



Youth transitions and desistance from crime

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Outline

- Why do youth transitions within the justice system matter?
- Explaining Juvenile Justice in Scotland
- The Edinburgh Study of Youth Transitions & Crime
 1. Who experiences juvenile justice?
 2. How does juvenile justice impact on criminal conviction trajectories?
 3. Does experience of juvenile justice mediate the relationship between self-reported offending and criminal conviction trajectories?
- Revisiting Juvenile Justice in Scotland
- Conclusions and policy implications

Why do youth transitions within the justice system matter?

1. Juvenile justice systems are highly selective and operate on the basis of more than just offending
 - They target young men (Paraschiv 2013), the poor (Birckhead 2012), the vulnerable and marginalized (Pinheiro 2006), and minority ethnic groups (Pope and Feyerherm 1995, House of Commons 2007)
2. Juvenile justice systems have negative short and long-term outcomes
 - They have little effect or make young people worse (Huizinga et al 2003, McAra & McVie 2007)
 - Many transition to the adult criminal justice system (Bishop 2000, Gatti et al 2009)
 - Juvenile justice predicts other negative outcomes, e.g. educational outcomes (Hirschfield 2003), labour market outcomes (Wiesner et al 2010), and mental/physical wellbeing (Holman & Ziedenberg 2006)
3. Early juvenile justice system contact increases the risk of later adult conviction

Why do youth transitions within the justice system matter?

4. Young adults are a distinct developmental group in terms of brain development e.g. impulsive, risk takers, poor decision makers (Steinberg 2014)
5. The age at which juveniles transition to adult criminal justice is the age at which many young people are desisting from crime (Hales et al 2009)
6. Diversion from prosecution for young people on the cusp of adulthood is more cost effective and reduces re-offending (Loeber et al 2013, McAra & McVie 2010)
7. Many countries do not monitor system transitions, which limits knowledge of the impact of system contact and prevents development of better interventions

Explaining Juvenile Justice in Scotland

- Scottish juvenile justice dispensed through the 'Children's Hearings System'
- A unique tribunal system staffed by paid legal administrators (Reporters) and unpaid volunteers from the community
- Welfare-based system established in 1970s (Kilbrandon Committee) following abolition of youth courts
- Deals with all troubled children referred on grounds of 'needs' or 'deeds'
- Children are referred up to age 15 (and some aged 16 and 17)

But...

- Age of criminal responsibility in Scotland remains low (age 8)

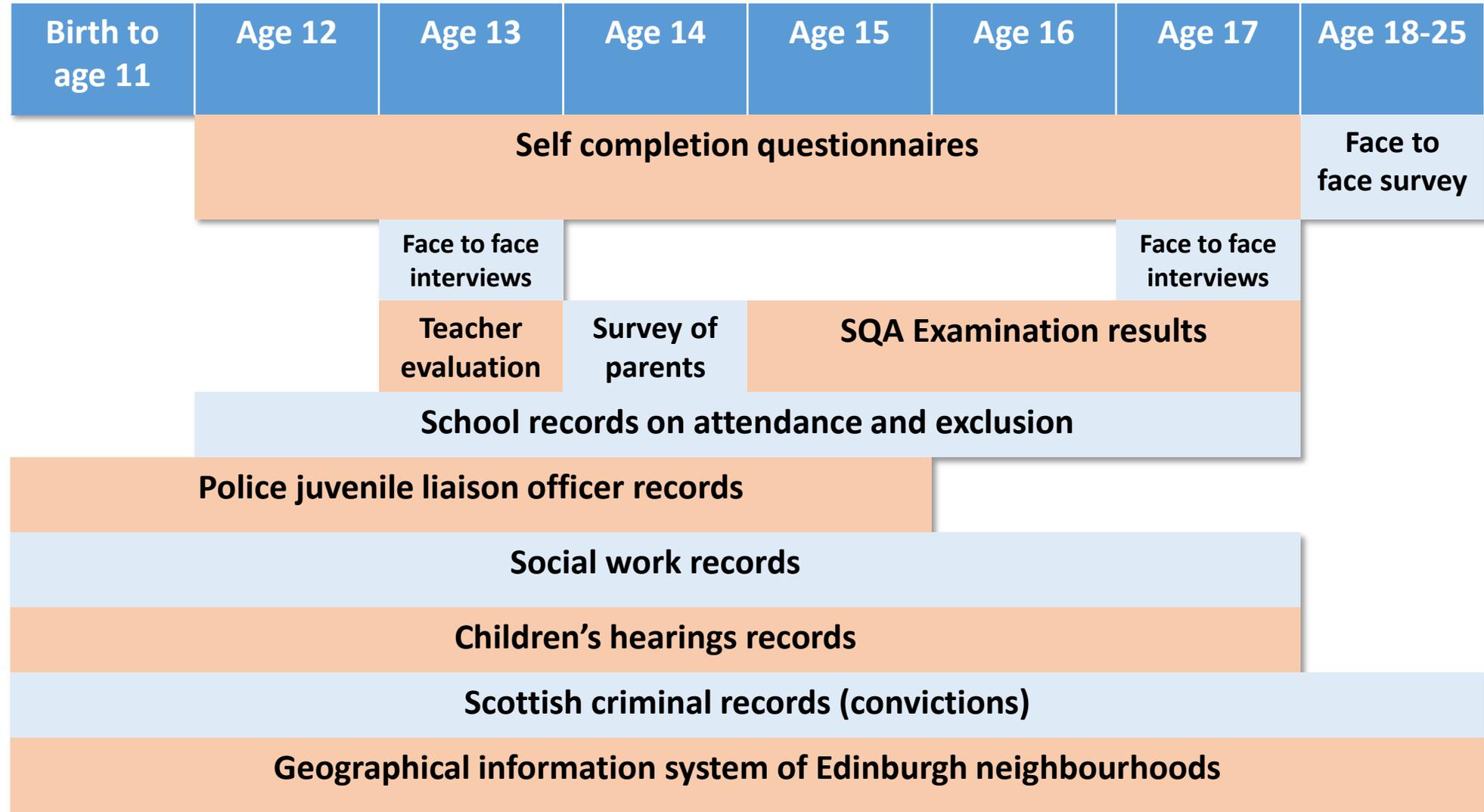
Key research questions:

1. Who experiences juvenile justice in Scotland?
2. How does juvenile justice impact on criminal conviction trajectories?
3. Does experience of juvenile justice mediate the relationship between self-reported offending and criminal conviction trajectories?

The Edinburgh Study of Youth Transitions & Crime

- A longitudinal study of offending pathways amongst a cohort of 4,300 youths
- Aims to study offending within 3 main contexts:
 - Individual development and change over the life-course
 - Physical and social structure of neighbourhoods
 - Impact of interaction with agencies of social control & law enforcement
- Six annual sweeps of self-completion surveys in Edinburgh schools (age 12 to 17) plus follow up interviews to age 25 with a sub-sample
- A complex study design with many different components of data collection (quantitative and qualitative), requiring careful management, data linkage and complex modes of data analysis.

Edinburgh Study Data collection



1. Who experiences juvenile justice in Scotland?

Who gets policed?

(McAra and McVie 2005)

- Police act as 'gatekeepers' to the juvenile justice system
 - General 'adversarial contact'
 - Formal 'warning or charge'
 - Referred to the Children's Hearings System
 - Referred to the Prosecution System
- Likelihood of police 'adversarial contact' and 'warning or charge' was increased amongst those who were:
 - Male, living in broken families, low SES backgrounds, living in deprived areas
 - Involved in frequent serious offending, regular drinking, recent drug use
 - Hanging around frequently, regular truancy, poorly supervised
 - Previously known to the police and have peers who are known to the police

Logistic regression:

What predicts onset of police contact

Odds ratios for significant variables shown only (all $p < 0.01$)

Domain	Variables	Adversarial contact	Warning or charge
Demographic profile	Gender (male)	-	-
	Low SE Status	-	-
	Broken family	-	-
	Deprived area	-	-
Risky behaviour	Serious offending	3.6	2.5
	Drug use	2.8	-
	Alcohol use	2.0	-
Available for policing	Truancy	-	1.8
	Hanging out	1.5	-
	Low supervision	-	-
Peers previous 'form'	Peers known to police	1.9	-
	Low SE Status*Hanging out: interaction	1.8	2.1

Logistic regression:

What predicts ongoing police contact

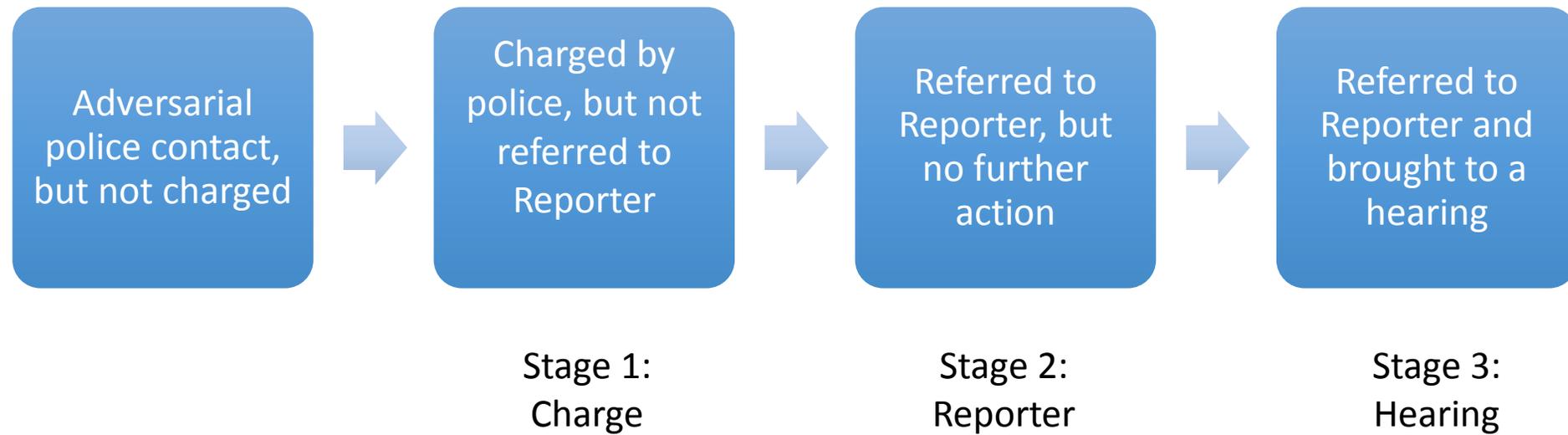
Odds ratios for significant variables shown only (all $p < 0.01$)

Domain	Variables	Adversarial contact	Warning or charge
Demographic profile	Gender (male)	-	-
	Low SE Status	1.5	-
	Broken family	-	-
	Deprived area	-	-
Risky behaviour	Serious offending	3.9	2.2
	Drug use	2.0	-
	Alcohol use	1.8	-
Available for policing	Truancy	1.5	1.8
	Hanging out	1.9	-
	Low supervision	1.1	-
Previous 'form'	Prior police contact	4.4	5.1
	Peers known to police	2.0	-
	Low SE Status*Hanging out: interaction	-	1.6

Who gets drawn farthest into the system?

(McAra and McVie 2007)

- Quasi-experimental analysis of 'matched' groups of young people looking at 3 stages of youth justice intervention



Logistic regression:

What predicts system progress?

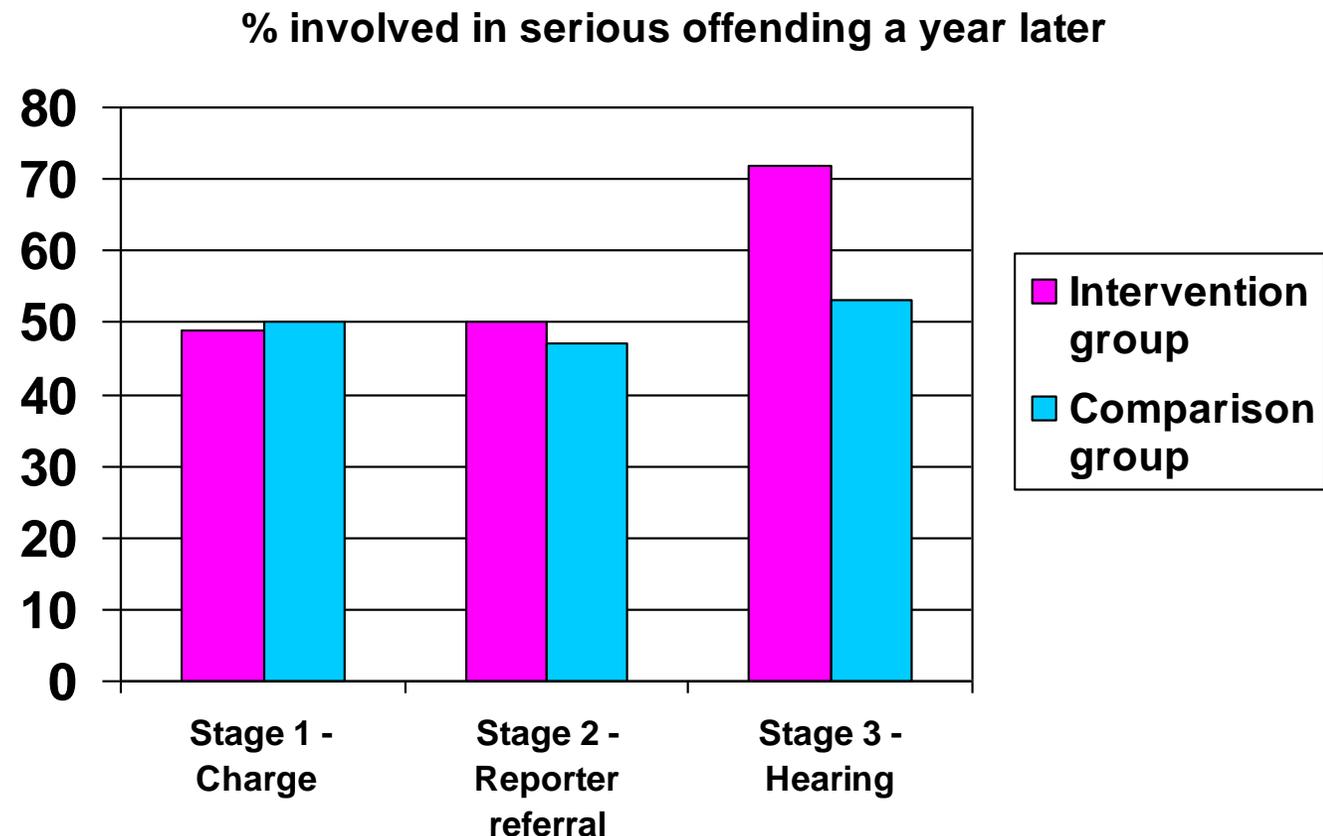
Domain	Variables	Stage 1: Charge	Stage 2: Reporter	Stage 3: Hearing
Demographic profile	Gender (male)	1.5	-	-
	Deprived area	1.3	-	-
	Free meal entitlement	1.5	-	-
	Broken family	-	1.9	4.4
Risky behaviour	Serious offending	1.9	-	-
	Drug use	1.6	-	-
Available for policing	Truancy	1.8	-	-
	Hanging out	1.7	-	-
Vulnerability	Volume of needs	n/a	n/a	4.8
Extent of current 'form'	Police contact/charges	1.9		2.9
Previous 'form'	Prior police charge	7.4	n/a	n/a
	Prior referral to Reporter	n/a	4.2	n/a
	Prior hearings	n/a	n/a	2.9

Odds ratios for significant variables shown only (all p<0.01)

Are those who progress farthest into the system more likely to desist?

Prevalence of offending 1 year after intervention was similar for the matched groups at stage 1 (Charge) and stage 2 (Reporter)

Those who progressed to stage 3 (Hearing) were significantly more likely to be still offending than their matched group



Are those who progress farthest into the system likely to desist more than others?

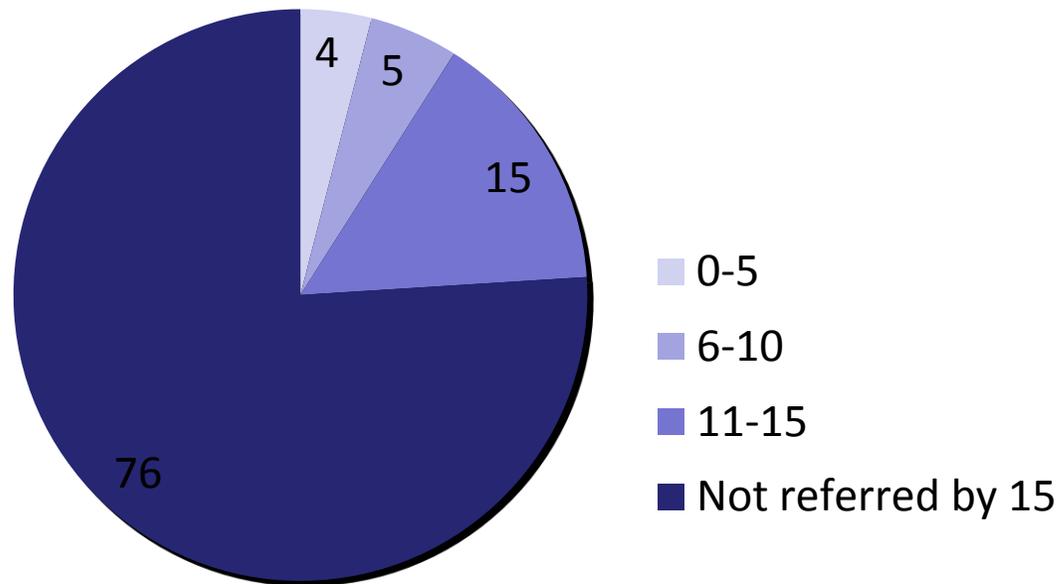
All groups had significantly reduced the volume of their offending (general pattern of desistance), with the exception of those who progressed to stage 3 (Hearing)

	INTERVENTION GROUP	COMPARISON GROUP
Stage 1 Charge	-50 (sig)	-43 (sig)
Stage 2 Reporter contact	-39 (sig)	-42 (sig)
Stage 3 Supervision	-31 (NS)	-49 (sig)

Do systems capture the worst offenders?

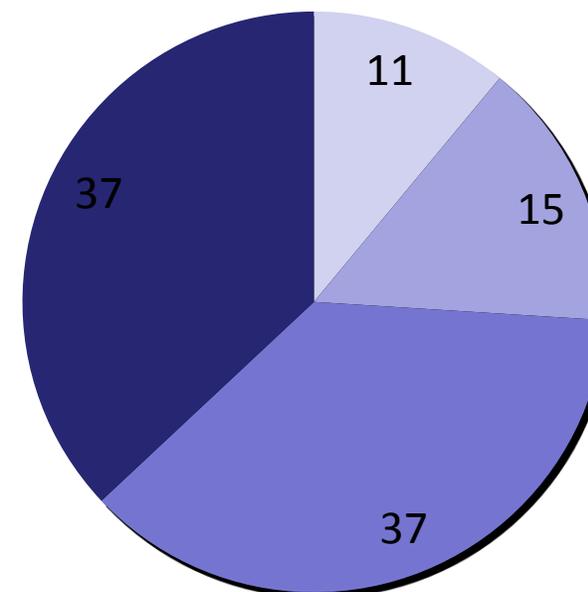
Most persistent violent offenders were not known to juvenile justice system

% of violent offenders at age 17 who were referred to agencies by age of first referral



But, most of those with early convictions were known to the system

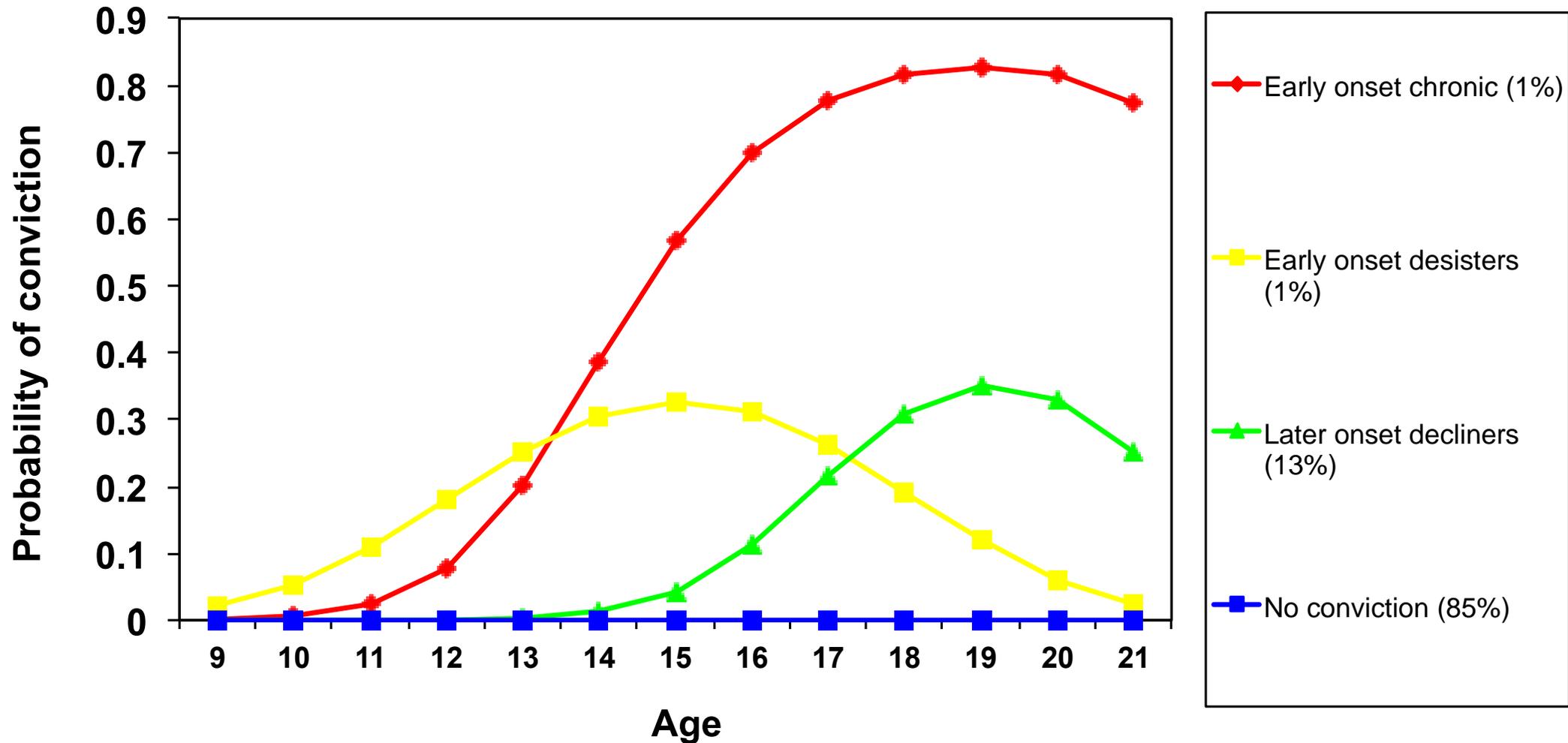
% of those convicted in court by age 17 who were referred to agencies by age of first referral



2. How does juvenile justice impact on criminal conviction trajectories?

Do people follow similar conviction pathways?

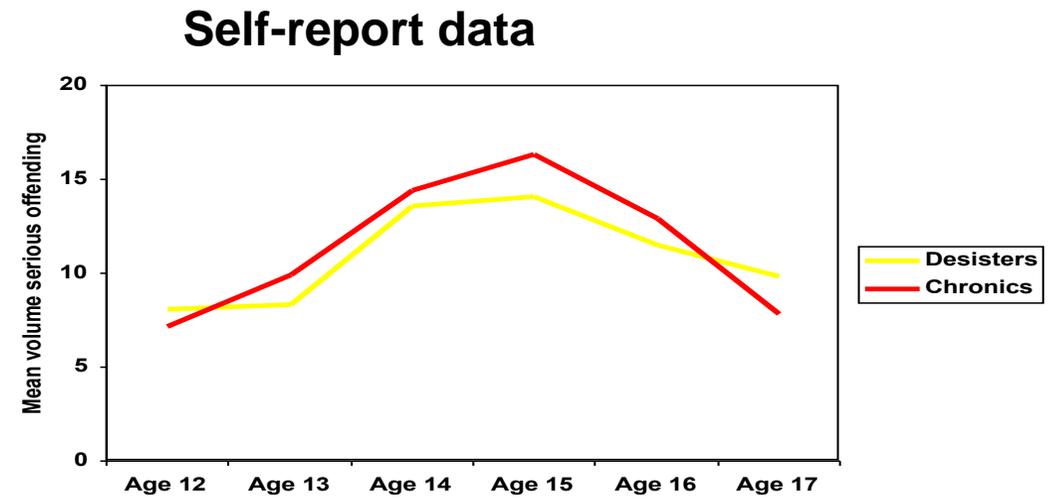
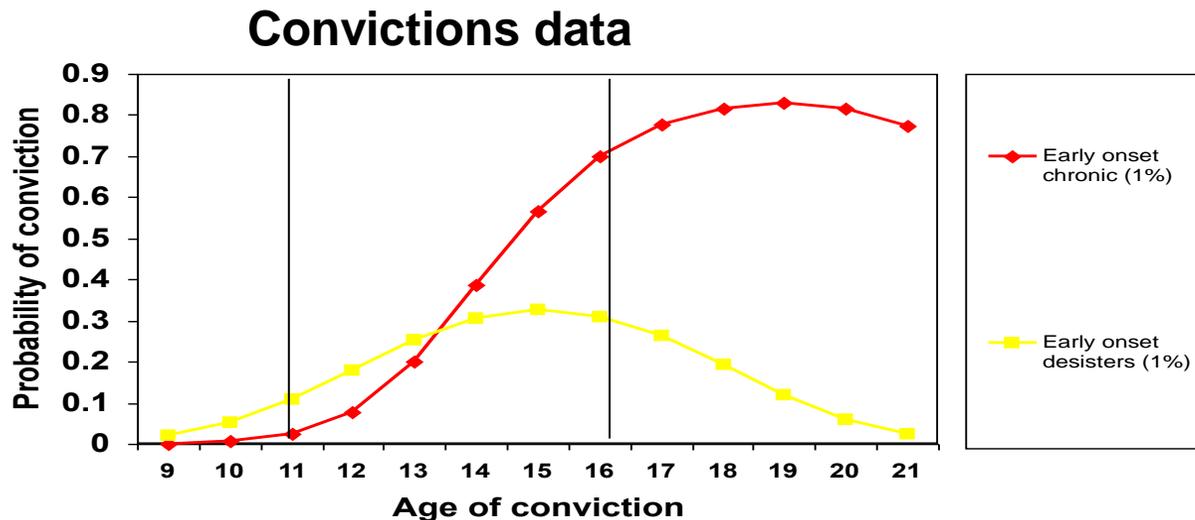
(McAra and McVie 2010)



Note: Cohort=3855 whose names were checked against criminal conviction records.

How do the early onset groups differ at age 12?

- No significant differences on measures of deprivation, family problems, delinquent peers, risky leisure activities, school problems (truancy, exclusion and bad behaviour), personality dimensions or moral attitudes to crime.
- No significant difference in frequency of serious offending according to self-reports.



What explains the different conviction trajectories?

- The early onset group that went on to have a pattern of 'chronic' convictions were more likely than the 'desisters' to:
 - truant from school
 - be excluded from school
 - get into trouble with the police
 - and receive statutory supervision from CHS during this period

NOTE: the groups did not differ on any of these things at age 12.

- Critical moments in the early teenage years are key to diverting young people away from a chronic pattern of conviction

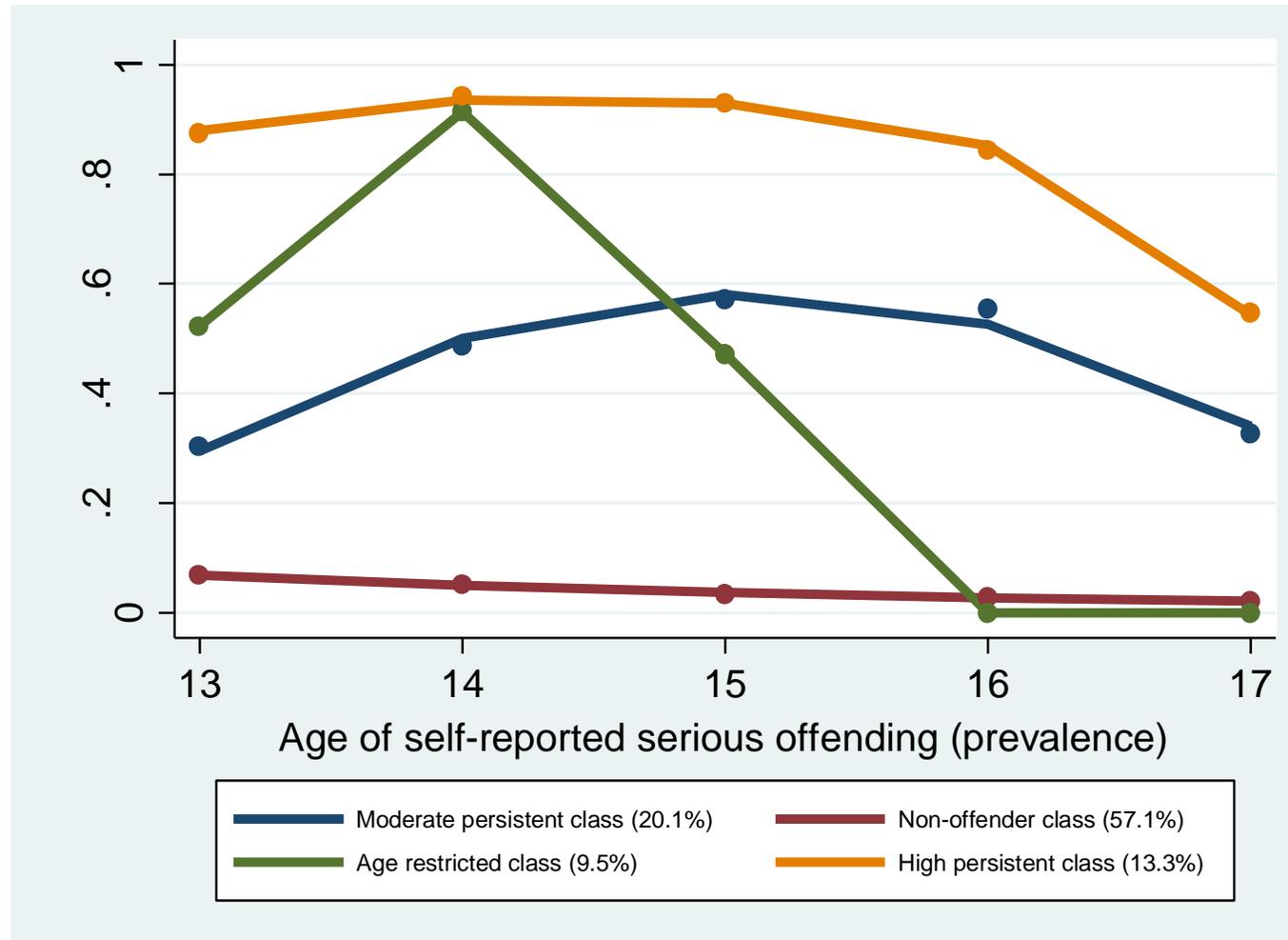
3. Does experience of juvenile justice mediate the relationship between self-reported offending and criminal conviction trajectories?

Is there a disjuncture between self-reported offending and criminal conviction careers?

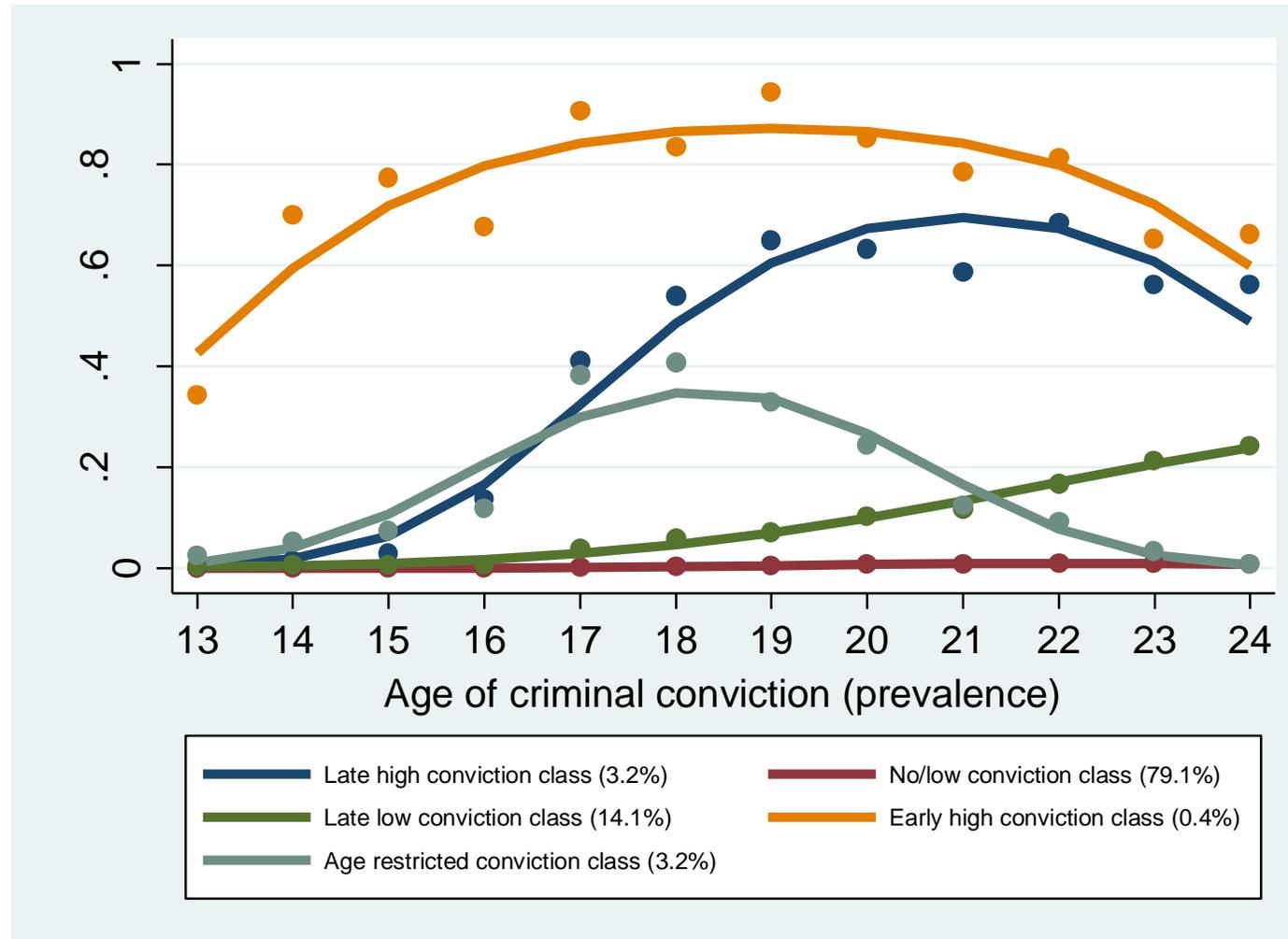
(McAra and McVie, forthcoming)

- Dual trajectory model of two distinct but related outcomes: self-reported serious offending and criminal conviction
- Examine the probability of criminal conviction class membership conditional on serious offending class membership
- Determine how juvenile justice influences different conviction trajectories for different types of serious offender

Dual trajectory model – self-reported serious offending



Dual trajectory model – criminal conviction



Distribution of most likely criminal conviction class conditional on most likely serious offender trajectory

<i>Column percentages</i>	Self-reported serious offending trajectories (age 13-17)			
	Non-offender class (57%)	Age restricted class (10%)	Moderate persistent class (20%)	High persistent class (13%)
Conviction trajectories (age 13-24)				
No/low conviction class (79%)	93.6	78.7	64.1	39.6
Late low conviction class (14%)	5.5	19.9	27.4	27.2
Age restricted conviction class (3%)	0.5	0	3.3	16.9
Late high conviction class (3%)	0.4	1.4	5.2	13.4
Early high conviction class (0.4%)	0	0	0	2.7

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How did the offending classes differ in terms of system contact?

- The non-offending class was least likely to be known to the police and juvenile justice system
- The age-restricted class and moderate persistent class were equally likely to be known to the police and juvenile justice system
- The high persistent class were most likely to be known to the police and juvenile justice system

Does juvenile justice system contact predict worse conviction outcomes, conditional on offending class?

- Age restricted offender class - Early police charges significantly increased risk of being convicted (but no effect of Reporter or Hearing referrals)
- Moderate persistent offender class - Early police charges and Reporter referrals significantly increased risk and frequency of conviction (but no effect of Hearing referrals)
- High persistent offender class - Early police charges, Reporter referrals and being brought to Hearings significantly increased risk, frequency and early onset of conviction

Impact of these findings on Scottish juvenile justice system

- Early 2000s
 - Period of political turbulence - punitive policy response to offending
 - Demands for more young people to dealt with by the police and juvenile justice system
 - Performance targets introduced to reduce the number of young offenders
 - New legislation to extend 'anti-social behaviour orders' to under 16s
 - Little appetite for our research findings as they were contrary to current policy direction
- Mid 2000s
 - Massive increase in under 16s in the Children's Hearing System, 16 and 17 year olds in the adult criminal justice system and under 21s in prison
 - Change of government and a period of critical reflection on youth justice
 - Research findings find purchase in policy arena

Major policy change in Scotland

- Getting it Right for Every Child
 - New national approach to improving the outcomes and supporting the wellbeing of young people
 - A rights-based model with greater partnership between children, families and social services
 - More holistic approach to improving child welfare and wellbeing
- Whole System Approach to addressing youth offending
 - Underpinned by GIRFEC which the child at the centre
 - Multi-agency, multi-disciplinary group develops tailored supports based on individual needs
 - Four key components based on the findings of our research:
 - Early and effective intervention
 - Diversion from prosecution
 - Community alternatives to secure care and custody
 - Better management of high risk offenders
- A significant shift in the perception and treatment of young offenders in Scotland, but the age of criminal responsibility remains at eight.

Conclusions

- Juvenile justice systems curate a suspect population by drawing in and repeatedly recycling those offenders who are the poorest, most at risk and most vulnerable (while many other offenders escape their notice)
- The short-term outcomes (in terms of offending) and long-term outcomes (in terms of later conviction) are worse for those who progress furthest into the juvenile justice system, and this association appears to be causal
- Experience of juvenile justice plays a significant mediating role in increasing the extent and early onset of conviction – especially for the most frequent offenders
- As a result, systems continually create the conditions which justify their continued existence, which creates a legitimation gap with profound consequences for citizenship and social inclusion

Policy implications

- Policy makers should ensure they have access to the necessary data to test the effect of the juvenile justice system on young people's outcomes.
- If the principles on which justice systems are based operate similarly (despite ideological considerations), it is likely that other jurisdictions are failing their young people in similar ways to Scotland.
- It is important to take an 'evidence-based' approach to political decision making that focuses on being 'smart on crime' rather than 'tough on crime'- this requires brave political will.
- A low age of criminal responsibility sends the wrong message to the public and criminal justice organisations about the capacity of young people to take responsibility for their actions.
- The United Nations Convention on the Rights of the Child recommends that the age of majority should be 18 – a fair 'justice' system would keep all children under the age of 18 out of adult systems.