



# POLICING YOUNG PEOPLE

## Youth Justice - A Police Perspective



The amount of media attention that youth crime is currently receiving might lead one to believe that this is a modern phenomenon, but statistically the teenage group has always featured prominently both in offence and arrest statistics. Much youth offending is opportunist and petty in its nature but unless effectively dealt with may lead to further more systematic and serious offending. High levels of juvenile crime are held by some to indicate that current procedures are ineffective, but is this true?

Both the development of police cautioning since 1984 and a reduction in the number of juvenile prosecutions over the same period have coincided with a general increase in the level of crime attributable to young people. Critics are not slow to suggest that this is due to a 'soft' approach, but there is no clear correlation. The reverse may actually be the case. Statistics now available indicate that, of those juvenile offenders who receive an official police caution, 70% will not come to the notice of police again. Of the 30% that do re-offend and who receive another police caution, a further 70% will not come to the notice of police again. These figures indicate that, in the majority of cases, young people grow out of crime.

### Cautioning

The current level of police cautioning (in London alone in the twelve months between April 1991 and March 1992, police administered over 12,000 cautions) has led to the comment that the police are acting as gatekeepers to the criminal justice system, and are in effect providing an extra tier of case disposal. Thus only those offenders who have committed serious offences, or a string of less serious offences, find themselves in court. Sentencing tariffs available to

the court assume however that offenders should be given the opportunity to mend their ways in the first instance - thus the availability of discharges. Cautions have already performed this function. At what level then should sentencing start? Whilst this may create a dilemma for the magistracy, few would dispute that keeping young people out of the criminal justice system is in their best interests.

### The '5 percenters'

#### In the majority of cases, young people grow out of crime.

The success of cautioning in dealing with the "casual" juvenile offender who will grow out of offending is not repeated in respect of the small minority of offenders who persist in re-offending. This group, the so-called "5 percenters", is responsible for some 60% of the crime committed within their age group. Their first conviction has usually come at an early age and the cautioning system has proved ineffective. It is a sad fact that the juvenile criminal justice system appears to be no more effective in dealing with them. The Criminal Justice Act policy of keeping the sentencing level commensurate with the seriousness of the offence under consideration rather than allowing sentences to be influenced by past convictions will mean that a ceiling tariff will be reached which will not take offending trends into account.

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The requirement that Youth Courts be in possession of pre-sentence reports before passing custodial or community sentences presents its own problems. Persistent recidivists are no respecters of bail, and the chronic shortage of secure accommodation for remanded juveniles who are unsuitable for bail means that a significant number of such offenders have to be released back into the community where they will offend again, to the frustration of magistracy and police alike.

If effective methods can be found which address the offending of these young recidivists, it would not be unrea-

sonable to anticipate a fall in youth crime. The reality is that the criminal justice system is so far from achieving this that the solution will have to be sought in other directions.

*Chief Inspector Doug MacNicoll heads the Youth Affairs Section of the Metropolitan Police. New Scotland Yard.*

#### The best class of boy - that is, the hooligan.

Lieutenant-General Sir Robert S.S. Baden-Powell, speech to the National Defence Association, Piccadilly Hotel, London, 6 May 1910.



#### 'They are the genuine article - real Hooligans....'

*The boys affect a kind of uniform. No hat, collar or tie is to be seen. All of them have a peculiar muffler twisted around the neck, a cap set rakishly forward, well over the eyes, and trousers very tight at the knee and very loose at the foot. The most characteristic part of their uniform is the substantial leather belt heavily mounted with metal. It is not ornamental, but then it is not intended for ornament.'*

The Daily Graphic (16 November 1900)

Quotations from 'Hooligan. A History of Respectable Fears'. Geoffrey Pearson. Macmillan 1983.