

Conference

Criminal Justice Conference

Juvenile Justice

21/23 March 1995

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I attended this Conference and very much enjoyed the event. I had never been to any similar Conference and was a little bit suspicious of the process. On the one hand I was flattered to be asked to address the Conference, on the other hand my expectations were not high. I was wrong. The Conference brought together an extremely wide group of people across the Criminal Justice scene and I believe the outcome was very positive.

The Conference was introduced by John Halliday, the Deputy Under Secretary of State at the Home Office. He welcomed the Conference participants and said that this was one of a series of Criminal Justice Conferences which had begun in 1989. The aim was to bring people together to discuss issues of relevance to them all, to look in particular at interactions and knock-on effects within the Criminal Justice process. The product was what people took away individually. The programme had been set up under the auspices of the Criminal Justice Consultative Council when that body was set up in 1992.

Mr Halliday went on to point to the rapid changes which had taken place in the last few years, in particular the Criminal Justice Act of 1991 and the Criminal Justice and Public Order Act of 1994 providing for secure training centres. There was also fresh Home Office guidance on cautioning.

He went on to say that the reduction in the use of custody in the 1980s had now been checked and partially reversed, with the prisoner population reaching record levels. All of this was taking place against a background of public concern and with media attention focused on how the Criminal Justice system dealt with juvenile crime.

The next presentation was called 'A Portrait of Juvenile Crime' and it was presented by Gordon Barclay of the Research and Statistics department of the Home Office. He looked at some of the statistics of crime and young offenders. One of the

key questions asked was 'Is Crime Increasing?'. Most crime was vehicle crime, six per cent was violent crime, two thirds was less serious violence. Since 1988 burglary and vehicle crime had risen most – crime with which young people were involved. Now there was a slight drop. In the last year sexual offences, robbery and violence against the person had shown the greatest increase.

There were considerable variations between police force areas in crimes recorded per 100 population, but in comparison with other countries in Europe between 1987 and 1993 crime in England and Wales had risen the most.

The age breakdown for known offenders found guilty or cautioned for indictable or offences showed 43 per cent aged 10-20. The peak age of offending was about age 18 for males, 15 for females. Looking at the trend since 1983, the numbers dropped by age band, the biggest drop for the youngest. When adjusted for population, 18-20 year olds were up 20 per cent, 14-17 showed some decline, 10-13 declined. Demography did not account for the drop for the 10-13 age group. For females there was more of an increase.

The nature of offences committed changed with age, but there had been an increase in drug offences over all age groups. In the last 10 years there had been different patterns between age groups and between offences.

A research project revealed that 35 per cent of males born in 1953 had been convicted of a Standard List offence by age 35. The six per cent convicted of six or more offences accounted for about 60 per cent of convictions. It was interesting to be informed that 16 - 24 was the peak age for being the victim of an assault.

Subsequent discussion focused on the fact that the figures did not indicate an explosion in juvenile crime.

Charles Clark, Assistant Chief Constable from Essex Police gave a talk called 'The Initial Response of the Criminal Justice System' and spoke about the decision making and disposals

made by the police, in particular cautioning. This was a very interesting talk which identified disparities in cautioning rates amongst police forces. He said that research showed that the cautioning rate varied between forces from 48 per cent to 96 per cent and that cautioning rates could vary between divisions in the same force (58 per cent to 38 per cent in one case). There was evidence that cautioning was being used as an alternative to no further action rather than to prosecution. This situation had led to a review which had produced a new Home Office Circular (59/1990) which had established national standards for cautioning.

The purpose of a formal caution was:

- to deal quickly and simply with less serious offenders
- to divert them from the criminal courts
- to reduce the chances of their re-offending.

Research in 1991 following the introduction of the new Home Office Circular showed that cautioning rates continued to vary widely between regions, between police forces and within police forces. But the policy was considered successful because about 87 per cent of those cautioned were not convicted of a serious offence within the next two years. -

He went on to say that recently, serious public concerns over the Criminal Justice system, repeat cautioning and the treatment of persistent juvenile offenders had led to revised cautioning guidance in Home Office Circular 18/1994 and its purposes were to:

- discourage the use of cautions in inappropriate cases, for example for offences which were triable on indictment only
- seek greater consistency between police force areas and
- promote the better recording of cautions.

The next presentation was by David Leigh of the Security Department of Marks and Spencer PLC. Mr Leigh talked about the Milton Keynes Youth Crime Group. This was a local, multi-agency forum which had commissioned an audit of criminal justice costs in the town. This research had concluded that £16 million per annum was spent on criminal justice there annually. Much of this was concerned with processing crime. Relatively small amounts were allocated to crime prevention. The police were involved in dealing with offences already committed rather than crime prevention.

The Milton Keynes Caution Plus scheme

started in May 1994 and attempted to approach shop theft in an innovative way. The principal object was to divert people from repeating their offending behaviour. Arrested individuals were taken to a security suite in the central Milton Keynes shopping area and interviewed by a police officer. To become involved further on Caution Plus, the individual was required to admit to the offence and to confirm their identity. The person was then released and instructed to go to the central police station within two weeks.

Persistent and other offenders were given a presentation by staff from Aylesbury YOI with graphic examples of the harsh realities of prison life. Another session dealt with protective behaviour. Young people were helped to deal with and resist peer pressure. The local authority Youth Service also visited the police station as did the managers of a variety of town centre shops. The managers covered the economic effects of the thefts and these sessions appeared to have an impact. At the conclusion of the process, the offender received a caution.

The scheme had very impressive results. Of 270 people who had been through the scheme, only 13 had re-offended.

Late on the first night we had a presentation from Roger Graef, Writer and Film Maker, entitled 'What Shall we do about Young Offenders?'. Mr Graef explained that he had spent some years on a project entitled 'In search of law and order'. He said he had interviewed 14 Judges after the Strangeways riots to ask why they sent people to prison. He said that overwhelmingly it was because they could not think what else to do. In his view he said the Criminal Justice system was asked to achieve the impossible and he was now more aware than when he began of the lack of options and of why the judges responded as they did.

The next day of the conference examined the role of the Youth Court in presentations by Roger King, Chief Probation of North Yorkshire, and Dr Rachel Brook a Magistrate. Dr Brook spoke of the demands upon magistrates and hoped that Youth Courts would continue to be staffed by specialists used to dealing with young defendants. She stressed that they were a special group, vulnerable to pressure from their peer group, family and community.

The next presentation was by Martin Manby, Director of Social Services, Sheffield. He stated that youth justice issues had recently forced themselves on to his agenda. Attention was focused on gaps in provision for 12 to 15 year olds and the Department of Health requirements for expanded secure accommodation linked to the end of prison custody for 15-16 year olds (170 places). There were concerns about justice by geography.

He said that in Sheffield there was a natural division of work between under and over 16s, but in reality work was integrated between Social Services and Probation in Youth Court Teams. He was concerned about the implications of the recent Green Paper on community sentencing had for future joint working.

In subsequent discussion a great deal of concern was expressed about remands of young people to prison custody. 17 year olds could not be remanded to local authority secure accommodation and therefore went to prison. It was suggested that some of the 15-16 year olds might come from the adult court, where they were co-defendants. It was said that there had been a big increase in the numbers following the Bulger case, and they were staying in for longer periods now because of the time taken to get to court.

Among other presentations was one from the Department of Health. The Department of Health apparently has responsibility for the provision of social services for children which was something that I didn't know.

John Halliday gave a further interesting presentation on the 'Persistent Serious Juvenile Offenders'. He referred to the dramatic change in the direction of policy relating to persistent serious juvenile offenders. The trend now was towards increased use of custody. He explored the reasons for this and he talked about the role of the new secure training centres. The new training centre would be for 12-14 year old persistent offenders who had been convicted of three imprisonable offences and had failed to respond to a supervision order (by breaching it or by offending during its course). The Order would last between six months and two years. The first half would be spent in a secure training centre and the second under close supervision in the community. It is intended that there would be five centres with 40 places each. Invitations to tender for sights at Gringley (Nottinghamshire) and Cookham Wood (Kent) would be issued shortly. Mr Halliday said that secure training centres would not be childrens' prisons. There would be tailored programmes of education and training in a secure environment, and an emphasis on preventing offending.

Other changes include the doubling of the maximum sentence of detention in a YOI for 15-17 year olds and the extension of Section 53 powers to 10-13 year olds.

Alan Finlayson of the Scottish Office, Social Work Services Group spoke about the Scottish 'Childrens Hearing System'. Interestingly he said that while the Scottish Office recognised the problem presented by persistent child offenders, they were maintaining and strengthening the established Childrens Hearing System. He said that at present Scottish policy was not to introduce

any secure training order.

On the final day of the Conference there were also a series of presentations from people who were working with adolescents in voluntary agencies. Adele Blakebrough of the Kaleidoscope Project which is a charity which helps drug addicts gave a short but fascinating presentation. She talked about the five risk factors which appeared to be relevant to prompting young people to turn to drugs. These were:

- contact with the drug scene - a significant factor when any of the other four factors were present
- lack of shared *values* between the young person and parents or school
- lack of *prospects* as perceived by the young person
- a sense of *alienation* sometimes stemming from childhood
- lack of an *ally* in the family or lack of emotional tie with another person.

The final presentation was from Mark Weeding from a voluntary group called Durham Initiatives for Support in the Community (DISC). It was obvious from his presentation that community groups such as his provide an invaluable, innovative and flexible service in the range of work they are involved in. This included an auto crime scheme, an employment project and a range of projects for young offenders including those on community sentences. He stressed the need of young serious and persistent offenders to have more than simple supervision. He said there was a huge gap between the 24 hour attention within the custody and care system and the child care social work contact levels in the community. He said that in one case a 13 year old had been placed in secure accommodation four times and his offences (TWOCs) accelerated each time he came out, running into hundreds. A comprehensive care plan with close control and supervision could, he said, be provided for a fraction of the cost of secure accommodation. He said that a DISC worker had lived in the secure accommodation before the boy's release and made links with his home. He worked intensively with the boy on his release and the result was three offences in the next 6 months.

In a convincing talk he said that the voluntary sector could do difficult and demanding things and was resourceful. Success could be achieved and careful targeting of work was essential.

Conclusion

I am aware that this report reads like a long list of contributions although I have omitted some. However this was one of the best conferences I have ever attended. It was packed with wide ranging, stimulating contributions. We felt there was a need for a strategic vision – a concerted community safety strategy with an inter-agency response. The Conference showed that there are various programmes which could put the focus on young people but inter-departmental coordination was often lacking. ‘Safer Cities’ programmes need this if they are to succeed.

John Halliday’s summary of the conference conclusions was that the Conference had felt there to be a need for a national strategy on youth crime. Better inter-agency working, but the value of the voluntary organisations was fully recognised. They could overcome the constraints of the conflicting priorities of the main agencies.

I came away from the conference with a much greater awareness of the value of the non-statutory and voluntary agencies. The dedication of many of their staff and the insights gained from the very closest contact with young offenders was impressive. Perhaps I should have realised it before as we have had such a productive partnership with the Trust for the Study of Adolescence at Lancaster Farms. The general optimism in the capacity of young people to change was also inspiring.

It was a most stimulating conference and the Home Office is to be congratulated for organising it.

The full text of the conference report can be obtained from the Home Office Special Conferences Unit at Room 216, India Buildings, Water Street, Liverpool L2 OQN ■

VERBALS

“All of us involved with the Youth Courts are becoming concerned, not only about the increasing number of children coming before the courts but by the increasingly punitive attitude of our legislators. And the newspapers’ use of terms like “Rat Boy” and “Ferret Boy” dehumanises children in a way that would horrify the enlightened legislators who set up the Juvenile Courts in 1908. It was then that the use of custody for children under 14 was banned. Nearly 100 years later we are going back to barbarous times. Yet as magistrates we must still have regard for the welfare of the child.”

[Paula Davies a magistrate in Inner London quoted in The Times]

“No-one therefore could doubt the seriousness of the breakouts first from Whitemoor and then from Parkhurst. In the space of a few months, more top security prisoners escaped than in the previous 30 years put together. It is entirely right too that the escapes should have been subject to exhaustive, independent inquiries. But the Prison Service is now in danger of losing sight of its other objectives: providing a safe, just, and positive environment in which prisoners are given the opportunity to lead better and more fulfilling lives on release.”

[Jon Snow in the Annual Report of the Prison Reform Trust 1994/5]

“... the political and social context of the prison system has profoundly changed in the last decade. The implications of the budget scarcity are felt everywhere in the public sector. The increasing popularity of a law and order mentality has produced societal and a political willingness to allocate funds towards what has come to be perceived more and more as the coddling of inmates. As a consequence it becomes harder to maintain the prison system at a level befitting the Dutch reputation for penal tolerance.”

[Arjen Boin of the Department of Public Administration at Leiden University, The Netherlands writing in the September-October edition of “American Jails.”]