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Research briefing 2

Assessing responses to youth offending in Northamptonshire

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This briefing presents key findings and implications from research into the impact and effectiveness of Northamptonshire's pre-court process and 'caution-plus' scheme.

This research was undertaken by Nacro and the Cambridge Institute of Criminology on behalf of the County Management Group of Northamptonshire Youth Offending Team.

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A large print version of this briefing is available on request. Please phone 020 7501 0555.

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The research project was managed by Mark Liddle (Head of Nacro's Research & Evaluation Section), and both Mark and Chris Stanley (Head of Nacro's Youth Crime Section) represented Nacro on the steering group. Vicky Kemp (a Research and Policy Development Officer at Nacro during the research, and now a doctoral student at the Institute of Criminology) designed and implemented all the research fieldwork, and wrote the main report from which most of the summary findings here are drawn. This summary of the findings was written by Mark Liddle.

The findings of the quantitative analysis were researched and written by Dr Simon Merrington and included contributions from Mark Liddle, Mick Feloy and Leanne Weber. The follow-up analysis of 'pathways' and PNC data was conducted by Dr Angela Sorsby (University of Sheffield), with assistance from Paul Crosland of the University of Cambridge and Mark Liddle.

Dr Loraine Gelsthorpe, a Senior Lecturer at the Institute of Criminology, University of Cambridge, was also a member of the research steering group and had responsibility for overseeing the overall quality of the research project. This research project would not, however, have been possible without the help and support of YOT managers, caseworkers and police representatives, who not only had to put up with the intrusion of a researcher at a very difficult time following the formation of the YOT, but also gave time and effort in discussing many interesting issues which have helped to inform this project.

EXECUTIVE SUMMARY

Introduction

This report summarises key findings from a research study focusing on approaches taken to youth offending in Northamptonshire, including the pre-court work of the Northamptonshire Youth Offending Team (YOT) and the 'caution-plus' scheme.

Issues concerning youth offending have been given a high priority within the county for some time, and the county's responses to these issues have attracted considerable attention and positive comment from policy-makers and researchers.

Given the wide-ranging nature of the youth justice reforms ushered in by the Crime and Disorder Act 1998 (the 1998 Act), it was felt that some further research on previous practice in Northamptonshire would be useful. The purpose of the research was not simply to evaluate the county's pre-court process and 'caution-plus' scheme, but also to consider the likely implications of the 1998 Act on this work and to highlight findings that have relevance for future practice.

The research

The research brief, as agreed at the outset by all parties, included a fairly broad focus on five key questions:

- 1 What is the likely impact of the new system of reprimands and warnings on police procedures and entry of young people into the criminal justice system?
- 2 How effective is the work of the county's YOT in resolving offences and reducing reoffending?
- 3 How effective will the county's administrative structures be in implementing the legislative changes?
- 4 How does Northamptonshire's approach compare with that of other local and national methods and disposals?
- 4 What changes are required in developing the YOT database?

The fieldwork was conducted over a 16-month period from January 1999 to April 2000. The analysis of case disposition and reconviction data continued until mid-2001.

Assessing impact on reoffending

In order to assess the effectiveness of work undertaken by the YOT and the impact that such work may have had on reoffending by young people, three separate strands of research were undertaken:

- 1 a study of case dispositions and reconviction
- 2 a study of 'processing pathways' and reconviction
- 3 an analysis of the impact of prosecution itself on reoffending

'Reoffending' has for the most part been defined in terms of official reconviction data, although in the third strand it has been defined in terms of rearrest.

The following terms are used within the text:

- **'Caution-plus'** is used to describe a package intervention associated with a caution. Alongside an informal action or caution, this package included an individually tailored piece of work, based upon an assessment and aiming to resolve the offence(s) and address the underlying cause of the offence(s) or offending behaviour, with the intention of reducing the likelihood of reoffending.
- **Informal actions** are non-citable disposals used for young people (aged 10–17). A record of such an action is kept by the police and YOT to assist with the future decision-making process if the young person reoffends; this record is kept on file for three years or until the person is 18, whichever is the longer.

Strand 1: case dispositions and reconviction

A study of a sample of young offenders was undertaken to see whether the actions of the former Diversion Unit had been effective in reducing subsequent reconvictions. The analysis considered three types of action: 'instant disposal' (including informal actions and cautions), referral to the Diversion Unit (essentially 'caution-plus') and prosecution.

Although factors such as age, gender, offence type, offence seriousness and occupation did help to explain differences in reconviction rates, they did not account for all the differences observed as a result of the three types of disposal. Even allowing for these risk factors, disposal was still found to have a significant influence on whether someone was reconvicted or not: the figures suggested that prosecution is the least satisfactory disposal (in that it results in the largest percentage of reconvictions), and that an instant caution or informal action is the most satisfactory disposal.

Strand 2: 'processing pathways' and reconviction

Further analysis was undertaken of the 'processing pathways' – the paths that young offenders take through the system over time – and their connections with reoffending. A key aim was to try to assess the relative merits of the established four-stage model adopted in Northamptonshire:

1st offence: informal action

2nd offence: caution

3rd offence: refer to Diversion Unit

4th offence: prosecute

as against others, such as the three-stage model introduced by the Crime and Disorder Act 1998:

1st offence: reprimand

2nd offence: final warning

3rd offence: prosecute

The analysis suggested that there are no significant differences between the various one-stage, two-stage and three-stage pathways in terms of offences known to the Police National Computer (PNC). There were too few people in the various four-stage pathways to draw any firm conclusions.

Strand 3: prosecution and reoffending

The sample used in Strand 2 was re-analysed, tracing the 'offending careers' and noting how they were dealt with at each stage, and whether they were rearrested for subsequent offences. Prosecution was found to have no beneficial effect in preventing reoffending by young offenders and indeed only seemed to increase its likelihood. The findings therefore indicate that to prevent reoffending and in the interests of cost-saving it is beneficial, wherever possible, to divert young offenders from prosecution and to delay prosecution to at least beyond the fourth proceedings.

67% of the sample who had not been prosecuted had been referred to the Diversion Unit, in comparison with only 29% of those who had been prosecuted. It may therefore be that the activities of the Diversion Unit were particularly beneficial in preventing reoffending. This suggests that, wherever possible, young offenders should take part in a diversion programme in preference to prosecution.

Assessing the impact of the youth justice reforms on the county's approach to youth offending

Northamptonshire's approach was compared with Home Office guidelines, which allow a reprimand for the first offence, a final warning for the second and prosecution for the third offence. These Home Office guidelines would have led to a projected additional increase of 22% in the number of young offenders prosecuted and a 13% increase in the number of pre-court referrals: a 35% total increase in the overall work of the YOT.

The total cost of the increased throughput and associated workload was estimated at more than one million pounds a year. At the very least, such increases could have the effect of either diverting staff from other duties or diluting activity across the full range of staff responsibilities. Either of these would obviously also impact on the overall quality of service delivery.

Given that the research suggests that prosecutions carry the highest risk of reconviction, one pragmatic response could be for the county to continue to use informal actions. This would have the effect of reserving the formal process for more persistent and serious offenders and thereby allow for the more effective targeting of resources.

Issues of 'net-widening' need to be addressed within the pre-court system, especially since the Home Office 'reducing delays' pilot project and the final warning scheme have contributed to an increase in the number of young offenders prosecuted. In addition, although a 'voluntary' and flexible approach has assisted the county agencies in working positively with young offenders, under the new final warning scheme the concept of 'voluntariness' will no longer apply.

Northamptonshire's approach to youth offending: implementation and other issues

The research suggested a number of key conclusions concerning implementation, management and other issues. These are:

- It is important to have clearly delegated and consistent management of information-collection procedures concerning all aspects of youth offending work, since relevant data not only provides a sound basis for judging performance, but can also aid effective targeting of available resources.

- Effective links are required between secondees, parent agencies, the YOT, and other relevant statutory and voluntary agencies.
- It is important to involve victims meaningfully when seeking to resolve offences.
- Supervision is a key element. Mediation, multi-agency working and action plans require specialised supervision skills.

Conclusion and implications for future practice

Erring on the side of informality in responding to youth offending seems both to reduce subsequent offending by young people who come into contact with local youth justice officials and to keep associated intervention costs down. The effectiveness of some of the pre-court and 'caution-plus' work in Northamptonshire has been highlighted by previous research. Our research provides some clear support for the claim that particular facets of past practice have been effective in reducing reconviction. The effectiveness of this practice could well be blunted if implementation of the new youth justice reforms leaves no scope for local flexibility.

Introduction

This report summarises key findings from a research study focusing on approaches taken to youth offending in Northamptonshire, including the pre-court work of the Northamptonshire Youth Offending Team (YOT), and the 'caution-plus' scheme.

Issues concerning youth offending have been given a high priority within the county for some time now, and the county's responses to these issues have also attracted considerable attention from policy-makers and researchers.

Northamptonshire's multi-agency approach to youth offending has been evolving for some twenty years, beginning in 1981 with the formation of the Wellingborough and then Corby Juvenile Liaison Bureaux (JLB) and continuing with the creation of the Northampton JLB in 1984. The pre-court practice was extended to cover adults with the formation of the Adult Reparation Bureau (ARB) in the late 1980s, and a review of the county's diversionary policies and practices in 1993 led to the juvenile and adult teams being merged to form the county's Diversion Unit. The pre-court multi-agency approach has been evaluated at various stages by Blagg, Derricourt, Finch and Thorpe (1986) and by Davis, Boucherat and Watson (1989), who evaluated the JLB model. Dignan (1990) evaluated the Kettering ARB and Hughes, Leisten and Pilkington undertook an evaluation of the Diversion Unit (1996). A practice manual published by NACRO (1998) also provides a useful description of the pre-court work.

In its report *Misspent Youth* the Audit Commission (1996) referred to the 'caution-plus' scheme managed by the Diversion Unit as a model of good practice and recommended that this should be replicated nationally. The Crime and Disorder Act 1998 (the 1998 Act) effectively does this by requiring all local authority areas to form a multi-agency YOT, to operate on restorative justice principles (which includes working with victims and offenders in seeking to resolve offences) and to have a primary aim of preventing reoffending.

Given the wide-ranging nature of the youth justice reforms ushered in by the 1998 Act, it was felt that some further research on previous practice in Northamptonshire would be useful, since this practice has yielded some lessons which can usefully inform current debates about the 1998 Act and future directions in youth justice.

The purpose of the research was therefore not simply to evaluate the county's pre-court process and 'caution-plus' scheme, but to consider the likely implications of the

1998 Act on this work, and to highlight findings which have relevance for future practice in this area, for dissemination to wider practitioner and policy-making audiences.

The findings of this report are therefore quite wide-ranging. They are summarised below in three main topic areas:

- 1 assessing the impact of the county's response to youth crime on reoffending
- 2 the impact of the youth justice reforms on the county's work in this area
- 3 implementation and other issues raised for future work

The research

The research was a collaborative project between Nacro and the Institute of Criminology, University of Cambridge, and was jointly funded by the Northamptonshire Police Authority, the County Council and the Prince's Trust. The research was overseen by a steering group (chaired by a senior police representative), which included the researchers, together with managers from the YOT, the funders, and senior representatives from Nacro and the Institute of Criminology.

The research brief, as agreed at the outset by all parties, included a fairly broad focus on five key questions:

- What is the likely impact of the new system of reprimands and warnings on police procedures and entry of young people into the criminal justice system?
- How effective is the work of the county's YOT in resolving offences and reducing reoffending?
- How effective will the county's administrative structures be in implementing the legislative changes?
- How does Northamptonshire's approach compare with that of other local and national methods and disposals?
- What changes are required in developing the YOT database?

The research involved both quantitative and qualitative methods, with the fieldwork being conducted over a 16-month period from January 1999 to April 2000.

The qualitative study included observation of the work of both YOT teams in the county on a full-time basis from July to October 1999, including both team and

management meetings and attending caseworkers on visits to both victims and offenders. This strand of the research included observation of the pre-court work being carried out at the two YOT sites. There were interviews with pre-court caseworkers, YOT managers and YOT steering group members, together with police representatives responsible for the decision-making process. In total, there were 345 hours of observation during the four-month period and 45 hours of interviews (which were taped and fully transcribed). Fieldwork diaries, records of interviews and other relevant research reports were analysed using 'NVIVO', a software package that supports the analysis of qualitative data.

Implications for the new final warning scheme were also considered as part of the research (including a short study to assess the likely cost implications of the new Act's implementation locally), and the findings of the YOT victim/offender survey forms for 1999 were analysed.

A quantitative analysis of the YOT database was undertaken in order to evaluate the effectiveness of the county's pre-court approach in reducing reoffending. Hughes *et al.* (1996:36) had recommended that the county develop a comprehensive database to assist in this task and a pioneering approach had been adopted when deciding to collect data on all offenders arrested in the county. After three and a half years, almost 24,000 arrest records had been entered (along with a great deal of other information concerning individual backgrounds and forms of intervention), although the complexity involved in collecting and entering completed records and managing the database led to difficulties in gaining access and interpreting the data.

Given some of the difficulties associated with the county's database, it was felt that some extra work should be undertaken as part of the research, both to utilise quantitative material held by the county more fully and to analyse this alongside data from other sources (such as the Police National Computer). Further preparation and analysis of quantitative data concerning case disposition and reconviction was therefore undertaken, and completed in November 2000. More detailed quantitative study of prosecution, 'processing pathways' and reconviction was also undertaken, and completed in May 2001.

Assessing impact on reoffending

In order to assess the effectiveness of work undertaken by the YOT and the impact that such work may have had on reoffending by young people, three separate strands of research were undertaken:

- 1 a study of case dispositions and reconviction
- 2 a study of 'processing pathways' and reconviction
- 3 an analysis of the impact of prosecution itself on reoffending

Each of these is described separately below, and findings from each are summarised. It is worth noting at the outset that 'reoffending' has for the most part been defined in terms of official reconviction data, although in the third strand it has been defined in terms of rearrest.

The following terms are used within the text:

- **'Caution-plus'** is used to describe a package intervention associated with a caution. Alongside an informal action or caution, this package included an individually tailored piece of work, based upon an assessment and aiming to resolve the offence(s) and address the underlying cause of the offence(s) or offending behaviour, with the intention of reducing the likelihood of reoffending.
- **Informal actions** are non-citable disposals used for young people (aged 10-17). A record of such an action is kept by the police and YOT to assist with the future decision-making process if the young person reoffends; this record is kept on file for three years or until the person is 18, whichever is the longer.

Strand 1: case dispositions and reconviction

A study of a sample of young offenders was undertaken to see whether the actions of the former Diversion Unit had been effective in reducing subsequent reconvictions. The analysis considered three types of action: 'instant disposal' (including informal actions and cautions), referral to the Diversion Unit (which basically amounts to 'caution-plus') and prosecution. The following areas were then examined:

- reconvictions, cautions and informal actions for the sample as a whole
- whether reconviction rates vary depending on whether offenders were initially dealt with by instant decision, 'caution-plus', or prosecution
- whether differences in reconviction rates of the three groups may be due to the way they were dealt with, or can be explained by pre-existing risk due to such factors such as age and gender

The sample was selected from a much larger data-set derived from the Northamptonshire database (referred to earlier). A quasi-random sample was drawn of 500 young offenders processed by the Unit in the three months from

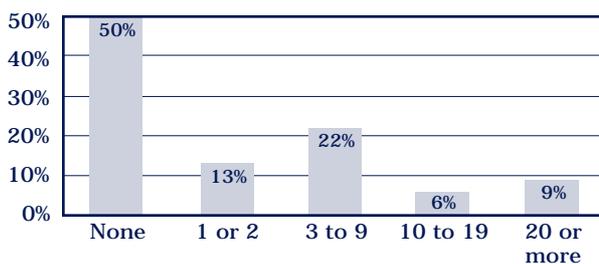
1 January to 31 March 1998. Data from the Police National Computer (PNC) concerning these young offenders (accessed via the PNC Bureau at Northamptonshire Constabulary) were then added to the smaller database, including the number of convictions, 'cautions-plus', cautions, informal actions and 'nfa' entries over a two-year period from 1 April 1998 to 31 March 2000. Further work to simplify the file resulted in 615 cases, since some of the 500 offenders had been re-entered for new offences on the Northamptonshire system between January and March 1998.

Details of those young offenders included:

- personal profile (age, gender, ethnicity, occupation)
- current offence details (type, number of offences)
- processing details (date, custody officer recommendation, initial Administrative Support Unit (ASU) decision, Diversion Unit decision)

Figure 1 shows the number of reconvictions during the two-year follow-up period for cases in the sample. Half had no reconviction, but a small proportion had 20 or more. Since some of the offences listed for sample members during the first quarter of 1998 involved a decision to prosecute, all such cases were subtracted from the conviction totals provided for the two-year follow-up period.

Figure 1 Number of reconvictions over two years (N=615)



Reconviction rates for cases involving instant decisions, referral to DU, and prosecution were then examined. These varied between 27% for those that received an instant disposal, 45% for those referred to the Diversion Unit and 79% for those prosecuted.

Figure 2 shows the percentage reconvicted for each disposal method. Figure 3 shows the mean number of reconvictions. There is a statistically significant difference between the three percentages (chi-square $p=.000$), showing that the risk of reconviction is highest

for those prosecuted, and lowest for those receiving instant informal actions and cautions. The mean number of reconvictions is also significantly higher for those prosecuted (t-test $p=.000$).

Figure 2 Two-year reconviction rates by disposal method (N=615)

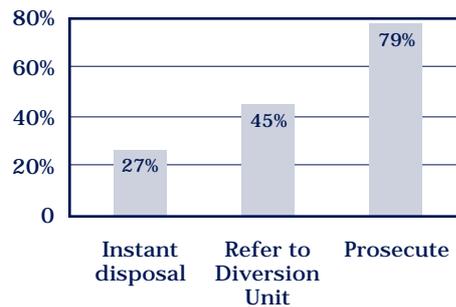
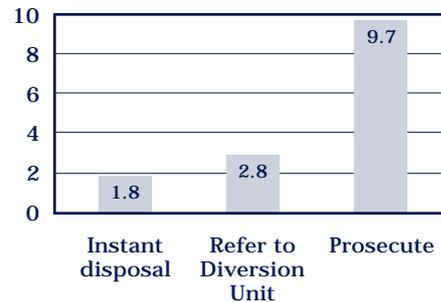


Figure 3 Mean number of reconvictions over two years (N=615)



These figures suggested that prosecution is the least satisfactory disposal (in that it results in the largest percentage of reconvictions), and that an instant caution or informal action is the most satisfactory disposal, but it was recognised that these differences in outcomes were unlikely to be solely due to the way in which the young people were dealt with, and may have been partly due to other risk factors in the offenders' lives. These risk factors for young offenders are well known. When some of these (including age, gender, seriousness of current offence and occupational status) were tested, they were found to have an effect on reconviction rates. They therefore need to be taken into account when comparing reconviction rates. Other important factors, such as number of previous convictions, were not available for testing.

In order to test the strength of connections between reconviction and some of these other risk factors, we tested each factor individually, and then moved on to look at all of these factors in combination.

Testing each factor on its own, it was clear that although factors such as age, gender, offence type, offence seriousness and occupation did help to explain differences in reconviction rates, they did not account for the differences observed as a result of the three types of disposal. That is, when these five risk factors were held constant, disposal was still found to have a significant influence on whether someone was reconvicted or not.

When the same factors were tested in combination (using a statistical technique called logistic regression), disposal emerged as one of the two best predictors. In other words, whether someone was given an instant caution, prosecuted or referred to the Diversion Unit appears to have had a measurable effect on two-year reconviction rates. Table 1 summarises the results.

Table 1 Logistic regression to identify best predictors of reconviction (N=615)

| Variable | Wald statistic (measure of importance) | Statistical significance (p) |
|---------------------|--|------------------------------|
| Disposal | 40.1 | .000 |
| Occupational status | 48.4 | .000 |
| Offence seriousness | 11.1 | .001 |
| Gender | 5.1 | .077 |

Taken together, the above four variables correctly predicted 77% of the cases reconvicted – a high level of accuracy.

In short, this strand of the quantitative research indicated that, judging from the data available, disposal has an independent and powerful effect on reconviction. It was also realised that caution should be exercised in interpreting this result, however, because the variable 'disposal' might have been masking other risk factors which were not known (eg data concerning the number of previous convictions was not available for this particular sample).

Strand 2: 'processing pathways' and reconviction

The strand of research described in the preceding section focused on the overall impact of different dispositions on subsequent convictions, and it illustrated that disposition does have an impact on subsequent conviction, independently of other factors such as gender or offence seriousness.

It did not however examine the paths that young offenders actually take through the system over time. It was therefore felt that it would be useful to undertake some further analysis, looking specifically at such 'processing pathways' and their connections with subsequent reoffending.

Northamptonshire has in the past endorsed a four-stage intervention scheme:

- 1st offence: informal action
- 2nd offence: caution
- 3rd offence: refer to Diversion Unit
- 4th offence: prosecute

The 1998 Act, however, has effectively introduced a three-stage model:

- 1st offence: reprimand
- 2nd offence: final warning
- 3rd offence: prosecute

The relative merits of these two (and other) models continue to be debated, and it was therefore felt that a more detailed analysis of the Northamptonshire data would have considerable relevance to current practice.

In order to examine these issues, a sample of young offenders was again drawn from the Northamptonshire database, and data concerning these young offenders were supplemented by computerised PNC data obtained through the Home Office. The sample was drawn by taking all individuals under the age of 18 who first appeared in the database between 1 January 1997 and 31 October 1997. The analysis required a sample of individuals with no offences prior to this first appearance in the database, and the PNC data were used to confirm this wherever possible.

These individuals were tracked through the database up to the point when data collection ceased, and details of their first four appearances were compiled. These details included date of proceedings, type of offence, custody decision, notification type and ASU decision. We also had details on the characteristics of the individuals such as date of birth, gender, ethnic origin and occupation at the time of the proceedings. The final sample numbered 1,593 young people.

During the analysis it soon became apparent that even though the final sample for this strand of the research was quite large, the numbers of young people actually following 'four-stage' paths was simply too small to allow for meaningful conclusions to be drawn about the relative merits of particular processing paths. As suggested in Table 2, a majority of the young people in the sample (77%) had only either one or two sets of proceedings.

Table 2 One-stage and two-stage paths in the Northamptonshire data

| One-stage paths | Number | % of one-stage |
|----------------------------|------------|----------------|
| Informal action (IA) | 727 | 76 |
| Prosecution (P) | 123 | 13 |
| Divert/caution-plus (D) | 45 | 5 |
| Instant caution (IC) | 37 | 4 |
| Missing | 19 | 2 |
| Total 1 stage paths | 951 | |

| Two-stage paths | Number | % of two-stage |
|------------------------------|------------|----------------|
| IA/IA | 126 | 45 |
| IA/P | 33 | 12 |
| IA/D | 24 | 9 |
| IA/IC | 23 | 8 |
| P/P | 23 | 8 |
| D/D | 7 | 3 |
| D/P | 6 | 2 |
| P/IA | 5 | 2 |
| P/IC | 5 | 2 |
| IC/D | 4 | 1 |
| IC/P | 4 | 1 |
| Other two-stage paths | 21 | 8 |
| Total two-stage paths | 281 | |

It also became clear that some of the longer processing paths followed by young offenders are in practice highly varied, as the summary of four-stage paths in Figure 4 illustrates (Figure 4 uses the same abbreviations for pathways as in Table 2).

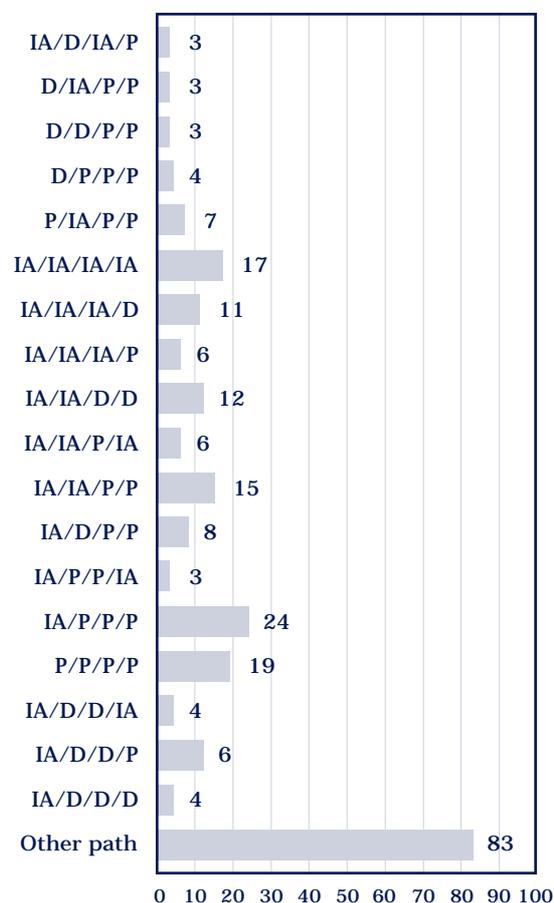
The ‘pathways analysis’ suggested that there are no significant differences between the various one-stage, the various two-stage and the various three-stage paths in terms of offences known to the PNC. There did appear to be a significant relationship between the various four-stage paths and the offences known to the PNC, but because of the small number of people in the various paths it was not possible to draw any firm conclusions.

Strand 3: prosecution and reoffending

In the third strand of the research on impact and reoffending, we shifted the focus away from pathways, to focus on prosecution itself. Given the debate referred to earlier about four-stage versus three-stage models, we were particularly interested in whether there is any merit, in terms of reoffending, in prosecuting at the third set of proceedings or whether it is better to delay prosecution beyond this stage.

In order to do this we re-analysed data concerning the

Figure 4 Four-stage paths in the Northamptonshire data (frequency)



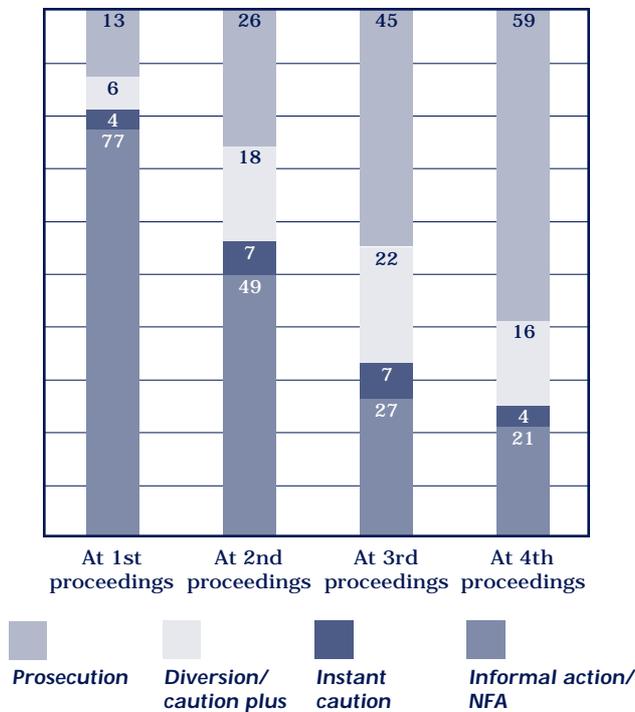
sample of young people referred to in the previous section, tracing the ‘offending careers’ of young people within Northamptonshire, noting how they were dealt with at each stage, and whether they were rearrested for subsequent offences.

Figure 5 shows the percentage of cases disposed of in various ways at the first, second, third and fourth proceedings. It should be remembered that most people are subject to only one or two sets of proceedings, as described above. Percentages at each stage are based on the total number of people who have gone on to that stage.

As we would expect, with increased numbers of proceedings the proportion of people for whom a decision is taken to prosecute at those proceedings increases, while the proportion of people dealt with by informal action decreases.

As the focus of this analysis was meant to be on the

Figure 5 Disposals (%) at each set of proceedings



merits of delaying the stage at which people are prosecuted, disposal was simplified into a dichotomous classification of ‘decision to prosecute’ or ‘no prosecution’. It was then possible to ascertain, for each individual at each stage (ie first, second, third and fourth proceedings), whether or not a decision had ever been taken to prosecute (either at the current proceedings or at an earlier stage). Table 3 shows, for each set of

Table 3 Numbers of people who have been subject to a decision to prosecute by each stage

| Prosecute/not prosecute | No. of people | % |
|---------------------------------|---------------|----|
| At 1st proceedings | | |
| Not been prosecuted | 1353 | 87 |
| Decision to prosecute | 204 | 13 |
| At or by 2nd proceedings | | |
| Not been prosecuted | 436 | 69 |
| Decision to prosecute | 193 | 31 |
| At or by 3rd proceedings | | |
| Not been prosecuted | 176 | 50 |
| Decision to prosecute | 179 | 50 |
| At or by 4th proceedings | | |
| Not been prosecuted | 75 | 32 |
| Decision to prosecute | 160 | 68 |

proceedings, the number and percentage of people who have been subject to a decision to prosecute in the current proceedings or at an earlier stage. It also shows the number and percentage of people who have not been prosecuted by that stage. Again, it must be remembered that only some people are subject to two or more sets of proceedings and, for each stage, numbers and percentages are based only on those people who have proceeded to that point in their ‘criminal careers’.

As suggested in Table 3, a decision to prosecute is taken in 13% of cases at the first set of proceedings. Of those that go on to have a second involvement with the police, a decision to prosecute has been taken for 31% by the end of the second proceedings (ie it has been decided to prosecute at the first or second proceedings). Of those that go on to have a third involvement, a decision to prosecute has been made by the end of those proceedings in 50% of cases. Finally, of those who go on to have a fourth involvement, a decision to prosecute has been made by the end of those proceedings in 68% of cases.

We can now, for each set of proceedings, compare reoffending for those individuals that have been disposed of by way of prosecution at some stage (ie in the proceedings in question or in earlier proceedings) with those that have never been prosecuted. Reoffending has been measured in terms of whether the individual subsequently appears in the Northamptonshire database. Table 4 shows the relationship between whether or not an individual has been disposed of by way of prosecution by

Table 4 Reoffending for those that have and those that have not been disposed of by way of prosecution

| Prosecuted/not prosecuted at each stage | Reoffend after stage in question | |
|---|----------------------------------|-----------|
| | No | Yes |
| At 1st proceedings | | |
| Not been prosecuted | 809 (60%) | 544 (40%) |
| Has been decision to prosecute | 123 (60%) | 81 (40%) |
| At or by 2nd proceedings | | |
| Not been prosecuted | 196 (45%) | 240 (55%) |
| Has been decision to prosecute | 79 (41%) | 114 (59%) |
| At or by 3rd proceedings | | |
| Not been prosecuted | 70 (40%) | 106 (60%) |
| Has been decision to prosecute | 52 (29%) | 127 (71%) |
| At or by 4th proceedings | | |
| Not been prosecuted | 34 (45%) | 41 (55%) |
| Has been decision to prosecute | 46 (29%) | 114 (71%) |

each stage and whether or not that person reoffends after that stage.

Further analysis of the data yielded a number of key findings:

- The bulk of the sample (around three quarters) had only one or two dealings with the police and other criminal justice agencies.¹
- Taking the sample as a whole similar proportions of those who were and those who were not disposed of by way of prosecution at the first or second proceedings went on to commit further offences.
- Around a quarter of the total sample went on beyond the second proceedings to commit further offences for which they were arrested.
- Of those that went on to offend again, a **significantly greater** proportion of those who had been disposed of by way of prosecution at or before the third proceedings committed further offences, compared with those who had not been prosecuted.
- In addition, of those who went on to commit further offences, a **significantly greater** proportion of those who had been disposed of by way of prosecution at or before the fourth proceedings committed still further offences.
- People who are prosecuted for the first time at the third proceedings are somewhat more likely than those for whom prosecution is delayed beyond that point to commit further offences for which they are arrested (the difference is not quite significant).
- There is no real difference between those who are prosecuted for the first time at the fourth proceedings and those for whom prosecution is delayed beyond that stage in the proportions that go on to commit further offences.

The analysis also focused on individual risk factors, and attempted to determine whether these might be responsible for differences in rates of reoffending. A number of key findings emerged:

- Age at the second, third and fourth proceedings is related to subsequent reoffending.
- Gender is significantly related to reoffending after the first proceedings but is not related to reoffending after subsequent proceedings.
- Occupation at the second proceedings is significantly related to subsequent offending beyond that stage.
- Type of offence at the first and second proceedings is

significantly related to whether the person goes on to offend beyond those stages but is not related to offending beyond the third or fourth stage.

- The time interval that has elapsed between the first proceedings and each set of proceedings is significantly related to offending beyond the stage in question.

No other relationships were significant.

Logistic regression analysis was also used to examine all such factors in combination, and the analysis suggested that:

- Once the risk factors had been entered, prosecution still significantly predicted reoffending beyond both the third and the fourth proceedings; the improvement in prediction was significant at the 0.05 level for predicting offending beyond the third proceedings and at the 0.01 level for predicting offending beyond the fourth proceedings.
- In other words, once the various risk factors discussed so far had been taken into account, those who had been prosecuted by the third proceedings were still significantly more likely to reoffend beyond those proceedings than those who had not been prosecuted.
- Also, those who had been prosecuted by the fourth proceedings were still significantly more likely to reoffend beyond those proceedings than those who had not been prosecuted.

A key conclusion from this strand of the research is that, as far as young offenders are concerned, prosecution at any stage has no beneficial effect in preventing reoffending. On the contrary, prosecution only seems to increase the likelihood of reoffending. The majority of young offenders in the sample had only one or two dealings with the police, irrespective of whether or not they were prosecuted in those proceedings. Around a quarter of the sample reoffended and were arrested for a third time. Amongst this group, those who had been prosecuted were more likely to reoffend beyond this third set of proceedings and have further dealings with the police, than those who had not been prosecuted. Similarly, of those that went on to have a fourth involvement with the police, those who had been prosecuted were more likely to reoffend than those who had not. The relationships between prosecution and further offending could not be explained by any of the risk factors considered in the study. The risk factors considered were age, gender, occupation, offence type, offence seriousness and rate of offending.²

The findings therefore indicate that, in terms of helping to prevent reoffending, and in the interests of cost-saving, it is beneficial, wherever possible, to divert young offenders from prosecution and to delay prosecution to at least beyond the fourth proceedings.

It may also be that the alternatives to prosecution that were being pursued within Northamptonshire were having a beneficial effect in preventing reoffending. The Audit Commission (1996) concluded that 'after three occasions, prosecution is more effective in reducing reoffending than a caution'. This study has found that, within Northamptonshire, even at the fourth occasion, there is no evidence that prosecution will help to reduce reoffending. These two findings are not necessarily inconsistent. The Audit Commission also noted at the time they conducted their research that 'few young people who are cautioned receive any other intervention or service, sometimes called "caution-plus"'. Their research compared straightforward cautions with prosecution. Many of the youths in this study, however, had been referred to the Diversion Unit that was in operation in Northamptonshire at the time. Furthermore, in comparison with youths that had been prosecuted by the fourth proceedings, a significantly greater proportion of those that had not been prosecuted had been referred to the Diversion Unit at some stage. 67% of those that had not been prosecuted had been referred to the Diversion Unit, in comparison with only 29% of those that had been prosecuted. It may therefore be that the activities of the Diversion Unit were particularly beneficial in preventing reoffending and this may explain why those who had been prosecuted were more likely to reoffend. This suggests that, wherever possible, young offenders should take part in a diversion programme in preference to prosecution.

Assessing the impact of the youth justice reforms on the county's approach to youth offending

As part of the research exercise, a small study was undertaken in order to identify what impact the new final warning scheme was likely to have on police decisions in Northamptonshire.

The research exercise involved analysis of a three-month sample of young offenders extracted from the Northamptonshire database (from January to March 1999), and of decisions taken concerning them. It was assumed that decisions to prosecute and to take no further action would remain in the new system, and details on all other disposals (including informal actions

[IAs]) were then obtained from the Northamptonshire PNC Bureau. Having details of previous disposals, it was possible to apply the Home Office guidelines (1999b), which allow a reprimand for the first offence, a final warning for the second and prosecution for the third offence. A further warning is allowed if a subsequent offence is committed two years after the previous warning. A conviction at any stage would automatically lead to a subsequent offence being charged.

The estimated effects of changes under the new final warning scheme were then calculated for a one-year period. These changes translated into a projected additional increase of 22% in the number of young offenders prosecuted and a 13% increase in the number of pre-court referrals. Taken together, the projection would lead to a 35% increase in the overall work of the YOT.

An effort was also made to *cost* some of the projected changes (using costing tools developed by the Audit Commission and others). This exercise suggested that the projected increase in caseloads could have a substantial impact on the youth justice system: the total cost of the increased throughput and associated workload was estimated at more than one million pounds for the year being focused on. Although it is obviously difficult to be precise in calculating such costs, at the very least such increases could have the effect either of diverting relevant staff from other core duties, or of diluting activity across the full range of staff responsibilities. Either of these effects would obviously also impact on the overall quality of service delivery.

The research yielded a number of other findings concerning the impact of the youth justice reforms (based on the qualitative and quantitative data taken together):

- The effects of the Narey provisions and the final warning scheme have led to a significant increase in the number of young offenders prosecuted in Northamptonshire. Given that the research suggests that prosecutions carry the highest risk of reconviction, and, in seeking to delay the entry of a young offender into the court system, one pragmatic response could be for the county to continue to use informal actions. This would have the effect of reserving the formal process for more persistent and serious offenders and thereby allow for the more effective targeting of resources.
- There are issues of 'net-widening' that need to be addressed within the pre-court system, due to a lack of legal protection for young offenders. The 'final

warning' scheme will exacerbate the situation, with the police remaining solely responsible for pre-court decisions which will operate on a formal and rigid 'three-steps' approach. While guidance to the police (Home Office, 1999b) effectively strengthens the legal criteria, there is no obvious mechanism to ensure that these are applied. The effect of a formal and rigid system increasing the number of young offenders prosecuted is likely to be in contravention of the Human Rights Act 1998. In particular, Paragraph 1.1 of the UN Guidelines for the Prevention of Juvenile Delinquency states that delinquency prevention policies should 'avoid criminalising and penalising a child for behaviour that does not cause serious damage to the development of the child or harm to others' (JUSTICE, 2000:83).

- To date, the police have found a decision-making matrix helpful when dealing with young offenders. The Home Office 'reducing delays' pilot project, however, appears to have had an impact on police decisions taken, with an average increase of 71% in the number of young offenders dealt with by the youth courts from 1996 to 2000 and with a corresponding decline in the number of arrests by 17%. The final warning scheme, implemented on 1 June 2000 has also contributed to an increase in the number of young offenders prosecuted.
- One consequence of placing an emphasis on the need to reduce delays is that custody officers have chosen to charge more young offenders rather than pass the file on to the administrative support unit for a review. The police exercise wide discretion when deciding how to deal with young offenders. Those interviewed suggested that it was not appropriate for decisions to be made within the pressurised environment of the custody suite, because all decisions require a considered and reflective approach, including application of the legal criteria. Arguably, therefore, at a local level at least, there should be provision for an internal review of all disposals taken by custody officers and also, in order to minimise the influence of discriminatory factors such as age, gender, ethnicity and social class, increased supervision of the police decision-making process.
- In research conducted on behalf of the Home Office into the youth justice pilots, researchers noted that an emphasis on reducing delays can be detrimental to the way cases are managed within a restorative justice model. When examining reparative methods, Jim Dignan noted that 'it may be helpful to remember that fast-tracking is best regarded as a means of achieving

the aims of increasing the accountability of offenders, reducing the risks of reoffending, and meeting the needs of victims, rather than an unyielding end in its own right' (Dignan, 2000:3). In the circumstances, it may be appropriate for local agencies to consider the implications of placing an emphasis on speed and to ensure that the provisions do not compromise the work with victims and offenders in seeking to resolve offences.

- A 'voluntary' and flexible approach has assisted the county agencies in working positively with young offenders, although under the new final warning scheme the concept of 'voluntariness' will no longer apply, as young offenders will be told that if they fail to complete the work agreed, the failure will be recorded and reported to the court in the event of a subsequent offence.

Northamptonshire's approach to youth offending: implementation and other issues

Concerning data and information-collection, the overall research evidence suggests that data-collection arrangements in the county have often been incomplete, non-standard or even inconsistent, and information systems overall have not always been adequately monitored for quality, or to ensure consistent and comprehensive staff compliance/participation. This has clearly had an impact on the data-set that is now available concerning the county's past youth offending work, and a great deal of research time was required to 'clean' and/or reconfigure existing computerised data.

This experience highlights the importance of clearly delegated and consistent management of information-collection procedures concerning all aspects of youth offending work, since relevant data can not only provide a sound basis for judging performance, but can also aid effective targeting of available resources.

The research suggested a number of key conclusions concerning implementation, management and other issues relevant to the county's youth justice work. Recent reforms of the youth justice system have placed increased demands on staff and resources, at a time when they have also been asked to implement new structures. The following recommendations are intended to make the implementation process as effective as possible.

Co-ordination between agencies

In managing an effective multi-agency approach, effective links are required between secondees, parent agencies, the YOT, and other relevant statutory and voluntary agencies. With parent agencies now having a statutory responsibility to prevent crime, improved links with the YOT could assist them in working to meet this aim. Better co-ordination between agencies could also help caseworkers to develop an holistic approach when preparing an action plan, by identifying and building on work already undertaken, thus helping to avoid areas of overlap and duplication of resources.

Improved co-ordination may highlight resource deficiencies within agencies when working with young offenders. Clear budgetary guidelines for agencies may help to avoid deficiencies in the availability of services, although constraints on funding may also lead to gaps in the provision of some services. For example, without sufficient funding being available to support the accommodation needs of young people referred to the YOT, it is anticipated that this may create difficulties for caseworkers when seeking to reduce the likelihood of reoffending. In order to avoid a 'culture of blame', where caseworkers may feel that agencies have failed to deliver the support needed, it is important that caseworkers understand the budgetary constraints under which agencies may need to operate. A role for managers of the YOT could be to identify and report gaps in the provision of services to elected members and chief officers so that these can be considered when determining future budgets.

Involving victims

The youth justice reforms place an emphasis on dealing with cases more quickly, and this has limited the time caseworkers have to spend with victims on the 'caution-plus' scheme. YOT managers and caseworkers agree that it is important to involve victims meaningfully when seeking to resolve offences. In seeking to provide additional support, the YOT County Manager and the Director of the local Victim Support scheme have agreed to work more closely together.

Quality-of-service issues

The introduction of national standards is expected to have a significant impact on quality-of-service issues for all YOT areas. Supervision, however, is a key element required in managing a quality assured service with the following three areas requiring specialised supervision skills:

- **Mediation** In working with victims and offenders in seeking to resolve offences through some form of

reparation, caseworkers are required to have mediation skills. In order to manage that process, it would be preferable for YOT supervisors to be trained as supervisors of the mediation process, or at least to be trained mediators. Alternatively, the services of a mediation supervisor could be brought in to ensure that the mediation process is effectively supervised.

- **Multi-agency approach** Effective supervision of the multi-agency approach requires an understanding of the knowledge, skills and experience of individual caseworkers and the ability to manage points of tension and conflict constructively within team meetings. The implications of bringing together different agency perspectives also require supervisors to be aware of the structure, responsibilities, and working practices of the parent agencies.
- **Action plans** In developing pre-court action plans, supervisors need to ensure that the intervention is proportionate to the offence committed and not more onerous than that which a court could impose. A requirement for caseworkers to include the number of sessions and/or timescale for the work to be carried out in the action plan would help to guard against an overly interventionist approach. If cognitive-behavioural approaches are included as part of the 'change programme', the work needs to be supervised and caseworkers appropriately trained.

Conclusion and implications for future practice

This evaluation has been carried out at a time of significant change, with further changes expected following implementation of the Youth Justice and Criminal Evidence Act 1999. There are elements within the 1998 Act that had already been part of the county's approach: a multi-agency team, restorative justice principles, and efforts to reduce reoffending. Other provisions, however, will cut across some of the basic principles within which diversionary policies and practices have operated. The final warning scheme, for example, imposes a formal and rigid system that will fundamentally change the informal and voluntary nature of the county's former pre-court process. Through a tariff system operating within the criminal justice system, it is also possible that children at a much younger age and at an earlier stage of their offending careers will be brought onto and then escalated up the sentencing ladder. The final warning scheme will also severely restrict the pre-court work by normally requiring only one intervention with second-time offenders, the majority of whom would previously have received an informal action. There will be issues of proportionality to consider when dealing with second-time offenders. This matter will need to be addressed by the YOT in particular when dealing with referrals in respect of relatively trivial offences.

There is no doubt that the youth justice system was in need of major reform, and issues such as delays at court and getting local authority areas to adopt a multi-agency approach needed to be addressed centrally. There are, however, likely to be unintended consequences arising from such radical reforms. Future findings arising from research into the youth justice reforms, including research funded by the Home Office and Youth Justice Board, will assist with the subsequent sharing of information which should help Government in seeking to improve further the provision of youth justice services throughout England and Wales. It is anticipated that the pace of change will vary from area to area, particularly where agencies have no experience of working together. Whilst work throughout England and Wales is undertaken to incorporate the provisions of the 1998 Act, it may be appropriate for the agencies in Northamptonshire to continue to incorporate the youth justice reforms, but at the same time to work together in seeking to maintain 'best practice' at this time of major change.

If there is one key implication for future practice that appears to be most strongly reflected in the research data when taken as a whole, it is that a practice of erring on the side of informality in responding to youth offending

seems well placed both to reduce subsequent offending by young people who come into contact with local youth justice officials, and to keep associated intervention costs down. Other research focusing on practice in Northamptonshire has also highlighted the effectiveness of some of the pre-court and 'caution-plus' work in the county, but the research summarised in this report has gone somewhat further, in providing some clear evidential support for the claim that in Northamptonshire at least, particular facets of past practice have been effective in reducing reconviction; the effectiveness of this practice could well be blunted if implementation of the new youth justice reforms leaves no scope for local flexibility.

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Footnotes

- 1 Within Northamptonshire during the timescale of the database
- 2 There does remain the possibility that the relationship could be explained in terms of other risk factors that have not been considered.