Youthful Offenders Act	<b>1969</b> Children & Young Persons Act
<b>1857</b> Industrial schools were introduced for juveniles at risk of offending	<b>1980</b> White paper: Young Offenders
<b>1869</b> Habitual Criminal Act	<b>1982</b> Criminal Justice Act
<b>1870</b> Education Act	<b>1988</b> Criminal Justice Act
<b>1889</b> Prevention of Cruelty to Children Act	<b>1994</b> Criminal Justice and Public Order Act
<b>1899</b> Reformatory Schools Act - further reforms to the system	<b>1996</b> Audit Commission - Misspent Youth



## Appendix 1.2

### Comparison between Misspent Youth and No More Excuses

1996 Audit Commission Report Misspent Youth – recommendations	1997 White Paper No More Excuses – proposed policy
Efforts to prevent offending and antisocial behaviour by young people need to be co-ordinated between the different agencies involved; they should be targeted on deprived areas with high crime rates and piloted and evaluated	<ul style="list-style-type: none"> <li>• Formation of inter-agency Youth Offending Teams (YOT)</li> <li>• Standard set by new monitoring body: Youth Justice Board (YJB)</li> <li>• The identification of Crime Hotspot Areas<sup>7</sup></li> <li>• Safer City Initiatives<sup>8</sup></li> </ul>
Local authority chief executives should consider initiating forums in which all relevant local authority services and other agencies participative, to develop a strategy for addressing and preventing youth crime and oversee any multi-agency caution plus schemes.	<ul style="list-style-type: none"> <li>• Intention that local authority chief executives chair YOT steering groups</li> <li>• Implementation of one Reprimand and a Final Warning to replace multiple cautions.</li> </ul>
Local chief officers and other policymakers need to determine the scope for collaboration and set objectives for joint activity, in the light of past and present initiatives and local problems.	<ul style="list-style-type: none"> <li>• Inter-agency management responsibility through the YOT steering group.</li> <li>• The use of 'What Works?' in policy setting<sup>9</sup></li> </ul>
should consider how best to identify resident's needs in the priority areas that have been identified, and practical ways of addressing them, making sure local residents – including young people – have the opportunity to contribute their views	<ul style="list-style-type: none"> <li>• Inter-agency and local community consultation requirements<sup>10</sup></li> </ul>
Practitioners need to see the value of the multi agency approach and understand the aims of other services dealing with young people. Joint training of practitioners working in the target areas can help to promote shared understanding and help identify shared problems.	<ul style="list-style-type: none"> <li>• youth court magistrate training</li> <li>• YOT volunteer training</li> </ul> <p>*does not specifically address practitioner training</p>
As a minimum, local authorities should ensure that they have strategies, formulated and agreed by all the relevant services, in the context of children's services plans, for encouraging children in their areas not to commit criminal offences.	<ul style="list-style-type: none"> <li>• Inter-agency management responsibility through the YOT steering group.</li> <li>• Preventative strategies through Community Safety partnerships</li> </ul>
All agencies should ensure that they have taken the necessary steps to share any relevant with the others who are dealing with young offenders.	<p>* does not specifically address data sharing and data protection</p>
<p>Central government should help by:</p> <ul style="list-style-type: none"> <li>• Giving local authorities a duty to convene interagency groups</li> <li>• Giving other agencies a duty to co-operate with such groups – in particular, to provide information about offending behaviour to help target and evaluate preventative schemes</li> <li>• Encouraging local services to develop caution plus schemes to address offending by young people</li> <li>• Considering how any savings from more efficient processing of offenders can be diverted to fund more effective measures for dealing with offenders and preventing offending in the first place.</li> </ul>	<ul style="list-style-type: none"> <li>• Formation of inter-agency Youth Offending Teams (YOT)</li> <li>• Inter-agency management responsibility through the YOT steering group</li> <li>• Implementation of one Reprimand and a Final Warning to replace multiple cautions.</li> <li>• Preventative strategies through Community Safety partnerships</li> </ul>
Co-ordination would be needed between the Department of the Environment, the Department of Health, the Department of Education and Employment, the Home office, the lord Chancellor's Department, the Crown Prosecution Service and the Welsh Office.	<p>* instead proposes NGO through implementation of YJB.</p>

<sup>7</sup> Included in the new YOT standard ASSET assessment form

<sup>8</sup> No More Excuses: 3.6

<sup>9</sup> Ibid: 1.13

<sup>10</sup> Ibid: 2.10



## Appendix 1.3

### Youth Justice Board for England and Wales

#### The Board

The Youth Justice Board for England and Wales is an executive non-departmental public body. Our 12 board members are appointed by the Home Secretary.

The youth justice system

The principal aim of the youth justice system is to prevent offending by children and young people under the age of 18.

The Youth Justice Board supports the achievement of this aim by:

- advising the Home Secretary on the operation of, and standards for, the youth justice system
- monitoring the performance of the youth justice system
- purchasing places for children and young people remanded or sentenced to custody
- identifying and promoting good practice
- making grants to local authorities or other bodies
- commissioning research and publishing information.

The Board works to develop a youth justice system in which:

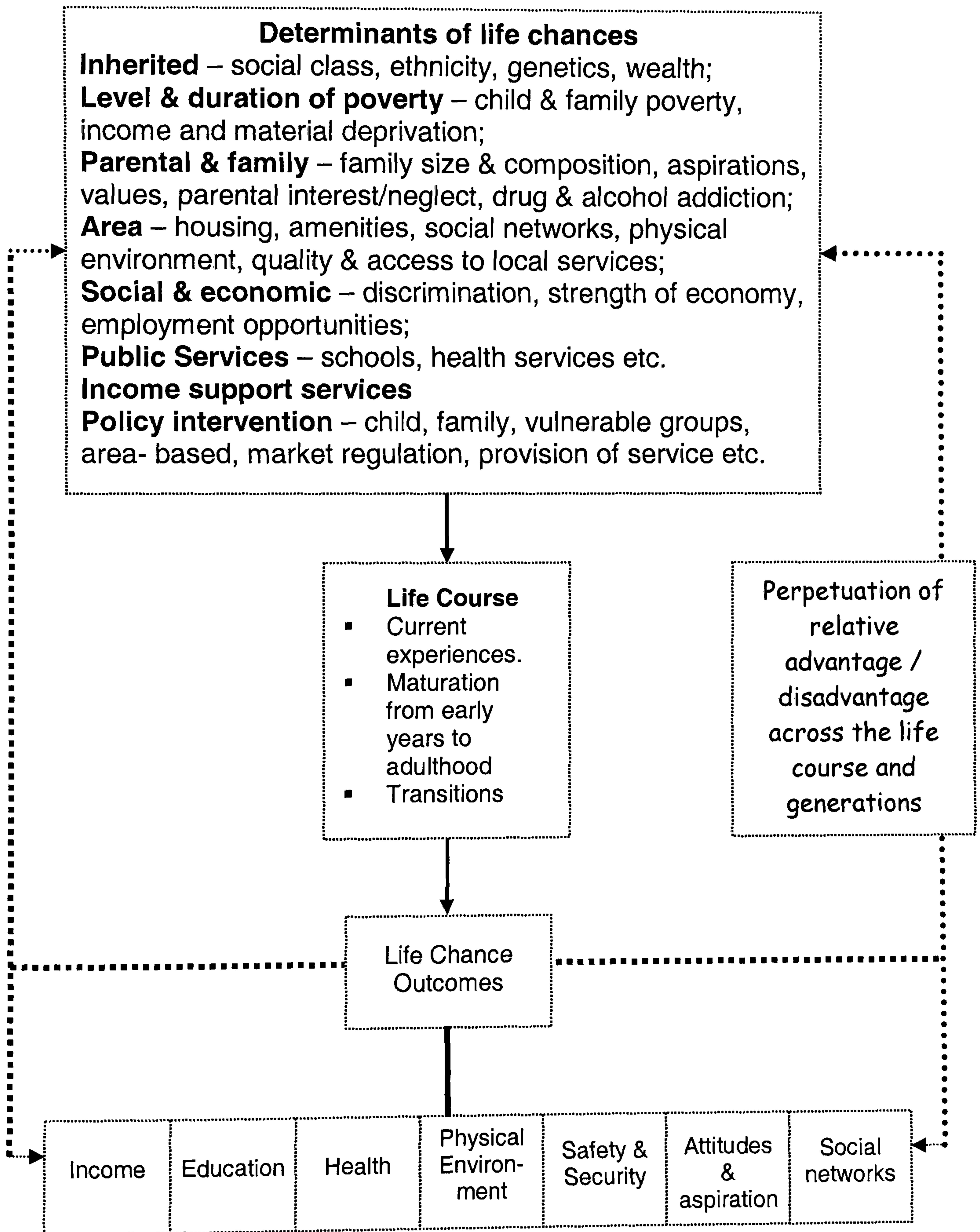
- the public has confidence cases are dealt with without delay
- victims are satisfied
- young people are dealt with fairly regardless of race, gender, religion, sexual orientation or any disability
- services are targeted on young people at high risk of offending
- robust community penalties are used as alternatives to short custodial sentences  
custody is only used as a last resort
- families and local communities help to change offending behaviour  
all services work in partnership
- staff feel proud, engage successfully with young people and gain professional and academic qualifications if they wish.



Appendix 1.4

Fabian Society – Why Life Chances Matter. p. 42. Figure 3.1.

**The determinants of life chances across the life-course & inter-generationally.**





## Appendix 1.5

Pre- Court and Court interventions for young people in the Youth Justice System during period of fieldwork (YJB Website 2007 Sentences Orders and Agreements)<sup>11</sup>

	<b>Prevention services</b>
<b>Youth Inclusion &amp; Support Panel</b>	The main work of the YISP is to identify key needs and risks and put together a programme of support and resources that will help the child and family to reduce the risk factors and increase resilience (protective factors). The key aim is to make sure that children are not lost in the multi-agency "system", and that they have a lead professional advocating and supporting them through the complex process of getting help from various agencies at the same time.
<b>Positive Activities for Young People</b>	Positive activities for young people can help make sure that young people aged 8-19 make the most of their time during the school holidays. Activities range from rock climbing and sailing to art, music and computers.
<b>SPLASH Cymru</b>	A programme of positive and constructive activities for 13 to 17-year-olds that runs in the school holidays in Wales.
<b>Acceptable Behaviour Contract</b>	Given when a local authority and youth offending team (YOT) identify a young person who is behaving anti-socially at a low level. With the young person and their parents/carers, they agree a contract under which the young person agrees to stop the patterns of behaviour that are causing nuisance to the local community and undertake activities to address their offending behaviour.
<b>Anti Social Behaviour Orders</b>	Can be used against anyone who is 10 years of age or over and has behaved in a manner that caused or was likely to cause harassment, alarm or distress to someone or some people who do not live in their own household. An ASBO stops the young person from going to particular places or doing particular things. If they do not comply with the order, they can be prosecuted.
<b>Individual Support Order</b>	Only available for 10-17 year olds which can be attached to 'stand alone' ASBOs and impose positive conditions on the young person to address the underlying causes of the behaviour that led to the ASBO.
<b>Prevent and Deter</b>	Two target groups: the most active young offenders to stop them escalating into tomorrow's prolific offenders through youth justice interventions and continued post-sentence support. Also to prevent children and young people becoming involved in criminality in the first place through early identification of those most at risk, and intensive targeting programmes
<b>Reprimand</b>	A formal verbal warning given by a police officer to a young person who admits they are guilty of a minor first offence. Sometimes the young person can be referred to the youth offending team (YOT) to take part in a voluntary programme to help them address their offending behaviour.
<b>Final Warning</b>	A formal verbal warning given by a police officer to a young person who admits their guilt for a first or second offence. Unlike a Reprimand, however, the young person is also assessed to determine the causes of their offending behaviour and a programme of activities is identified to address them.

<sup>11</sup> Pre- Criminal Justice and Immigration Act Act 2008 Many of these orders are now replaced with the Youth Rehabilitation Order



## Appendix 1.5 (continued)

Pre- Court and Court interventions for young people in the Youth Justice System during period of fieldwork (YJB Website 2007 Sentences Orders and Agreements)

	<b>Court Orders</b>
<b>Absolute Discharge</b>	A young person is given an Absolute Discharge when they admit guilt or are found guilty, but no further action is taken against them.
<b>Conditional Discharge</b>	A young person receiving a Conditional Discharge receives no immediate punishment. A period of between six months and three years is set and, as long as the young person does not commit a further offence during this period, no punishment will be imposed. However, if the young person commits another offence during this period, they can be brought back to court and re-sentenced.
<b>Fine</b>	The size of a fine reflects the offence committed and the offender's financial circumstances. For a person under 16 years of age, the payment of the fine is the responsibility of their parents/carers and their financial circumstances will be taken into account when the level of the fine is set.
<b>Reparation Order</b>	Designed to help young offenders understand the consequences of their offending and take responsibility for their behaviour. They require the young person to repair the harm caused by their offence either directly to the victim (this can involve victim/offender mediation if both parties agree) or indirectly to the community.
<b>Referral Order</b>	Given to a young person who pleads guilty to an offence when it is his/her first time in court. The conviction is 'spent' once the contract has been successfully completed. This means that in most circumstances the offence will not have to be disclosed by the young person when applying for work.
<b>Attendance Centre Order</b>	Sentences a young person to attend an attendance centre. The main purpose of attendance centres is to put a restriction on young offenders' leisure time – they are open on Saturdays for two or three hours. Their programmes concentrate on group work to give attendees basic skills – literacy and numeracy, life skills, cookery, first aid and money management, for example - as well as encouraging attendees to make better use of leisure time.
<b>Action Plan Order</b>	An intensive, community-based programme lasting three months. The order is supervised by the Youth Offending Team (YOT). The programme developed by the YOT is specifically tailored to the risks and needs of the young person. It can include repairing the harm done to the victim of the offence or the community, education and training, attending an Attendance Centre or a variety of other programmes to address a young person's offending behaviour.
<b>Community Punishment Order</b>	Only available to courts for young people aged 16-17. It requires a young person to complete unpaid community work for a period of 40-240 hours.
<b>Community Rehabilitation Order</b>	Only available to courts for young people aged 16-17. It is equivalent to a Supervision Order, but for this specific age range. It is supervised by a Youth Offending Team (YOT) and can include activities such as repairing the harm caused by their offence, programmes to address offending behaviour or an Intensive Supervision and Surveillance Programme (ISSP).
<b>Supervision Order</b>	Can last up to three years. A range of conditions can be attached to a Supervision Order when the sentence is used for more serious offences. These are called 'specified activities' and can last for up to 90 days.
<b>Detention and Training Order</b>	Sentences a young person to custody. It can be given to 12- to 17-year-olds. The length of the sentence can be between four months and two years. The first half of the sentence is spent in custody while the second half is spent in the community under the supervision of the youth offending team (YOT).
<b>Sec 90/91 Order</b>	If a young person is convicted of an offence for which an adult could receive at least 14 years in custody, they may be sentenced under Section 90/91. This sentence can only be given in the Crown Court.



**Appendix 1.5** (continued)

Pre- Court and Court interventions for young people in the Youth Justice System during period of fieldwork (YJB Website 2007 Sentences Orders and Agreements)

	<b>Other Orders</b>
<b>Curfew Order</b>	Requires a young person to remain for set periods of time at a specified place, and can be given along side other community orders.
<b>Parenting Order</b>	Parenting Orders can be given to the parents/carers of young people who offend, truant or who have received a Child Safety Order, Anti-Social Behaviour Order or Sexual Offences Prevention Order. It does not result in the parent/carer getting a criminal record.
<b>Drug Treatment and Testing Order</b>	The Drug Treatment and Testing Order is used for young offenders who have drug misuse issues that require treatment. The order lasts between six months and three years and the young person must agree to comply with the it before it can be made.
<b>Local Child Curfew</b>	Under a Local Child Curfew, a local authority or local police force can ban children under 16 from being in a public place during specified hours (between 9pm and 6am) unless under the control of a responsible adult.
<b>Child Safety Order</b>	This order only applies to children under 10 years of age. It can be applied to a child who has committed an offence, has breached a Child Curfew or has caused harassment, distress or alarm to others.



## Appendix 2.2.a

Neal Hazel, Ann Hagell and Laura Brazier. 2002. Young Offenders' Perceptions of their Experiences in the Criminal Justice System  
Award No.: R000223427 (Policy Research Bureau)

No.	Quote	Comments	Further references
5	In accordance with the aims of the study, the methodology followed a grounded-theory interpretivist approach, designed primarily to elicit and analyse the issues of importance to the young people themselves, rather than structuring the interviews according to pre-determined themes.	May be worth looking at this approach – more work to be done on this.	Sarker S. Lau, F. Sundeeep, S. 2001. pdf document Grounded Theory.
5	Given that generalisations from the qualitative data were to be heuristic rather than statistically representative, YOTs were asked to put forward details of a general cross-section of offenders, with respect to age, gender and ethnic group, and type of sentence.	Will this be appropriate with the anticipated small research group? Or should we be thinking bigger with regard to initial sample	
5	Letters explaining the project were given to the young people (by the YOT) and also sent to their carers. Fully informed consent was obtained from the young people by getting verbal and written agreement to take part after a discussion about the research at the start of the interview.	appendix shows some good examples of these	See appendices in report
5	To obtain the frankest reporting of views and experiences, we took the decision to assure all respondents of strict confidentiality. However, in case any interviews did raise concerns, all participants were given an information leaflet on sources of support and advice	I could not work with this in complete assurance. I would expect to clearly state confidentiality according to Children Act legislation and YJB good practice guidance: confidentiality unless serious risk to child or others is identified then any referral would go through confidentiality according to Children Act legislation: confidentiality unless risk to child or others is identified with YOT officer.	Children Act 1989 YJB Policy and Procedure – Sample Confidentiality Policy (mentors) 5. Confidentiality may be breached in the following circumstances: When there is a risk of serious harm to any individual, including where a mentee (under 18) is judged to be at risk of sexual, emotional or physical abuse.



### Appendix 2.2.a (continued)

Neal Hazel, Ann Hagell and Laura Brazier. 2002. Young Offenders' Perceptions of their Experiences in the Criminal Justice System  
Award No.: R000223427 (Policy Research Bureau)

No.	Quote	Comments	Further references
5,6	<p>Interviews with young offenders: Face to face depth interviews were conducted between November 2001 and May 2002 (N=37). Interviews lasted between 35 and 90 minutes (average 55 minutes). Most took place in a private (visibly open but audibly closed) room in the YOT offices, but on request were sometimes conducted in the participant's home. Interviews were conducted around a focused topic guide, which drew on a range of projective techniques to stimulate discussion and elicit themes with minimal predetermination by the by the researcher (appendix 3). All interviews were taped (with respondents' permission) and transcribed verbatim.</p>	<p>This model seems appropriate for our research although I feel that interviews of longer than a hour would be rather onerous for participant. Good interview schedules examples in the appendix</p>	
6	<p>Interviews with youth justice professionals: Telephone interviews were conducted</p>	<p>If possible I would like to undertake face to face interviews, using telephone as back up if needed</p>	
6	<p>Searching case files: Additional data were collected from both computer and paper case files</p>	<p>What access will be available from files? I would envisage that any shared information would be gate kept by YOT officer?</p>	



**Appendix 2.2.b**  
**Coad, J. & Lewis, A. 2004 *Engaging Children and young people in research*. Literature review for the NECF.**

Method	Comment	References
Interviews – Individual and focus groups	<p>Most favoured            Very effective in giving a voice            Helped by careful piloting            Props may be used to maintain attention span            Good practice guidelines available (p.30)</p>	Lewis 2004
Individual interviews	Some authors suggest it is useful to cross check individual interviews using other methods such as group interviews or use of art techniques	Thomas & O’Kane 1998 Coad 2002
Small group interviews	<p>Elicit and greater number of broader responses            Less intimidating            Debate can clarify opinions            Must be well controlled</p>	Lewis 1992 Balen et al 2000 Ring 2000;2003
Questionnaires	<p>Those designed by children may be of use            Limited critical analysis of the effectiveness of use with children</p>	Morrow and Richards 1996
Observation	Issues about entry into the field and th role of the researcher as insider/outsider	Cosaro and Molinari 2000 Warren 2000
Mapping	<p>Useful for participants who are not literate            Concept maps and visual grids can reveal a participants perspective on process            Use of mappings lacks systematic evaluation</p>	Mauthner 1997 Thomas & O’Kane 1998
Drawing and Posters	<p>Variable success and rarely used in isolation            Often used as warm up exercises            Over-interpretation of meaning is a problem</p>	Punch 2002 Hill et al 1996
Photographs and Video	<p>Useful for life stories            Has been used to identify issues important to the participant</p>	Faulkener 1998 Johnson 2003
Role play, drama, storytelling	<p>Useful to develop rapport and identify thematic feelings            Can be challenging to participant ( and researcher)</p>	Clark and Moss 2001 Christensen and James 2003
Journals and diaries	<p>Generally used as a supplementary technique            Requires literacy and self motivation of the participant</p>	Christensen and James 2003 Save the Children 2000
Use of ICT	May tap into young people’s familiarity with computers Needs more evaluation	Gettings and Gladstone 2001



## Appendix 2.2.c

### Overview document



### Food, Clothes and Shelter?

Welfare provision and the wellbeing of young people at risk of offending in Wales

Jayne Neal  
University of Wales, Bangor  
Email: sope28@bangor.ac.uk

#### Aim:

To investigate the question:

**'How does welfare provision and the wellbeing of young people who are at risk of offending affect participation in programmes that challenge anti-social or offending behaviour?'**

#### Objectives:

1. Young people's view of welfare provision both during and after a period spent on a programme
2. Parent, Staff and partnership agency perspectives on the effectiveness of links between welfare and youth justice agencies and the meeting of need.
3. Welfare outcomes of young people before, during and after a period on a YOT programme
4. Levels of compliance on YOT programmes within the context of welfare need

#### Research Focus

1. The main focus will be on the young person's experience of welfare provision
  - Who are the main welfare providers?
  - Are there gaps? (e.g. Many young offenders are known to be not registered with GP or dentist)
  - Has provision been easily accessible?
  - Was provision accessible prior to anti-social or offending behaviour?
  - What would improve relationships with welfare agencies?
2. A supplementary focus will examine the views of members of YOT staff, parents, partnership agencies and anyone else identified by the participant group as relevant. Unstructured interview will be used to gather this data.

#### Research Methods

Young people and practitioners should be able to contribute to preparation and be comfortable with chosen methods. Fieldwork will constitute a number of young person consultation meetings.

1. First phase using group and individual work with informal activities
2. Second phase using individual unstructured interview
3. Third phase using narrative research

#### Research Tools

Although this research will use unstructured interview and narrative methods to gather data, it is observed that prompt questions may be required to assist the respondents and ensure that the focus remains on the issue of welfare provision. The YJB ASSET will provide a general basis for these questions with the addition of two further areas of enquiry – money and transport.

#### Two relevant studies have informed the choice of research methods:

Coad, J. Lewis, A. 2004. *Engaging children and young people in research*. National Evaluation of Children's Fund. At: [www.ne-cf.org](http://www.ne-cf.org)  
Hazel, N. Hagell, A. Brazier, L. 2002. *Young Offenders' Perceptions of their Experiences in the Criminal Justice System*. ESRC Award No.: R000223427. (Policy Research Bureau)



**Appendix 2.2.d****Promotional Flyer**

Thank you for reading this leaflet.

My name is **Jayne Neal**

I am a researcher from the

University of Wales, Bangor.

My telephone number is 01248 388476

My email is [sope28@bangor.ac.uk](mailto:sope28@bangor.ac.uk)

I would like your help with a research project about welfare services in your area. I want to find out how you feel about the kind of help and support you get when you have a problem or need to know something. The research will help doctors, youth clubs, local councils make sure they are really helping and supporting you.

This study is not a part of your sentence so you don't have to take part, but I'd really appreciate you taking the time to talk to me. Any time spent on this will count as attendance at YOT and will be recorded on your case file. If you decide to help, the information you give will be confidential and when I am writing up the research, I will not use your name or anything else that will identify you.

I hope you will help with this project and look forward to meeting you.

**Jayne**



## Appendix 2.2.e

### ESRC Research Ethics Framework

#### RESEARCH ETHICS REVIEW CHECKLIST

1. Project title: Food, Clothes and Shelter? **Welfare provision and the wellbeing of young people at risk of offending in Wales.**
2. Name of researcher (applicant): **Jayne Neal**
3. Status (please click to select): **Postgraduate Student**
4. Email address: **sope28@bangor.ac.uk**
- 5a. Contact address: **School of Social Sciences, Main Arts, University of Wales, College Road, Bangor**
- 5b. Telephone number **07077 206 247**

Section III: For Students Only

6. Department: **School of Social Sciences**
7. Supervisor's name: **Dr Charlotte Williams**
8. Email address: **Charlotte Williams <c.f.williams@appsoc.keele.ac.uk>**
9. Contact address: **School of Criminology, Education, Sociology and Social Work, Keele University**

The student has read the university's Code of Practice **yes**

The topic merits further research **yes**

The student has the skills to carry out the research **yes**

The participant information sheet or leaflet is appropriate **yes**

The procedures for recruitment and obtaining informed consent are appropriate **yes**

1. Does the study involve participants who are particularly vulnerable or unable to give informed consent? (e.g. children, people with learning disabilities, your own students) **yes**

2. Will the study require the co-operation of a gatekeeper for initial access to the groups or individuals to be recruited? (e.g. students at school, members of self-help group, residents of nursing home) **yes**

3. Will it be necessary for participants to take part in the study without their knowledge and consent at the time? (e.g. covert observation of people in non-public places) **no**

4. Will the study involve discussion of sensitive topics (e.g. sexual activity, drug use)? **yes**

5. Are drugs, placebos or other substances (e.g. food substances, vitamins) to be administered to the study participants or will the study involve invasive, intrusive or potentially harmful procedures of any kind? **no**

6. Will blood or tissue samples be obtained from participants? **no**

7. Is pain or more than mild discomfort likely to result from the study? **no**

8. Could the study induce psychological stress or anxiety or cause harm or negative consequences beyond the risks encountered in normal life? **no**

9. Will the study involve prolonged or repetitive testing? **no**

10. Will financial inducements (other than reasonable expenses and compensation for time) be offered to participants? **yes**

11. Will the study involve recruitment of patients or staff through the NHS? **no**



## Appendix 2.2.e (continued)

### ESRC Research Ethics Framework

If you have answered 'no' to all questions, **send the completed and signed form E1/SS to your Department's representative on the School Research and Consultancy Committee, for their records.** Undergraduate and MA students should retain a copy of the form and submit it with their research report or dissertation (bound in at the beginning). Work that is submitted without the appropriate ethics form will be returned unassessed. MPhil/PhD students should submit a copy to the Research Degrees Board with their application for Registration, and forward a copy to the [designated] Research Ethics Officer. Members of staff should send a copy to the [designated] Research Ethics Officer. If you have answered 'yes' to **any** of the questions in Section IV, you will need to describe more fully how you plan to deal with the ethical issues raised by your research. **This does not mean that you cannot do the research, only that your proposal will need to be approved by the Research Ethics Committee.** You will need to submit your plans for addressing the ethical issues raised by your proposal using the ethics approval application form E2/SS, which should be sent to the Department/School Research Ethics Officer. Form E2/SS can be obtained from the Department/School web site. If you answered 'yes' to **question 11**, you will *also* have to submit an application to the appropriate external health authority ethics committee, *after* you have received approval from the School Research Ethics Officer. For research conducted in \*\*\*\*\*shire, applications to the Applied and Qualitative Research Ethics Committee must be signed by the [designated] Faculty/School/Department Research Ethics Officer before they are submitted. Information on how to obtain this form is also available on the School web site. Please note that it is your responsibility to follow the University's Code of Practice on Ethical Standards and any relevant academic or professional guidelines in the conduct of your study. **This includes providing appropriate information sheets and consent forms, and ensuring confidentiality in the storage and use of data.** Any significant change in the question, design or conduct over the course of the research should be notified to the School Research Ethics Officer and may require a new application for ethics approval.

1. Does the study involve participants who are particularly vulnerable or unable to give informed consent? (e.g. children, people with learning disabilities, your own students) **yes**

**Additional parental consent has been sought where a young person is under 16 years old. (Please see attached parental consent and young person consent forms)**

2. Will the study require the co-operation of a gatekeeper for initial access to the groups or individuals to be recruited? (e.g. students at school, members of self-help group, residents of nursing home) **yes**

**Co-operation and support of gatekeepers has been sought and agreed:**

- **Conwy and Denbighshire YOT (YOT Strategic Manager on Thesis Committee)**
- **Douglas Road Alternative Education Project**
- **RYAG – Rhyl Youth Café**
- **Colwyn Bay Youth Committee**

4. Will the study involve discussion of sensitive topics (e.g. sexual activity, drug use)? **Yes**

**This will be lead by the participant as agreed. The semi-structured format of interviews allows for participants to refuse any subject area that they do not want to disclose**

10. Will financial inducements (other than reasonable expenses and compensation for time) be offered to participants? **Yes**

**It was intended that for completing diary work, volunteers will be given a £5.00 shop token to thank them when they return the documents. The voucher system was chosen to fit in with YOT policy – they do not allow cash inducements. In any case, no vouchers have been handed out as no diaries were handed back to me. All these issues will, of course, be discussed in depth in my final thesis.**

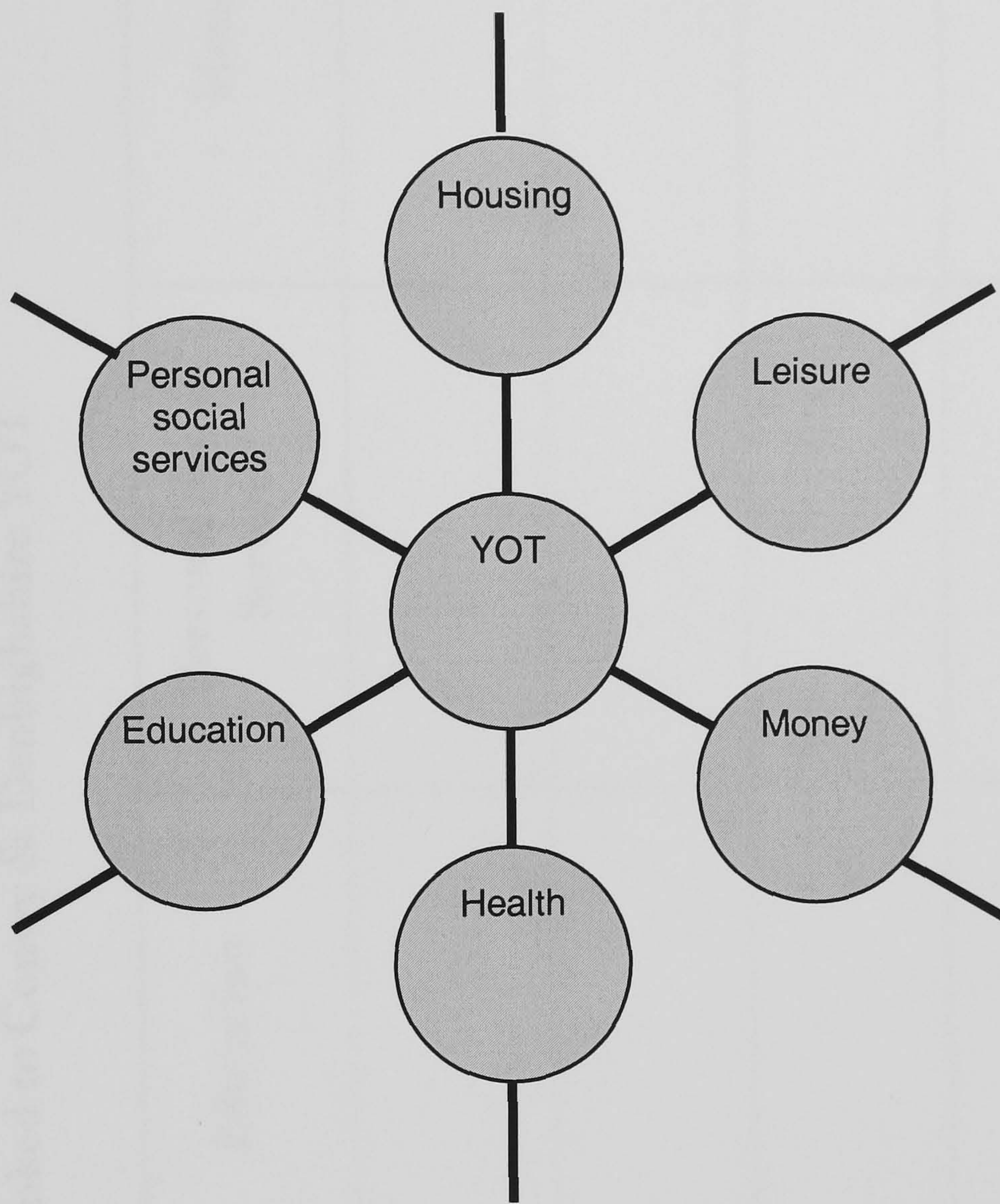
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**[Ethics accepted as appropriate by the College of Business, Social Sciences and Law Ethics Committee on 14<sup>th</sup> February 2007, confirmed by email from Dr Shanti Chakrabarty – retained for records]**



Appendix 2.2.f

Staff meeting research tool





**Appendix 2.2.f** (continued)

**Staff meeting research tool**

<b>Partnership agencies linked to Conwy &amp; Denbighshire YOT</b>					
<b>Housing</b>	<b>Health</b>	<b>Education</b>	<b>Personal Social Services</b>	<b>Money</b>	



## Appendix 2.2.g

### Prompt questions



## Food, Clothes and Shelter?

Welfare provision and the wellbeing of young people at risk of offending in Wales.

Nickname:

Gender:

Age:

Which programme?

### 1. Living Arrangements

Where do you live?

Who with?

Do you like it there?

What sort of place is it?

Where would you go to get help about housing? Council? School/College? YOT? Social Services?

What happened when you went to get help?

How many people did you have to see about your situation?

Where would you like to live if you had the choice?

### 2. Education, training and employment (ETE)

What do you do at the moment?

How long have you been doing it?

Do you like it there?

Who helps you with decisions about ETE? School/college? YOT? Careers?

What happens when you need advice?

What would you like to be doing if you had the choice?

### 3. Local area

What is your local area like?

What do you like about it?

What do you dislike about it?

Do you go to any clubs or anything?

Where would you find out about clubs etc?

How would you like to spend time in your area?

How long have you been in your local area?

If you had the chance to move from your area, would you go?

If so where would you like to go and why?



## **Appendix 2.2.g (continued)**

### **Prompt questions**

#### **4. Physical health**

Do you feel healthy?

If so why do you think you are healthy?

What helps you stay healthy?

If not - what would you change to make you feel healthier?

Who do you go to for help? Doctor? Nurse? Parent? Dentist? Hospital? Teacher? YOT worker?

Have you got a particular health problem that means you have to get regular medication?

What is it like when you go for help?

#### **5. Emotional and mental health**

Who helps you when you are fed up?

Do you ever go to organisations for help? CAHMS? YOT? Social Services? hospital?

What do you do to cheer yourself up?

How do you feel when you go to places for help?

Do you feel better or worse after getting help?

Is there anything that you think you need to get help for but you don't know where to go?

#### **6. Money**

Do you have any regular (legit) money coming in? (I don't want to know the story about any money from dodgy sources!)

What do you have to use your money for? Living costs? Leisure? Clothes? Food? Housing?

Roughly how much money do you think you need each week to get by on?

How would you like to be able to get enough money?

Who would you go to if you needed help about money?

What happens when you try to get help?

#### **7. Transport**

What transport do you generally use?

Why?

What stops you using certain kinds of transport?

What transport would you most like to use?

Do transport problems stop you doing the things you would like to do?

#### **8. Dreamworld**

What do you think is the one, most important thing that would help you to get your life sorted out?

What would you like to be doing in ten years time?

Where would you go to achieve this?

Do you think it might happen one day?

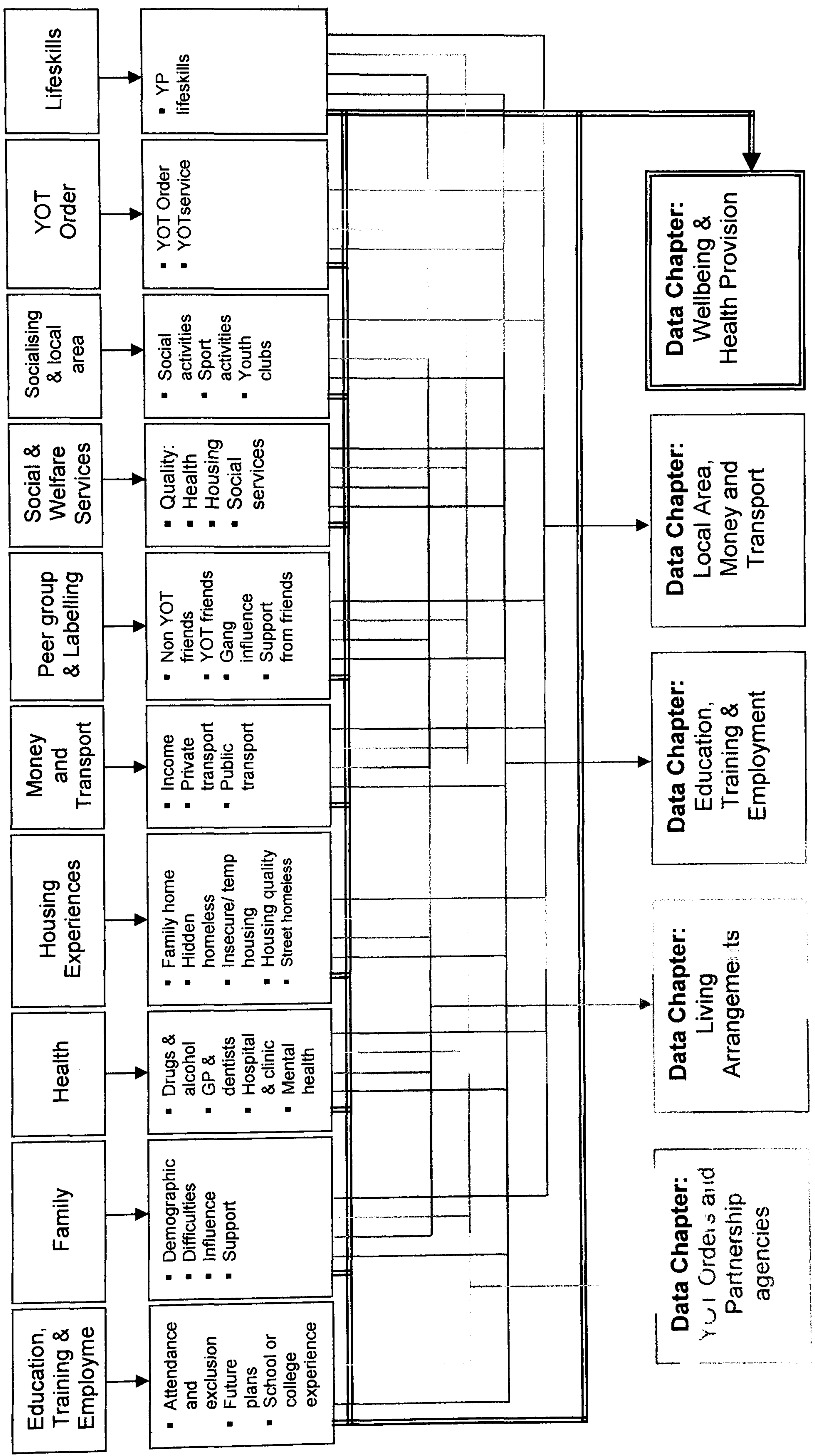
#### **9. Over to you**

Is there anything else you want to tell me?



**Appendix 2.2.h**

Data Analysis – tree nodes developed from the data using NVivo 7





## Appendix 2.3.a

### Crime and Disorder Act 1998: 39.

- (1) Subject to subsection (2) below, it shall be the duty of each local authority, acting in co-operation with the persons and bodies mentioned in subsection (3) below, to establish for their area one or more youth offending teams.
- (2) Two (or more) local authorities acting together may establish one or more youth offending teams for both (or all) their areas; and where they do so-
- (a) any reference in the following provisions of this section (except subsection (4)(b)) to, or to the area of, the local authority or a particular local authority shall be construed accordingly, and
  - (b) the reference in subsection (4)(b) to the local authority shall be construed as a reference to one of the authorities.
- (3) It shall be the duty of-
- (a) every chief officer of police any part of whose police area lies within the local authority's area; and
  - (b) every probation committee or health authority any part of whose area lies within that area, to co-operate in the discharge by the local authority of their duty under subsection (1) above.
- (4) The local authority and every person or body mentioned in subsection (3) above shall have power to make payments towards expenditure incurred by, or for purposes connected with, youth offending teams-
- (a) by making the payments directly; or
  - (b) by contributing to a fund, established and maintained by the local authority, out of which the payments may be made.
- (5) A youth offending team shall include at least one of each of the following, namely-
- (a) a probation officer;
  - (b) a social worker of a local authority social services department;
  - (c) a police officer;
  - (d) a person nominated by a health authority any part of whose area lies within the local authority's area;
  - (e) a person nominated by the chief education officer appointed by the local authority under section 532 of the Education Act 1996.
- (6) A youth offending team may also include such other persons as the local authority thinks appropriate after consulting the persons and bodies mentioned in subsection (3) above.
- (7) It shall be the duty of the youth offending team or teams established by a particular local authority-
- (a) to co-ordinate the provision of youth justice services for all those in the authority's area who need them; and
  - (b) to carry out such functions as are assigned to the team or teams in the youth justice plan formulated by the authority under section 40(1) below.



**Appendix 2.3.b****Agencies linked to Conwy and Denbighshire YOT**

Genesis Project	YOT Community Psychiatric Nurse	Conwy Education Department	Benefits agency
NACRO YOT Floating Support	School Nurses	Educational Social Workers	Citizen's Advice Bureaux
Conwy Local Authority Housing Department	Young Person Substance Misuse Service	Youth Choices (NACRO)	NACRO Floating Support – budgeting advice
Denbighshire Local Authority Housing Department	Child and Adolescent Mental Health Service	Abergele Youth Action Group	Welsh Assembly Maintenance Grant
NACRO Supported Housing	Local general practitioners	Youth Gateway	Main stream Schools
Tai Hafan	Parenting Groups	North Wales Training	Denbighshire Education Department
North Wales Housing Association	Detox Units – Hafod Wen	Second Chance	Conwy Education Department
TAI Clwyd	Young Peoples Partnership	Pupil Support Unit	Educational Social Workers
Social Services	Conwy Child Concern Model (in development)	Denbighshire Looked After Children Education Officer	Youth Choices (NACRO)
Wales and West	Health Visitor	Duke of Edinburgh Scheme	Education Psychology Service
Clwyd Alyn Housing Association	Conwy Therapeutic Services	Llandrillo College	Parentline Plus
'Moving On' project	Tim Dyffryn Clwyd	Rhyl College	Working Links
Voice of the Community (Rhyl)	Adult mental Health services (for 16 – 17 year olds not in education) NHS Health line	NACRO Skill Build scheme	YOT Education specialist
Gisda Hostel	Emergency dental services	MASE: Music and sound experience	CCVA – Conwy Council for Voluntary Action
Noddfa Hostel	Community Midwives		



## Appendix 2.4.a

### Comparison of homelessness information

<p style="text-align: center;"><b>Conwy Homelessness Information</b></p>	<p style="text-align: center;"><b>Denbighshire Homelessness Information</b></p>
<p><b>Are you homeless? Are you in danger of becoming homeless?</b> If the answer is 'Yes,' this leaflet will tell you how we can help you.</p>	<p><b>Are You Homeless?</b> Lots of people find themselves without permanent accommodation for many different reasons. Denbighshire's Homelessness Prevention Service is here to help you keep or find a home.</p>
<p><b>First step</b> Your first step is to phone the homeless prevention team on 01492 576271. If you are already homeless, the prevention team will put you in touch with the housing advice team. If you are in danger of becoming homeless, the prevention team will try to help you. They can talk to your landlord, talk to the Housing Benefit department, put you in touch with debt counsellors and help you get specialist advice. Sometimes, they will decide that they cannot stop you becoming homeless. If they decide this, they will put you in touch with the housing advice team.</p>	<p><b>What to do if you are Homeless?</b> The earlier you get advice about a problem you might have with your housing, the more possibility there is to help you. You can ask to discuss your housing options with us and there are other agencies who can give you housing advice. If you will definitely be homeless within the next four weeks you can request a formal interview with the Homelessness Prevention team.</p>
<p><b>The housing advice team</b> You cannot contact the housing advice team direct. If you think you need help from the housing advice team, you need to phone 01492 576271 and speak to the prevention team first. If the prevention team refer you to the housing advice team, someone from the team will talk to you. This is called a 'homelessness interview.' They will find out more about your situation and decide whether they have a duty to help you. The law says they have a duty to provide some homeless people with accommodation. These people are called 'priority need' groups. Priority need groups are people:</p> <ul style="list-style-type: none"> <li>• with dependent children under 16;</li> <li>• who are pregnant;</li> <li>• who are homeless because of fire, flood or another disaster;</li> <li>• who are 16 or 17;</li> <li>• who have left care, up to the age of 21;</li> <li>• who would be at risk of domestic or other violence if they stay where they live at the moment;</li> <li>• who were in the armed forces and have been homeless since they left; and</li> <li>• who have been in prison and have been homeless since they were released, as long as they have a local connection.</li> </ul> <p>If the team decides that you are in one of the priority need groups, they may be able to help you get accommodation. If they decide that you have done something to make yourself homeless (such as not paying your rent or antisocial behaviour), they may only be able to offer you accommodation for a limited time even if you are in priority need.</p> <p>If the team decides that you are not in one of the priority need groups, they can give you advice on housing options.</p>	<p><b>What does being Homeless actually mean?</b> People often (understandably) confuse being in housing need, or wanting alternative accommodation, with being 'threatened' with homelessness. Homelessness occurs when a tenancy or a licence comes to an end and usually requires proper notice.</p> <p><b>What will I be asked?</b> You will be asked detailed questions about your circumstances. This is to enable us to decide; whether you have a priority need, if your particular homelessness situation is covered by the law, and whether the Council has a duty to provide you with a home.</p> <p>You may be in priority need if you:</p> <ul style="list-style-type: none"> <li>* are pregnant</li> <li>* have dependent children living with you</li> <li>* are over 60 years of age</li> <li>* are unable to find your own house because you</li> <li>* are ill or disabled</li> <li>* are homeless because of a fire or flood</li> <li>* are 16 or 17 years old</li> <li>* are leaving the armed forces</li> <li>* have been directly released from prison to no fixed abode</li> </ul> <p>You will be asked to provide proof of your circumstances and your residence. This information will be recorded and used to decide the help the Council can give you.</p> <p>If, you are in priority need with absolutely nowhere to go, one of our officers will find you temporary accommodation so that you will have a place to stay whilst the council complete their investigations.</p>



## **Appendix 2.4.b**

### **Recommendations of the Social Justice and Regeneration Committee**

**1:** Within the context of the Beecham Review agenda, the Welsh Assembly Government should ensure, through its homelessness strategy and by monitoring the level and extent of service provision, that the extent and quality of service provided to young homeless people is consistent across Wales and that it is available where it is needed. Local authorities should be given support and guidance to establish regional partnerships to deliver effective services for homeless young people.

**2:** The Welsh Assembly Government, local authorities and the voluntary sector should work in partnership to simplify the current complex system of access to and information about the services available to young homeless people.

**3:** The Welsh Assembly Government should assess the need for and, where necessary, provide adequate funding for dedicated homelessness services for young people.

**4:** The Welsh Assembly Government should issue guidance to local authorities on 'joined up' working on all aspects of youth homelessness both within the local authority and with external partners to increase the amount of cross departmental and multi agency working and improve the service provided to young homeless people.

**5:** The Welsh Assembly Government, local authorities and the voluntary sector should involve service users in all aspects of planning and policy making for services for homeless young people.

**6:** The Welsh Assembly Government should develop a pathways approach for children and young people who are identified by Social Service Departments, Youth Offending teams or Voluntary sector organisations as being potentially vulnerable as they grow up. These pathways should be designed to try to ensure that the individual child or young person has the best chance possible of leading a fulfilling life in mainstream society.

**7:** The Welsh Assembly Government should issue guidance on the conducting of reviews at key points in the life of a young person identified as vulnerable. These reviews should be multi-agency and should be used to identify potential crisis points in the young person's life as well as the specific support and help needed by the young person.

**8:** The Welsh Assembly Government should require (rather than encourage) all local authorities in Wales to provide high quality, effective mediation services which are readily available to homeless and potentially homeless young people.

**9:** The Welsh Assembly Government should monitor and evaluate the success of mediation services provided for homeless young people in Wales on an ongoing basis to ensure that the high level of success is being maintained.

**10:** The Welsh Assembly Government should identify good practice in the dissemination of information about homelessness service for young people and should ensure that this good practice is shared amongst local authorities and the voluntary sector.

**11:** Local authorities in Wales should explore using innovative solutions for dealing with homeless young people under the age of 18; for example, the Swansea model which uses the Children's Act rather than homelessness legislation.

**12:** Local authorities in Wales should review the application of homelessness legislation to homeless young people aged under 25 and seek to involve as many local authority departments and outside agencies as is appropriate in their care.

**13:** The Welsh Assembly Government should review the application of the housing options approach to people under the age of 25 and require local authorities to have a cross-sectoral approach to dealing with them.

**14:** The Welsh Assembly Government should revise their Homelessness Strategy and guidance to local authorities to reflect the evidence that the private rented sector is not always an appropriate housing option for homeless young people. They should work closely with private landlords to ensure that any accommodation used to house homeless young people is appropriate.



**Appendix 2.4.b** (continued)**Recommendations of the Social Justice and Regeneration Committee**

**15:** The Welsh Assembly Government should examine the principles by which young people are declared intentionally homeless and issue guidance to local authorities to ensure that unfairness and inequalities do not occur.

**16:** The Welsh Assembly Government should explore with its colleagues in Westminster, gaining the powers to change legislation in Wales as regards intentionality to enable Welsh local authorities to have the same requirement as those in Scotland in relation to people aged under 25 (i.e. not to have to test for intentional homelessness).

(The following recommendation represents the view of the majority of the Committee. Two Members of the Committee did not accept the recommendation in this form and would have preferred an alternative form of wording.)

**17:** The Welsh Assembly Government should continue to pursue with the UK government the granting of powers to suspend the right to buy scheme in Wales.

**18:** The Welsh Assembly Government should provide full support to local authorities to ensure that any stock transfer agreements include a contractual obligation to the provision of housing for vulnerable groups.

**19:** The Welsh Assembly Government should support and encourage all local authorities in Wales to phase out the practice of using bed and breakfast accommodation for homeless people under the age of 25 for more than 2 to 6 weeks.

**20:** The Welsh Assembly Government should carry out research into the number and availability of bed spaces for homeless young people in Wales and consider ways of funding the creation of additional bed spaces.

**21:** That the Welsh Assembly Government, in partnership with local authorities and the voluntary sector, examines the number of places available exclusively for the use of homeless young people and produces a strategy for increasing these places as and where needed.

**22:** The Welsh Assembly Government should work with the voluntary sector to identify good practice in the provision of supported accommodation for young homeless people. It should use that good practice to produce a strategic model for the provision of supported accommodation for young homeless people across Wales.

**23:** The Welsh Assembly Government to investigate the use of its new powers after May 2007 to introduce a Welsh short tenancy system, similar to the Scottish system of shorthold tenancies.

**24:** The Welsh Assembly Government continues to make the strongest representations to the UK government to end the Single Room Rent restriction.

**25:** The Welsh Assembly Government to investigate the use of its new powers from May 2007 to provide additional funding to young people under the age of 25 to supplement the Single Room Rent. This should be seen as an interim measure and the Welsh Assembly Government should continue to strongly urge their colleagues in Westminster to amend primary legislation.

**26:** That the Welsh Assembly Government continues discussions with their colleagues at the Department of Work and Pensions on ways to address the anomalies in the benefits system which affect homeless young people in Wales.

**27:** The Welsh Assembly Government should urgently review its policy and guidance for care leavers. It should require local authorities, working in partnership with the voluntary sector, to produce, implement and monitor individual support plans for all young people leaving care.

**28:** The Welsh Assembly Government should explore ways of providing additional funding for specific homelessness GP services and should encourage more GPs in Wales to use the GP contract to provide enhanced services to homeless young people.

**29:** The Welsh Assembly Government should work with rural local authorities and the voluntary sector to address the problems of homelessness in rural areas and seek innovative solutions to them.



## **Appendix 2.5.a**

### **Wales Assembly Government**

#### **A Learning Country (2001:8)**

#### **Developing the Learning Country**

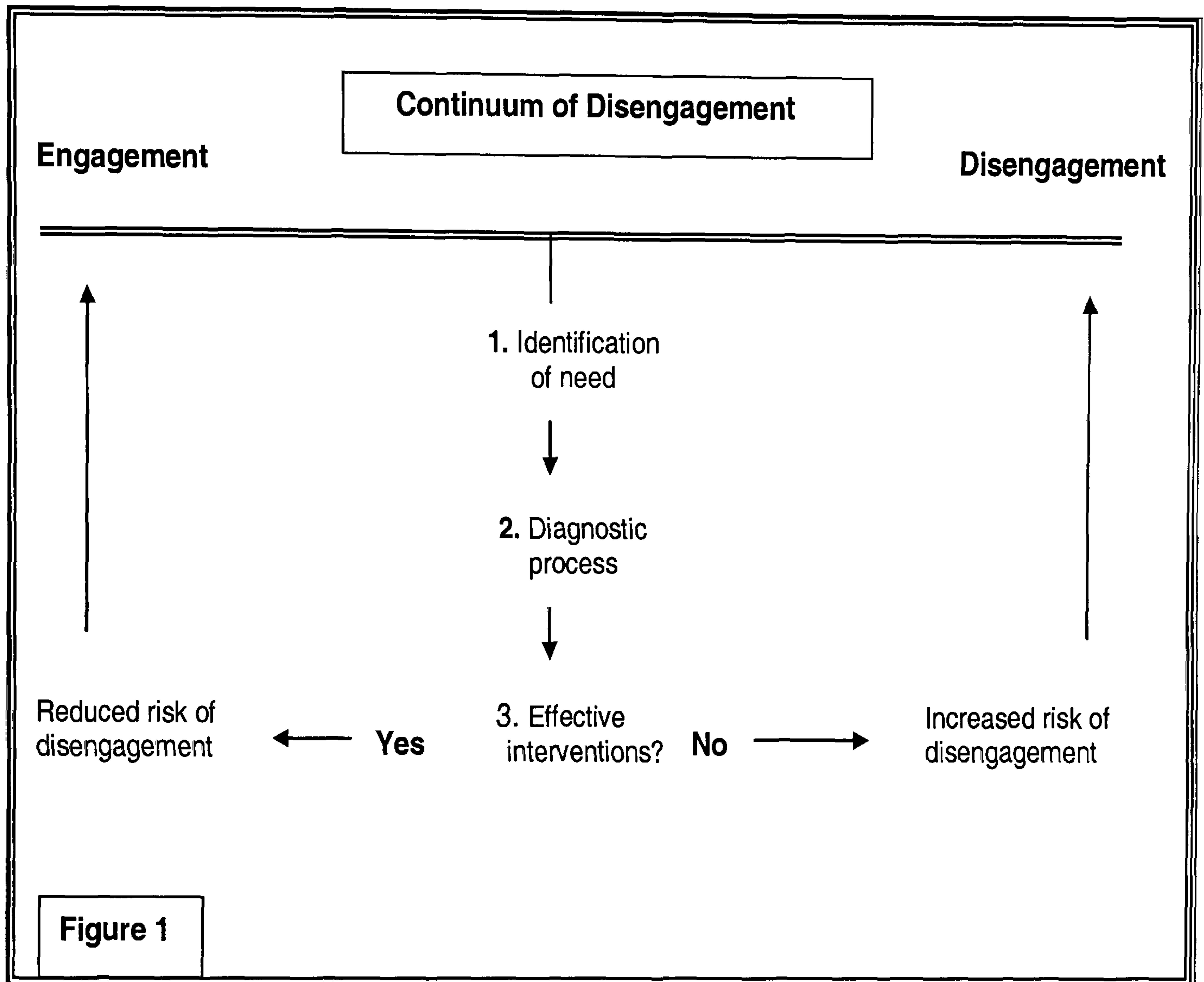
**9.** Our goal is for Wales to have one of the best education and lifelong learning systems in the world.

- **We** want Wales to be a learning country, where high quality, lifelong learning provides the skills people need to prosper in the new economy, liberates talent, extends opportunities and empowers communities.
- **We** want all our young people to have the best start in life, the opportunity to reach their full potential, and a clear entitlement to influence the services that affect them.
- **We** want to drive up standards of teaching and attainment in all our schools, valuing and supporting the teaching profession to achieve this.
- **We** shall ensure that the benefits of improvements are enjoyed by all, in a fully comprehensive system of learning that serves all our local communities well.
- **We** want learning to be an every day part of working, and non-working life, in which the interest of learners come first.
- **We** want to strengthen the contribution of education and training to economic development as set out in the National Economic Development Strategy consultation document.



## Appendix 2.5.b

### Continuum of Disengagement (McKay and Neal, 2007:4)



The continuum of disengagement (Figure 1) demonstrates how flaws in the existing SEN process can affect the educational outcomes of children and young people. A pupil may enter the SEN process at point 1 when a need is first identified. Formal diagnosis will take place at point 2 and appropriate interventions proposed. If these are effective at point 3, then measures are successful and the risk of disengagement is reduced. However, if the interventions fail to meet the need, pupils move along the continuum of disengagement and interventions will become more punitive. As a result of this, there is an increased risk of long term exclusion from mainstream education. This in turn affects the risk of offending behaviour as it is accepted that those not in education, employment or training are more likely to be involved in crime (Graham and Bowling 1995, NACRO 2000, Gavin & Kirk 2001, British Dyslexia Association/Bradford YOT 2004, Barnard, Prior & Potter 2000, Berridge et al 2001, YJB).



## Appendix 2.6.a

### **Extract from Welsh Assembly Government strategy document Everybody's Business – Child and Adolescent Mental Health Services (2001:26)**

#### **Tier 1: Primary or Direct Contact Services**

Regardless of sector, Tier 1 describes the frontline of service delivery as the public has direct access to its components. Its staff are not necessarily trained as specialists in mental health. But, by virtue of their first contacts with, and their continuing responsibilities for young people and/or their families, staff in front line direct contact services, are well placed to recognise, assess and intervene with children's mental health problems. These staff require basic skills in assessment and intervention practices. It is neither best for the young people nor an effective or efficient use of slender specialist resources if children and adolescents who may or may not have a mental health problem generally go immediately or directly to more specialist services. In order to discharge their responsibilities, staff at Tier 1 require training, consultation and support from Tier 2 and ease of access for cases to it. Tier 1 staff include GPs, many other primary healthcarers, health visitors, school nurses, teachers and other school staff, non-specialist children's social workers, foster carers and many non-statutory sector workers.

#### **Tier 2: Services Provided by Individual Specialist CAMHS Professionals**

Tier 2 is the first line of specialist services. The staff include members of health-provided specialist CAMHS, the staff of the education support services including educational psychologists and specialist teachers and specialist children's social workers as well as some staff of voluntary organisations. Usually, families are directed to Tier 2 Services by staff working in Tier 1 though this does not have to be the only referral route. Together, the functions delivered at Tier 2 are those required in each local authority area. Frequently, staff work as members of teams to which they may refer. Families may meet single members of staff from each agency involved. While effective liaison between service components is important and potentially time consuming at Tier 2, this factor in itself does not define such a service as a Tier 3 service.

#### **Tier 3: Services Provided by Teams of Staff from Specialist CAMHS**

Services at Tier 3 are more specialised. Some young people and their families may require access to them as a consequence of the complexity of their need, the concentration of skill required or the crucial nature of the inter-service and/or inter-agency planning required to deliver a targeted programme of interventions and care. It may not be efficient or appropriate to provide all modalities of such specialised care in each local authority area but each service at Tier 2 requires access to a definable range of Tier 3 services. Many NHS-based specialist CAMHS are now moving towards working on a 'hub and spoke' model with Tier 2 functions delivered locally and Tier 3 provided at central but accessible locations. Services at Tier 3 include a variety of specialised clinics, day-care services, special units in certain schools, specialist fostering and social services-led specialised family intervention centres. An example of the distinction between Tiers 1, 2 and 3 is that of the family work required by many cases. At Tier 1, this might amount to simple family assessment, discussion or counselling. At Tier 2, there should be the ability to routinely conduct systematised family therapy while, at Tier 3, certain young people may require particular forms of focused and intensive family therapy practised by a team that works together regularly. These teams may be composed of staff drawn from a variety of different agencies.

#### **Tier 4: Very Specialised Interventions and Care**

Very specialised services that may not need to be available in each district but to which the local specialist CAMHS require predictable access are termed Tier 4 functions. They include very specialised clinics that are only supportable on a regional or national basis, inpatient psychiatric services for children and adolescents, residential schools and very specialised and residential social care.



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