

Institution: The University of Edinburgh
Unit of Assessment: 20 Law
Title of case study: Case Study 1: Enhancing the effectiveness of youth justice policy and practice
<p>1. Summary of the impact</p> <p>Since 1997, the Edinburgh Study of Youth Transitions and Crime (ESYTC) has generated new knowledge about youth offending and the impact of interventions. This has led directly to reform in youth justice policy and practice in Scotland, and has had influence internationally. Two examples of impact in the period are: (i) providing the 'sole basis' for amendment of the Children's Hearings (Scotland) Act 2011, concerning the status of childhood offences at Children's Hearings; (ii) providing the evidence base for Scottish Government reforms to youth justice and national implementation of the 'Whole System Approach' (WSA), resulting in a reduction in offending.</p>
<p>2. Underpinning research</p> <p>ESYTC is a prospective longitudinal study of pathways into/out of offending amongst a cohort of around 4300 young people in the city of Edinburgh. Established in 1997 under the leadership of David J Smith (Edinburgh 1994-2004) and Lesley McAra (appointed in Edinburgh 1995), and managed throughout by Susan McVie (appointed in Edinburgh 1998), ESYTC is one of the largest single-age cohort studies of its kind in the world and is one of a small number of studies in this field that have been influential worldwide. The study is innovative in its design in terms of breadth of coverage (using a census approach to maximise inclusion), complexity of data management (including development of multiple datasets), and extent of data linkage (combining data from surveys with various administrative sources). Data collection has included six annual sweeps of self-report surveys from cohort members (age 12-17); official records from police, social work, children's hearings, schools and criminal convictions records; surveys of parents and teachers; a community survey; and compilation of a Geographic Information System incorporating census and police-recorded crime data. A follow-up self-report survey sweep (age 24/25) was recently completed for a sub-sample of the original cohort.</p> <p>The research has been guided by an expert Advisory Group (chaired by Professor Sir Michael Rutter), including senior academics and representatives from Scottish Government, Lothian and Borders Police, City of Edinburgh Council Social Work and Education Departments, Scottish Children's Reporter Administration, Scottish Prison Service, Crown Office and Procurator Fiscal Service, and several voluntary bodies that work with young people. These organisations have contributed to the research in terms of facilitating access and advising the research team; and benefited from it through receiving research briefings, bespoke seminars and presentations, direct dialogue and advice on policy and practice. ESYTC has an exceptionally strong public-policy focus across the UK, as evidenced by close working relationships with policy-makers and practitioners through activities such as: direct engagement with politicians; expert testimony; advisory and awareness-raising activities; and KE events for central and local government and other organisations. The success of the research has been facilitated by the marriage of McAra's theoretical insights with McVie's advanced quantitative expertise, both often drawing from disciplines outside criminology, to generate new understanding about youth offending.</p> <p>The high quality of the ESYTC research has been enhanced by linking self-report offending data with official data on both juvenile and adult criminal-justice processes. Robust analysis of these data has resulted in a series of high-impact academic publications that highlight four key findings and upon which the claimed impact is based:</p> <ol style="list-style-type: none"> 1. Involvement in serious offending is strongly linked to multiple aspects of vulnerability and social adversity amongst young people.

2. Early identification of at-risk children is imprecise, and inappropriate use of formal controls risks recycling young people around the justice system, irreversibly stigmatising them, with negligible beneficial effect.
3. Pathways out of offending are facilitated or impeded by critical moments in the early teenage years, particularly experience of exclusion from school.
4. Appropriately targeted diversionary strategies can facilitate desistance from serious offending.

3. References to the research

Grants

Two ESRC grants totalling £675,000 (the end of award report in 2003 was rated as 'outstanding'); five Nuffield Foundation grants totalling £535,000; three Scottish Government grants totalling £303,000 plus secondment of a Principal Researcher (60% for 9 months) and a Research Associate (60% for 3 months).

Publications

(3.1) L McAra and S McVie, 'The Usual Suspects? Street-life, Young People and the Police' (2005) 5 *Criminal Justice* 5-35 [doi:[10.1177/1466802505050977](https://doi.org/10.1177/1466802505050977)]

(3.2) L McAra and S McVie, 'Youth Justice? The Impact of System Contact on Patterns of Desistance from Offending' (2007) 4 *European Journal of Criminology* 315-45 (Reprinted three times in: Farrall and others 2010; Little & Maughan 2010; and Goldson & Muncie 2009) [doi:[10.1177/1477370807077186](https://doi.org/10.1177/1477370807077186)]

(3.3) L McAra and S McVie, *Criminal Justice Transitions* (2007) Edinburgh Study of Youth Transitions and Crime, Research Digest No. 14. (Policy digest report produced for Scottish Government) [http://www.research.ed.ac.uk/portal/files/9197175/3_676_criminaljusticetransitions.pdf]

(3.4) L McAra and S McVie, 'Youth Crime and Justice: Key Messages from the Edinburgh Study of Youth Transitions and Crime' (2010) *Criminology and Criminal Justice* 179-209 [doi:[10.1177/1748895809360971](https://doi.org/10.1177/1748895809360971)]

(3.5) L McAra and S McVie, 'Negotiated Order: Towards a Theory of Pathways into and out of Offending' (2012) 12 *Criminology and Criminal Justice* 347-76 [doi:[10.1177/1748895812455810](https://doi.org/10.1177/1748895812455810)]

4. Details of the impact

ESYTC has had an impact in two main ways:

a. Providing the evidence base for the Scottish Government's reforms to youth justice and thereby supporting reductions in offending

The findings on the effectiveness of policing and youth-justice interventions (McAra and McVie 3.1, 3.2, 3.3 and 3.4) formed the evidence base for the Scottish Government's recent reforms to youth justice, including the Early and Effective Intervention Programme for under 16s and the Whole System Approach for under 18s. The Whole System Approach, in particular, was developed to deal with high-risk young people involved in offending and represents a major shift away from punitive measures towards maximum use of diversion, a key focus being to keep 16 and 17 year-olds out of the criminal justice system. The Whole System Approach has been promulgated by the Scottish Government as "an effective way of working" because it is underpinned by the ESYTC evidence that intensive system-contact can have detrimental

consequences for offending behaviour and longer-term life chances (5.5).

The Early and Effective Intervention Programme has now been rolled out nationally. The Whole System Approach was piloted by Northern Community Justice Authority in 2010 and, on the basis of positive early evaluation, was rolled out nationally to all 32 Local Authorities in September 2011, along with guidance that draws heavily on ESYTC findings. All but two Local Authorities in Scotland are currently signed up to adopting the WSA (5.4).

These measures resulted in major and significant reductions in offence referrals to the Scottish juvenile justice system. According to Daniel Kleinberg, Ex-Head of Youth Justice in Scottish Government:

The following statistics are evidence of some of the success seen in action on the insights contained within the Edinburgh Study –

1. Nationally, since 2007/8 offence referrals to the children's reporter have fallen by 66%, from 16, 490 to 5,604 in 2011/12, with a 31% reduction from 2010/11 to 2011/12.
2. Since 2008-9 the Policing Performance Framework has collected data on youth crime: the number of recorded crimes and offences committed by children and young people (8-17 year olds) decreased by 32% between 2008-09 and 2011-12. The number of children and young people (8-17) who committed crimes and offences decreased by 9% between 2010-11 and 2011-12. (5.2)

The longer-term implications have been confirmed by Kenny MacAskill, Cabinet Secretary for Justice: 'The work they [McAra and McVie] have done on the Edinburgh Study of Youth Transitions and Crime has been important in providing the underpinning evidence for the approach this Government has taken to youth justice issues. The more we resort to formal measures in dealing with children, the greater the risk we draw them further into the system. So we need to use those measures very carefully, and in a way that tackles the needs, not merely the deeds, of all young people who offend.' (5.3)

Confirming the 'significant impact' that the work of McAra and McVie has had on the 2005-2010 Labour and 2010- Coalition governments in England and Wales, as developed by the Youth Justice Board (YJB), ex-Chief Executive of the YJB, John Drew, has stated: '...the Edinburgh study is the most significant large scale piece of research in this area undertaken in the last several decades and needs careful review by all policy makers and practitioners working in this area.' (5.8)

b. Influencing amendment to the Children's Hearings (Scotland) Act 2011

The age of criminal responsibility in Scotland (currently age 8) is one the lowest globally. The children's charity Action for Children Scotland used ESYTC findings about poor long-term outcomes for children dealt with through the Children's Hearing System as supporting evidence for their report 'Where's Kilbrandon Now?' (2010). This report examined proposals for reform to the youth justice system via the Children's Hearings (Scotland) Bill. It stated: 'The [Edinburgh] Study offers a huge amount of information and analyses on the lives and fortunes of these children and the connections between socio-economic circumstances, parenting, interventions, school exclusions and crime. This should be of immense interest and use to government, councils and panels in shaping the services needed and avoiding the mistakes of the past.' (p 11) (5.6).

McAra joined the Children's Hearings (Scotland) Act 2011 Working Group. According to senior members of Scottish Government, the evidence from the ESYTC was used as the 'sole basis' for changes to the Children's Hearings (Scotland) Act 2011 (Part 18, section 188) to ensure fewer children have minor childhood transgressions disclosed to future employers and that offences admitted at Children's Hearings no longer count as convictions, but as alternatives to prosecution (5.7).

5. Sources to corroborate the impact

(5.1) McAra and McVie were jointly awarded the Howard League Research Medal 2013. The medal is awarded for outstanding research with real-world impact:

<http://www.howardleague.org/research-medal-winners-2013/> or (<http://tinyurl.com/oel4ob6>)

(5.2) Testimonial from Ex-Head of Youth Justice, Children and Family Division, Scottish Government [to be supplied by HEI on request] This provides concrete evidence and statistics on the reduction of offence referrals and youth offending in Scotland as a direct result of the Whole System Approach adopted by government that is based on the underpinning research.

(5.3) Testimonial from Cabinet Secretary for Justice at the 4th Annual Youth Justice Conference on 13th June 2012, Dundee:

<http://www.scotland.gov.uk/News/Speeches/youthjusticespeech13062012> or

(<http://tinyurl.com/o42jwcb>) This is evidence of the significance of the political policy change on approaches to youth offending that is directly attributed to the underpinning research.

(5.4) Northern Community Justice Authority interim report on Scottish Government Whole Systems Approach: <http://www.scotland.gov.uk/Resource/Doc/925/0121352.pdf> or

(<http://tinyurl.com/o4qtdtr>) This provides evidence of the extended reach of the Whole System Approach across Scottish local authorities, with all but two committed to its adoption.

(5.5) Scottish Government website on the Whole Systems Approach:

<http://www.scotland.gov.uk/Topics/Justice/crimes/youth-justice/reoffending> or

(<http://tinyurl.com/nvyldgr>) This provides details of the Whole System Approach itself and its endorsement by Scottish Government.

(5.6) Action for Children Scotland's report 'Where's Kilbrandon Now?':

http://www.actionforchildren.org.uk/media/1152872/wheres_kilbrandon_now_march_2010.pdf or

(<http://tinyurl.com/ony3qde>) This provides evidence of independent uptake of the research and acknowledgement of its wide-ranging importance for policy and law reform.

(5.7) Children's Hearings (Scotland) Act 2011: <http://www.legislation.gov.uk/asp/2011/1/contents>

or (<http://tinyurl.com/o47moup>) This legal text in Part 18, section 188 demonstrates directly the incorporation of core findings of the research to ensure fewer children have minor childhood transgressions disclosed to future employers and that offences admitted at Children's Hearings no longer count as convictions.

(5.8) Testimonial from Ex-Chief Executive of the Youth Justice Board for England and Wales [to be supplied by HEI on request] This corroborates the claim to both the significance and extended reach of the research beyond Scotland and the relevance and importance of the findings for all law and policy makers concerned with youth offending.