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BANGED UP: Many want to see young offenders behind bars, but there is little evidence this is an effective remedy.

Enlightened policy can unlock doors

BERNADETTE MONAGHAN

IF you listen to some politicians, read the newspapers or watch television these days you might be under the impression that there is an upsurge in youth crime and that tough and effective action needs to be taken against those responsible.

However, we must remember that the vast majority of our young people are law abiding, that most offending by young people is relatively minor and that they usually grow out of it.

This means that only 1.5 per cent of Scotland's 900,000 young people will ever be referred to the Children's Reporter for offending and that 60 per cent of those will offend only once.

That said, it is also true that a few young people commit a large number of offences - 12 per cent of young people, mainly young men, aged between 16 and 24, are responsible for about 40 per cent of all recorded crime. It is right that resources are directed towards this small number whose offending is persistent and frantic.

The 16 to 24-year-olds are also the most likely victims of serious crime. The same young person can often be both an offender and a victim because they tend to offend against other young people.

The Scottish Executive has launched new National Youth Justice Standards to ensure a consistent approach to effectively tackling youth crime across Scotland.

These are aimed at all the agencies - police, local authorities and Children's Reporters - involved in what the press release describes as "the front line battle against youth crime". The aim is to speed up and improve the quality of the youth justice process, improve the range and availability of programmes to stop youth offending and to provide better information to victims and local communities.

A national target has been set for local youth justice teams to reduce the number of persistent offenders by ten per cent by 2006.

A "persistent offender" is defined as a young person with five offending episodes within a six-month period.

So out of the 85,000 young people in Edinburgh, the 24 who were responsible for more than 1000 crimes last year would fall into this category.

WHILST the introduction of the new standards is to be welcomed, it is important to remember that the process for dealing with young people who offend persistently, whether it is children's hearings or youth courts, is not what is going to impact on or reduce their offending behaviour.

There is evidence that community-based options are more effective than custody or secure accommodation in reducing offending and that they are also cheaper.

Indeed, we know that the number of 16-year-olds who have been sent to custody has steadily reduced - from 226 in 1992 to 92 in 2001 - because local authorities, in partnership with the voluntary sector, have developed effective alternatives. We know from research that persistent young offenders tend to have a full-blown set of problems that sets them apart. As well as involvement in crime at an early age, these include family break-up and experience of residential care, exclusion from school and truanting, health problems and alcohol and drug abuse.

Our clients tend also to have poor literacy and numeracy skills and no educational or vocational

qualifications. We must remember that the child who is referred to the Children's Reporter on child protection grounds will be the same child who is referred for offending later on.

To separate those children who offend from those who have other problems and needs is artificial in terms of understanding and addressing the root causes of crime.

The Executive recently did a U-turn over keeping 16 and 17-year-old offenders within the hearings system, the argument being that the hearing is currently over-burdened and does not have access to adequate resources to deal with the persistent offender who is over 16.

However, this is a missed opportunity to sort out this situation and to prevent young people from progressing into the adult criminal justice system or avoid criminalising them unnecessarily in the first place. Compared with other jurisdictions, Scotland is unusual in treating 16-year-olds who offend as adults, the implication being that at 16, they should be held accountable for their actions.

Yet the whole-person approach of the hearing system is just as valid for 16 and 17-year-olds who offend as it is for 15-year-olds.

In any case, 60 per cent of those sent to young offender institutions are sentenced to less than six months, which means that they will serve less than three months and will not benefit from any programmes to address their behaviour because these are generally reserved for those serving longer.

They will come back to the community without any of their problems and needs having been addressed and, sadly, 62 per cent of them will also return to custody within two years of release.

INCREASING the range and number of offending behaviour programmes is by itself not enough. It is important to give young people the thinking skills to avoid trouble and to change their behaviour, but any change will only be sustained if such programmes work within a broader framework that deals with a range of issues central to their lives.

The Audit Scotland report mentioned an emerging body of research on the reasons why young people stop offending. This suggests that it is much more important to create skills and opportunities for employment and to strengthen their capacity for positive personal relationships.

Education, employment, accommodation, financial and family support are the key things which will influence young people's decisions to re-evaluate their lives and to stop offending.

Bernadette Monaghan is director of Apex Scotland, a voluntary organisation which helps young offenders find work, education or training. She is also an adviser to Audit Scotland and the Scottish Executive on youth crime issues.