

REPORT ON
YOUTH OFFENDING
IN JERSEY

COMPILED FOR THE CHILDREN'S POLICY GROUP

APRIL 2013

“WHAT IS IMPORTANT IS THAT YOUNG PEOPLE RECEIVE A SWIFT RESPONSE TO THEIR OFFENDING IN TERMS OF ADDRESSING THEIR BEHAVIOUR, MAKING AMENDS TO THE VICTIM (WHERE POSSIBLE), RECONNECTING WITH THE FAMILY (WHERE APPROPRIATE), RESTORING OR INITIATING CONTACT TO ESSENTIAL SERVICES, AND GENERALLY REINTEGRATING INTO THE WIDER COMMUNITY”¹

¹ Evans, J, Heath, B Isle, E, Raynor, P (2010) .YOUTH JUSTICE IN JERSEY: OPTIONS FOR CHANGE A report commissioned by the Children's Policy Group.

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EXECUTIVE SUMMARY

1. Jersey, in common, with most of Europe and the USA, has seen a remarkable downward trend in youth offending statistics for the police, courts, probation and HMP La Moye. Even Greenfields has had significant reductions and stands empty on many occasions. There is no doubt these are extremely positive developments.
2. In Jersey there were more 10- 19 year olds, according to the 2011 Census, than ever before (10,797 compared to 9,669 in 2001) and so the demographics do not seem to be driving the scale of the fall.
3. The picture emerging is one of many best practices and evidence-based initiatives in the public sector, charitable and faith based organisations, designed to help families and children in the early years, diversionary activities for young teenagers, positive changes in policing practice and court processes and effective measures to reduce re-offending.
4. There is a willingness to facilitate change in practices for the benefit of our young people and the community.
5. There are some issues arising that may have impacted on the reduction in youth crime, most pertinent of which are:

The use and abuse of the internet and technology

- The internet has given young people a voice and the tools to change their world so the need to kick out and rebel against an adult dominated world has been tempered.
- The need to 'hang out' is being realised in virtual space so there is less desire or need to 'hang out' in public spaces.
- Boredom, the age-old reason for anti-social behaviour, is being tempered by on-line games and other virtual pastimes.
- The use of the internet as a fast way of communicating has been suggested as a driving force in change to a culture that is less tolerant of actual violence and more easy for people to identify criminality.

However:

- The division between what is public and private space is becoming more blurred and this poses a difficulty for traditional policing.
- We need to understand young people's relationship with the internet as they communicate virtually all the time.
- Crimes such as fraud, are difficult to prove. Individual country laws may make access to a criminal in a different country difficult especially if a crime committed on a person in one country is not a crime in another.
- Our laws are not keeping up with internet crimes. Internet safety is a big problem for example sexual grooming, hate emails, e-bullying or fraud and our laws at the moment only cover: protection of children, harassment, abuse and fraud. In Jersey we have no internet monitoring laws although they are being brought forward in UK.

- One aspect of internet access which warrants a mention in its own right and could lead to a rise in youth offending is the increased access children and young people have to extreme pornography.
- Whilst some of the content is freely available and legal recent Royal and Magistrates Court cases show that illegal indecent images of children are not difficult to come by either. The concern is that the proliferation of such material (both legal and illegal) can lead young people to believe that what they see on such sites is the norm, which may lead to offences being committed by or against young people.

Collecting of relevant and reliable data.

- Whilst the drop in youth offending numbers is to be celebrated, in common with most other areas, we may not be collecting enough of the right data to deal with changes in young people's habits and cultures.
 - Some of the indicators we use for criminality now may soon need to be adapted as technology has become a dominant culture for young people and as they move into adulthood this internet usage will be maintained and enhanced.
 - There is probably more illegal activity on the internet than we collect data for, for example ordering 'legal highs'.
 - If an internet crime is reported, evidence collection is difficult especially as it is often across jurisdictions.
 - At the moment the SoJP don't measure the extent that the internet has impacted on crime. But they are starting to and in 6 months they should have some idea how much of a factor it plays in crime in Jersey.
6. In keeping with much research in the UK, the following are suggested ways forward:
- Education for parents and children to address the issues posed by the internet.
 - Continued and enhanced investment in very early interventions to build resilience and desistance in young people.
 - Closer and more effective partnership working not just between agencies but with communities, individuals and businesses, especially as the need to rely more on input from the community through social networking sites becomes an issue.
 - E-Safety awareness for children must be ongoing and should include, at an age-appropriate level, the risks and consequences of engaging in unsafe online behaviour.
 - Any e-safety vulnerabilities that exist in cellphone and mobile-data services have the potential to affect large numbers of children. The telecommunications companies must be engaged to safeguard children.
 - Encourage and facilitate the participation of young people in finding their own solutions to problems with their peers.

INTRODUCTION

7. The past few years have shown a remarkable downward trend in youth offending statistics in Jersey for the police, courts, probation, and HMP La Moye. Even Greenfields has had significant reductions and stands empty on many occasions. There is no doubt these are extremely positive developments.
8. In May 2012, the Home Affairs Minister made a statement to the media on behalf of the Children's Policy Group concerning the continued reduction in youth crime statistics and stated that it "appears that there has been a significant shift in the recent pattern of levels of youth crime"². He felt that the statistics at the time were pointing towards a significant reduction for 2012 but also felt that it may be a "blip". In June 2012, the States of Jersey Police Chief, commenting on the Police 2011 Annual Report, said there had been a 36% reduction in crime in general since 2001 and that Jersey was one of the safest places in the British Isles. In August of the same year, the Minister again celebrated the continued downwards trend in youth offending and praised the many initiatives in the public, private and voluntary sector together with the States of Jersey Police(SoJP) and Honorary Police that were helping to contribute towards this.³
9. In October 2012, the Children's Policy Group were approached by the then Assistant Magistrate (Bridget Shaw) drawing attention to the "dramatic reduction in the number of young people coming before the Youth Court" and the unprecedented cancellation of youth courts. She felt that as the fall had been so dramatic the figures merited some investigation and asked:

"Are interventions such as Brighter Futures and Family therapy helping? Is a difference in Policing style having an effect? Is it just a demographic blip? Or are very disturbed young people no longer hitting out at others but self harming and presenting at A&E?"

If we, or any agency, are doing things that work we need to know. If on the other hand pressure is building in another area which could then explode, again, we need to know."

10. Following this request, the Children's Policy Group asked the Home Affairs Department to lead a review of this issue.
11. In February 2013 the Home Affairs Minister released a further statement concerning the continued downward trend in youth offending stating:

"These figures show a very welcome drop in youth crime. There has been a significant shift in the recent pattern of youth crime, and this continues to be very good news.

"I cannot tell precisely what has caused this, although my department is currently working on this.....There has been an increasing emphasis over the last decade in early intervention strategies, such as the Crime and Community Safety Strategy and Substance Misuse Strategy. Since 2003, the amount and standards of work with young people, including young offenders, have greatly improved with the support of many agencies."

² Jersey Evening Post, 31st May, 2012

³ Jersey Evening Post, 23rd, August, 2012

SCOPE

12. The scope of this report will include:
- Methods of data collection
 - Definition of young offenders
 - Background and Context
 - A picture of the services in the public, private and voluntary and community sector that contribute to overall positive outcomes for young people in Jersey and comparisons with some youth offending services in the UK
 - A look at potential issues arising and ways forward

DATA COLLECTION

13. The collection of data has been facilitated by many individuals and departments including the provision of statistics and other general information on service provision:
- A meeting of the Anti-Social Behaviour Group consisting of representatives from: Education, Sport and Culture(ESC), Honorary Police, SoJP, Health and Social Services(H&SS), the Bridge, Housing, Youth Service and Alcohol and Drug Service(ADS) – where it was agreed that data would be forwarded to the Executive Officer, Community Safety and Criminal Justice.
 - Interviews and email conversations have been conducted with: Magistrates, Chief Officer of Jersey Probation and After-Care Service(JPACS), Service Director at Children’s Services, Youth Enquiry Service(YES), Workwise, Advance to Work, Youth Services, ESC Professional Officer liaising with Personal Social and Health education (PSHE) co-ordinators, ESC Internet Safety Officer, General Practitioners, the Bridge and Parenting, Housing, a representative of Brighter Futures, SoJP, HMP La Moye, Community Sport Development (who provided some data on young people’s thoughts about their leisure time), Freedom Church Youth Leaders, Jersey Child Care Trust (JCCT), ADS, and lawyers who are involved with Youth Court.
 - A student from Plymouth University conducted a review of the initiatives being undertaken in the UK to combat Youth Offending.
 - A PhD Research conducted in Jersey using interviews with persistent young offenders at La Moye.
 - An E-Safety report conducted with 1000 Jersey pupils in 2010.
 - Health Profile for Jersey, 2010
 - A literature review of evidence in other jurisdictions and other local data

DEFINITION

14. The first issue to address in looking at offending by young people is exactly what we mean by 'young offenders'.
15. In both the UK and Jersey the youth justice system deals with young people aged 10-17 only. Children under age 10 are deemed to be not criminally responsible and unless involved in very serious offending are dealt with under welfare and child protection procedures rather than criminal justice. Young people aged 18 and over are treated as adults by the criminal justice system and sentenced by adult courts. The only difference relates to custodial sentences, which are served in a Young Offender Institution between the ages of 18 and 20, with transfer to an adult prison occurring on their 21st birthday. ⁴ Recently there have been calls to raise the age of criminal responsibility to 12 years in the UK and a Private Members Bill is at the first stage of progress through the House of Lords; the first reading took place on 16 January 2013. ⁵
16. In Europe, 14 or 15 is the most common age of criminal responsibility with Belgium and Luxembourg as high as 18. In the USA, not all states have even specified a minimum age and in North Carolina, Maryland, New York and Massachusetts it is as low as 6 or 7. ⁶
17. In Jersey the age of criminal responsibility is 10.
18. For the purposes of this research, therefore, I have tried to confine the data to the ages between 10 -17. However the nature and range of the initiatives and various agencies involved has meant that some data is for young people up to 25, some doesn't start till 14 and information about early interventions is often from 0 and earlier (i.e. pregnancy to 5 years).

⁴ Hine, J and Williams, B with Chong, H, Knight, V and Smith, R (2007) Youth Crime and Offending, DfES Youth Strategy Review

⁵ <http://services.parliament.uk/bills/2012-13/ageofcriminalresponsibility.html>

⁶ Natale, L (2010) Youth crime in England and Wales – Civitas: institute for the study of Civil Society, research paper.

BACKGROUND AND CONTEXT

19. Young offenders have been at the very centre of public and policy makers' attention for many years. Hardly a day will pass without a new media furore over what young people have done or how they are being treated. Society has a complicated relationship with those who break the law, veering between 'retribution' and 'welfare' orientated policy and practice. However, the overall aim is the same: policy-makers, practitioners, members of the public and neighbours living on the same streets and estates as young offenders all want to live in safety. Research suggests that the circumstances not only of young offenders themselves but also the lives of their families and their own children will be improved if they can be prevented from offending in the first place or from re-offending if they have already started.⁷
20. In 1996 a review conducted by David Farrington⁸, then a professor in criminology at Cambridge University, discussed the apparent decline in young offenders in criminal justice statistics over the previous 15 years and concluded that the decrease was almost certainly illusory and due to procedural changes with a growing reluctance to take juveniles to court and an increasing tendency of the police to issue unrecorded warnings.
21. The evidence he used for this conclusion was police recorded crime statistics and national surveys of victims which both showed that the types of crimes committed by young people had risen dramatically during the same period. The UK House of Commons Home Affairs Select Committee of the time suggested that one explanation for the higher crime rate and lower number of offenders may be the number of persistent young offenders responsible for a disproportionate volume of crime.
22. Whatever the reasons for the disparity, his recommendations for tackling crime have, together with other studies, provided the basis for an agenda that prioritised the risk factors inherent in youth offending and formed the basis of the Community Safety Strategy and Criminal Justice Policy agendas in Jersey from that time on.
23. The key findings from Farrington's research were:
 - Young people who commit crime from an early age are especially likely to become habitual offenders with long criminal careers.
 - Major risk factors for youth crime are:-
 - Socio-economic status- low income and poor housing.
 - Community influences - living in deteriorated inner city areas.
 - Certain personality traits like a high degree of impulsiveness and hyperactivity.
 - Low school attainment.
 - Poor parental supervision and harsh and erratic discipline, parental conflict and broken families.

⁷ Hagell, A(2003) Understanding and Challenging Youth Offending, Department of Health, Research in Practice, www.rip.org.uk

⁸ Farrington, D, (1996) Understanding and Preventing Youth Crime, Joseph Rowntree Foundation, York Publishing Services

- Evaluative research suggests that the most promising techniques for reducing the risks of young people’s involvement in drug misuse, crime and other anti-social behaviour include: -
 - Frequent home visiting by health professionals during pregnancy and infancy.
 - Education in parenting.
 - High quality nursery education.
 - Training children to ‘stop and think’.
 - Anti- bullying initiatives in school.
 - Community Involvement.
- A strategy for reducing youth crime which is likely to achieve success is to identify the main risks and ways of reducing these within a community. This knowledge can be used to apply prevention techniques whose effectiveness has been demonstrated by research.

24. Latterly more recent research has concentrated on “risk processes” and the complex and risk filled “youth transitions” that young people have to negotiate⁹.

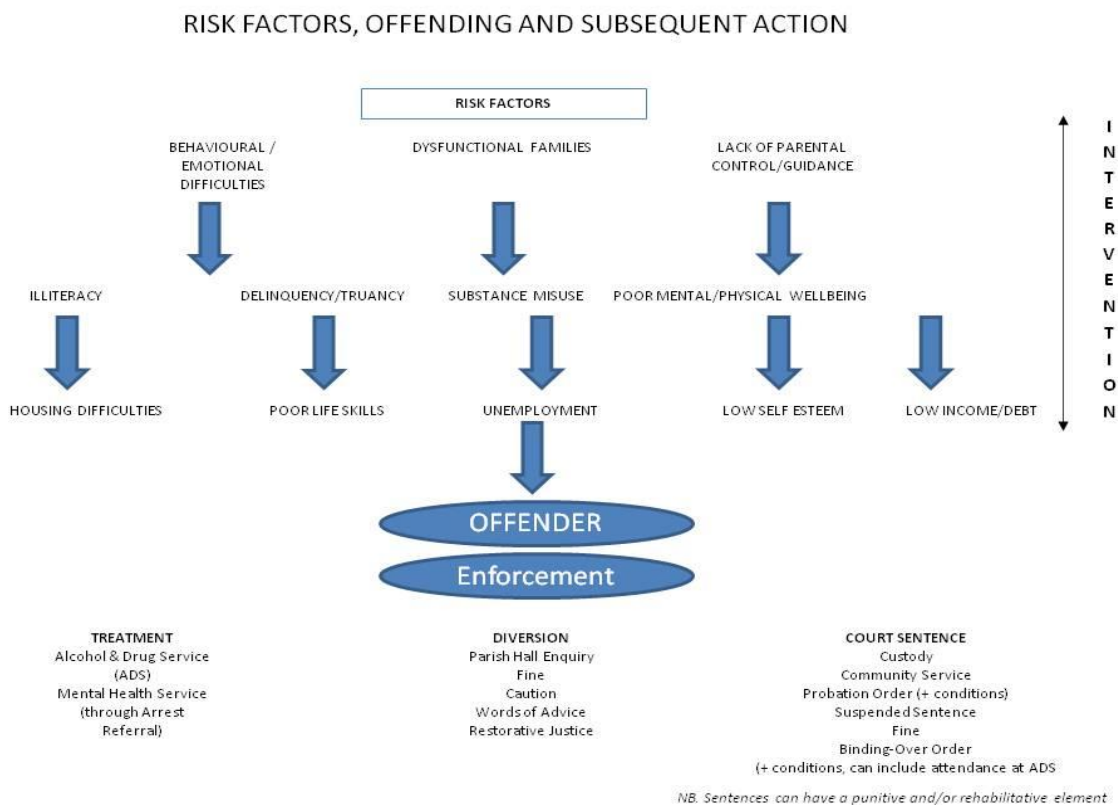


Diagram 1¹⁰

25. In Jersey, over the past fifteen years we have had, in one form or another, a partnership approach to tackling substance misuse and community safety and there has been a concerted effort to invest in evidence-based early interventions to mitigate the risks of offending and substance misuse.¹¹

⁹ Evans, Heath, Isles and Raynor, 2010, Youth Justice in Jersey

¹⁰ Jersey Criminal Justice Policy, 2007

26. The approach we have taken hitherto ensures a balance between long-term, welfare-based interventions aimed at reducing risk factors and medium/long-term enforcement activities aimed at reducing recidivism. In this way we seek to minimise the harm that individuals, families and communities experience as a result of crime, anti-social behaviour and substance misuse.
27. The Harm Reduction approach taken to substance misuse was based upon the evidence that reducing the harm caused by mind-altering substances was the most effective approach. Harm reduction was an approach ahead of its time, whilst elsewhere in the world a 'war on drugs' was being conducted. This approach was later adopted in most jurisdictions and more recently the UK has moved from a harm reduction agenda to a recovery agenda – that is, to encourage people into treatment and then discharge them as soon as they are drug free.
28. The Jersey Criminal Justice Policy (2007) has 9 pillars which include early intervention, enforcement and rehabilitation and recognises the importance of having initiatives in place to address the risk factors which contribute to offending as well as dealing comprehensively and effectively with offenders to reduce their risks of re-offending (*Diagram 1*).
29. The States of Jersey Community Safety and Substance Misuse Strategy (Building a Safer Society, BaSS), a partnership between enforcement agencies, ESC, H&SS, ADS, and voluntary and community agencies, put in place initiatives which ranged from very early interventions with nursery aged children to post custodial initiatives aimed at reducing re-offending.
30. In the past few years the importance of working in partnerships has risen to the top of many departments' agendas and, most pertinently, the reviews conducted by Kathy Bull (2002) for Education, Sport and Culture , Health and Social Services and Home Affairs Departments into the Provision for Children with Emotional and Behavioural Difficulties, the Williamson Report (2008) into child protection services in Jersey which recommended the formation of the present Children's Policy Group, and finally, a report commissioned by that group entitled Youth Justice in Jersey: Options for Change (2010) have prompted a new and forward thinking approach which contributed to the Children's and Young Persons Strategic Framework for Jersey (2011).
31. The research which informed the Framework was comprehensive and based on evidence of what works with young people. The six key outcomes include: Be Healthy, Be Safe, Achieve and Do, Grow Confidently, Be Responsible and Respected and Have a Voice and Be Heard.
32. This review meets the objectives for:

Outcome 2: Be Safe (*We want to protect children and young people in our community and help keep them safe from harm. We will work to reduce the risks they face and help them develop protective behaviours*)

In particular:

- To ensure that children and young people feel and are safe.
- To ensure appropriate support for all vulnerable children particularly those at risk of harm.

¹¹ Building A Safer Society, Annual Report, 2011

- To work with families to help them to take informed decisions and actions to ensure their children's safety.

Outcome 5: Be responsible and respected (We want children and young people to act responsibly and to be respected by others. We will work with them and the wider community, including those involved in youth justice, to help engender mutual respect and understanding.)

In particular:

- Extend the range of opportunities available to young people to be involved in the community.
- Promote prevention, early intervention and diversion services to help stop children and young people committing offences and entering the court system.
- Agree and implement changes to the youth justice system and, where necessary, ensure they are supported by legislative amendments.

YOUTH OFFENDING IN CONTEXT

33. There is no way of knowing exactly how much actual crime is attributable to young people, or indeed adults, but there are in general two ways which are accepted as the best ways to estimate it. The first is in relation to the number of young people who are dealt with formally by the youth justice system for criminal offences. The second way of assessing the amount of youth crime is to ask young people themselves how much they have committed.¹²
34. Self-report surveys of offending have been a popular component of research studies for many years, for example the British Crime Survey and a survey conducted in the UK by the Home Office, Offending, Crime & Justice Survey¹³. This survey conducted in 2006 with a sample of around 5,000 young people aged between 10 and 25, showed that 25% of young people in this age group have committed at least one of 20 'core' offences in the last year. Many of these are relatively minor, with just over a half of these (13% of all young people) reporting they had committed one or more of an identified subset of more serious offences. Only 7% of the young people surveyed said that they had committed more than 5 offences of any type in the previous year and could be classed 'frequent' offenders. These figures suggest that it is a minority of young people who are involved in criminal activity.
35. This picture is mirrored in Europe. The data from Eurostat indicates a general decline in total police recorded crime from 2002¹⁴ and the results of the International Crime and Victimization Survey (ICVS) also showed a drop in crime victimization across European countries since 2000. The International Self-Report Study (ISRD) an international comparative study of delinquency conducted in 13 countries with the goal to describe the span of criminality of children and youth in the European context found that (consistent with most data we have on young people) "youths – if at all – predominantly commit minor crimes," and only a small number of offenders commit more serious or a large variety of crimes.
36. In the USA the overall juvenile arrest rate was 24% lower in 2010 than in 1980.¹⁵
37. In Jersey, a Crime Survey was conducted in 2003, but it was not specifically targeted at young people so at the moment, the only self-report survey which touches on crime is the Jersey Annual Social Survey (JASS) which again does not specifically target young people and uses the age band of 16-34yrs. Nevertheless it is worthy of note that in the 2012 JASS:

Feelings of safety in people's immediate neighbourhood have remained unchanged since 2005, with nine in ten (90%) feeling 'very' or 'fairly' safe. The proportion of people who were 'very' or

¹² Hine, J and Williams, B with Chong, H, Knight, V and Smith, R (2007) Youth Crime and Offending, DfES Youth Strategy Review

¹³ Home Office Statistical Bulletin (2008), Young People and Crime, findings from the 2006 Offending, Crime and Justice Survey.

¹⁴ European Crime Prevention Network (2012), European Crime Prevention Monitor, 2012/1, EUCPN Secretariat, June 2012, Brussels.

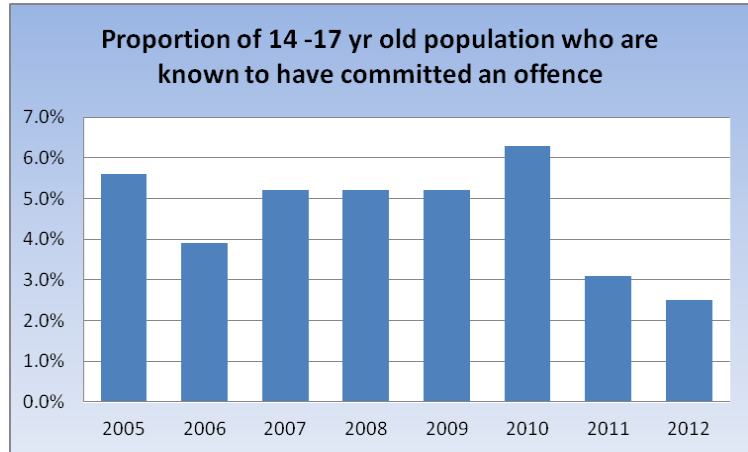
¹⁵ US Dept of Justice, http://www.ojjdp.gov/ojstatbb/crime/jar_display.asp

'fairly' worried about being verbally abused or threatened in the street has significantly reduced from two-fifths (43%) in 2010 to a quarter (25%) in 2012

38. In Jersey therefore, in general, we have to rely on official data to give us our main picture of youth crime and SoJP statistics do show how many young people are found guilty or cautioned for indictable offences.
39. The general volume of crime in Jersey is very low. This means that the overall crime rate recorded by the States of Jersey Police is very susceptible to short term fluctuations (small numbers can give large percentages). These fluctuations in police data can be caused by a number of variables:
 - Individual offenders who engage in intensive spates of criminal activity can have a disproportionate impact on recorded crime.
 - The introduction of new legislation can introduce new offences or replace older ones.
 - Changes in the Home Office Counting Rules can also cause changes to the volume of offences recorded. Although in Jersey we have kept the same rules since 2007.
 - Changes in policing strategy, numbers of police available and levels of victim confidence can also impact on the sheer volume of crimes recorded.
40. Given these factors, it is important to interpret patterns in crime over longer periods and understand the drivers that underpin short term fluctuations.
41. It is, therefore, even more of note that the general trend in youth offending has been reducing consistently.

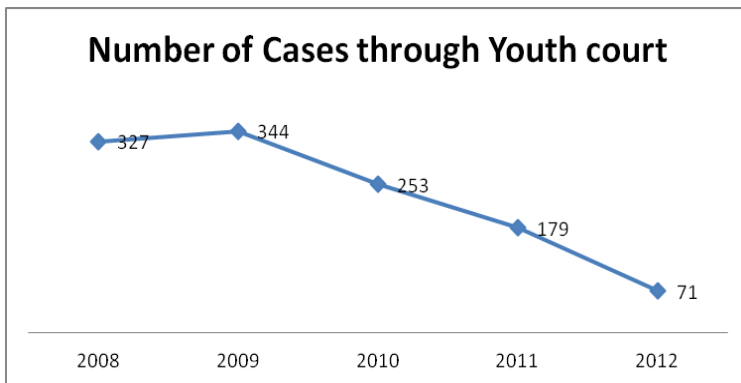
PICTURE IN JERSEY

42. Demographically, according to the latest Island Census, the population in Jersey was 97,856 in 2011. Of those, 4,383 were between 14-17 yrs old. In 2012, there were a total of 108 offenders between the ages of 14-17 which equates to 2.9% of the total population of that age. Since 2005 the highest percentage of young people known to have committed an offence was 6.3% in 2010.



43. In Jersey the general picture across all agencies is that of fewer and fewer young people coming into contact with the criminal justice system.

44. Figures for **Jersey Youth Court** cases show a massive 80% drop in numbers from 2009 - 2012. Last

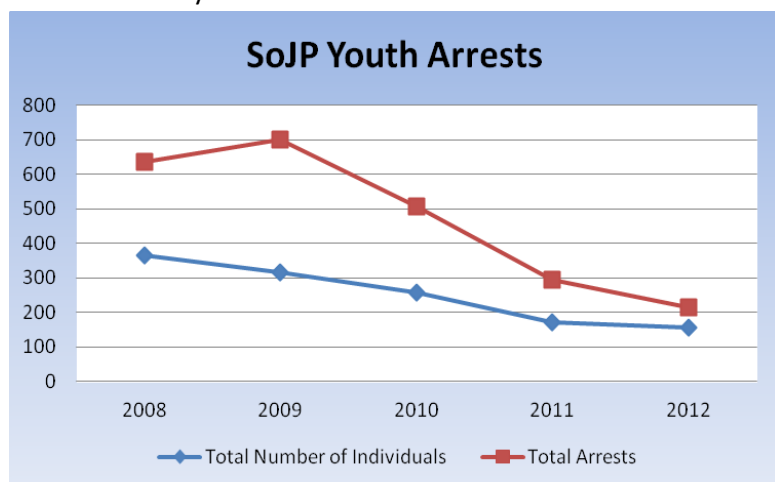


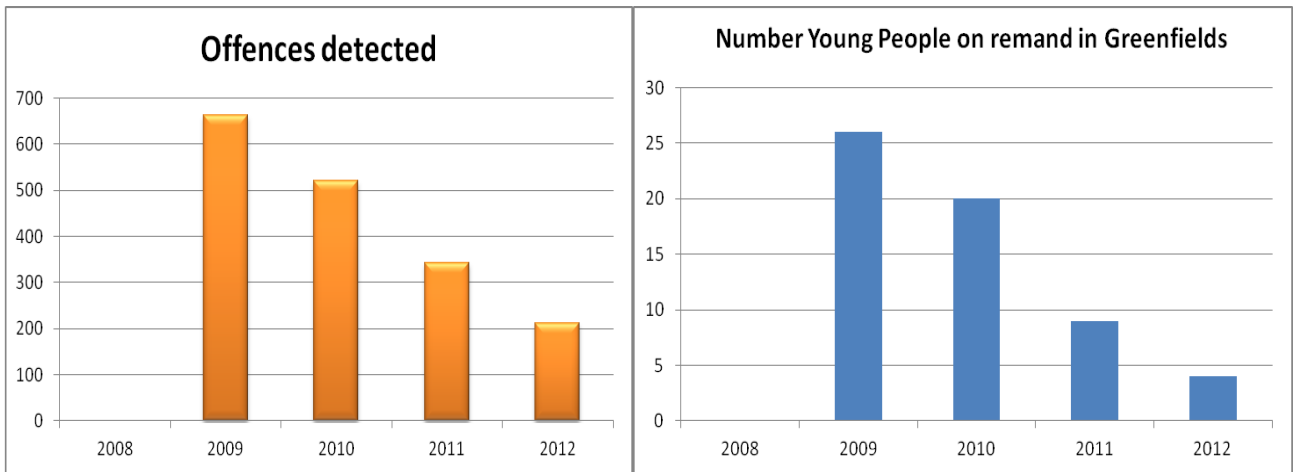
year 14 of the scheduled 49 Youth Court sessions were cancelled because there were no cases to be heard, and the number coming to court in the first place has been reducing steadily since 2008. This reduction is also being seen in Europe and in the UK Youth Court 'ticketed' Magistrates are struggling to get the required number of Youth

Court sessions completed to retain their 'tickets'. The chart on page 15 shows almost 50% reductions in UK Magistrate Court Youth Proceedings from 2nd Quarter 2008 to the 2nd quarter 2012.

45. The numbers for total individual youths arrested by the **SoJP** have shown a consistent downward

trend. The chart shows an increase in total arrests in 2009 which would suggest that there were a number of young people who were prolific offenders at that time. This increase can be seen mirrored in the slight rise in cases through Youth Court in 2009 (above) and the number of admissions to the Young Offenders Institution in 2010. Youth offences detected by the SoJP also shows a consistent downward trend since 2009.

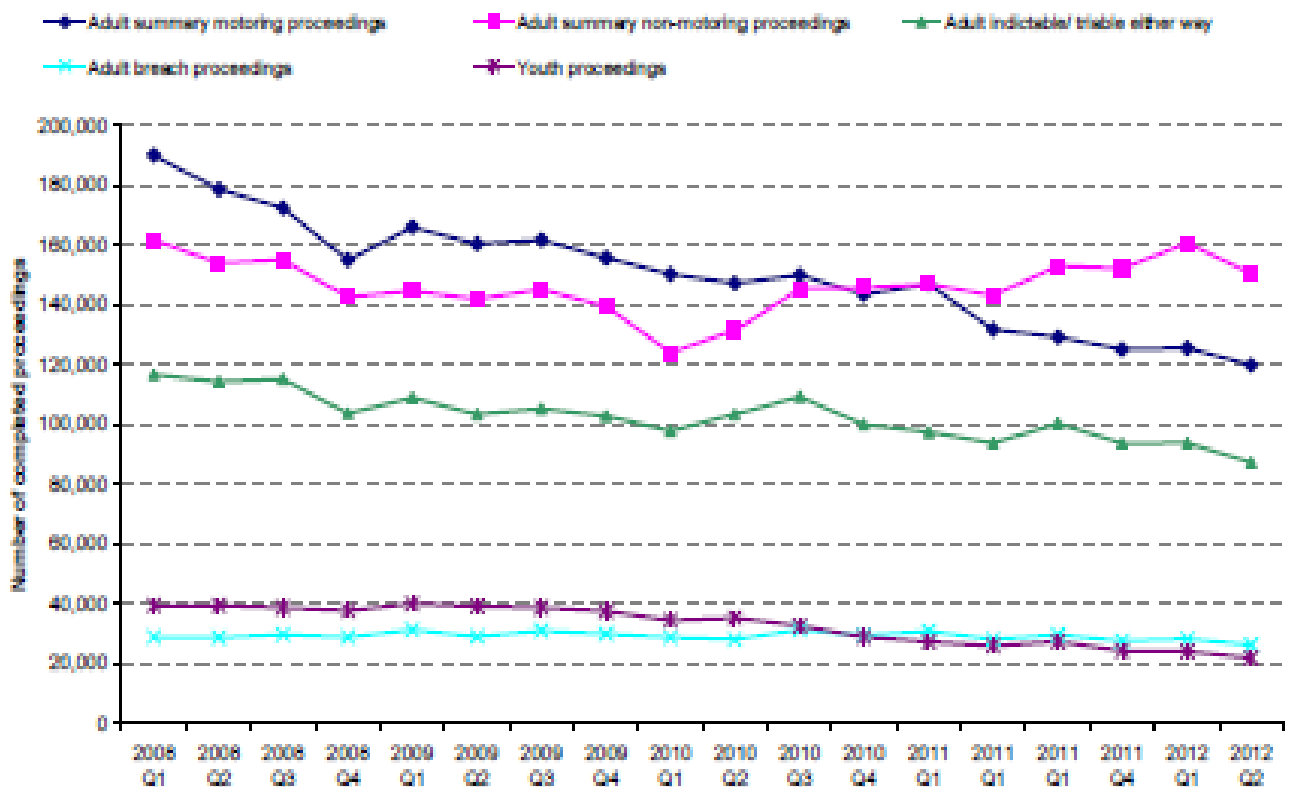




46. In 2012, **Greenfields** had only 4 young people on remand and as at the time of this report the facility was empty.

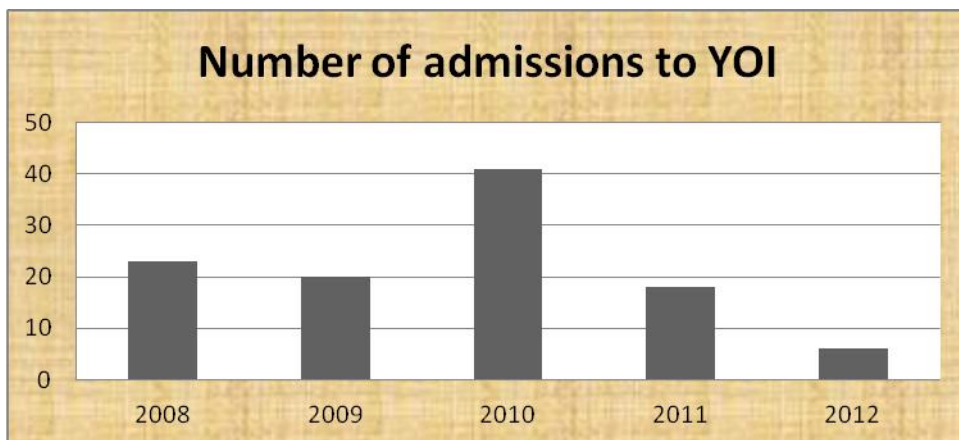
Criminal Court Cases Completed in UK Magistrates Court 2008 Q1–2012

Q2¹⁶



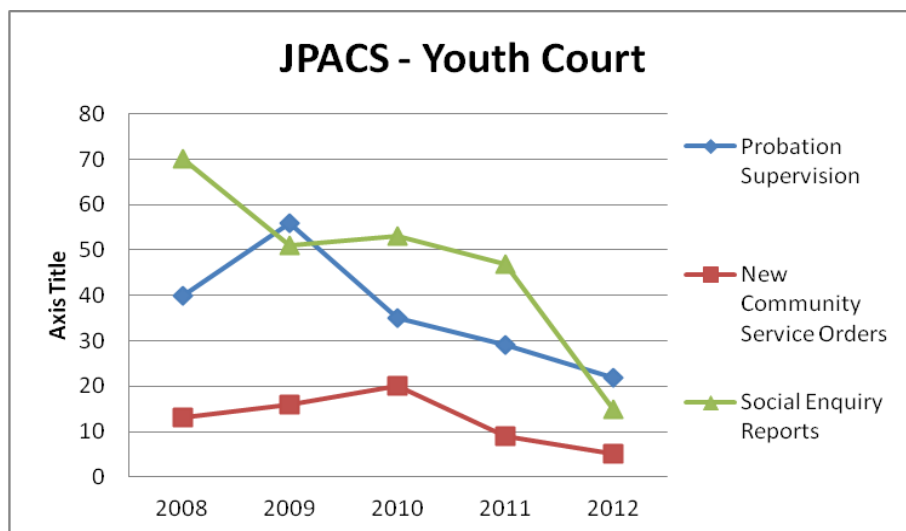
¹⁶ Ministry of Justice' Statistics Bulletin,, Court Statistics Quarterly, April to June 2012, Published 27 September 2012.

47. **The Young Offenders Institution at HMP la Moye** has also seen a reduction in the number of admissions from 23 in 2008 to 6 in 2012, with a rise in 2010.



The Jersey Probation and After Care Service (JPACS) are also seeing very encouraging results. In 2012, there was a decrease in the overall number of Social Enquiry Reports for the Youth Court from 70 (2008) to 15 (2012), a decrease in new Probation Orders imposed in Youth Court between 2008 and 2012 from 40 to 22 and a 44% decrease in the number of Community Service Orders. Part of the reason for the fall in Social Enquiry Reports may be a change in court practices, whereby the magistrates ask the probation officer in court to give a verbal ('stand down') report where possible so the case can be dealt with on the first occasion if appropriate. Full SERs are reserved for the more complex cases.

- 48.



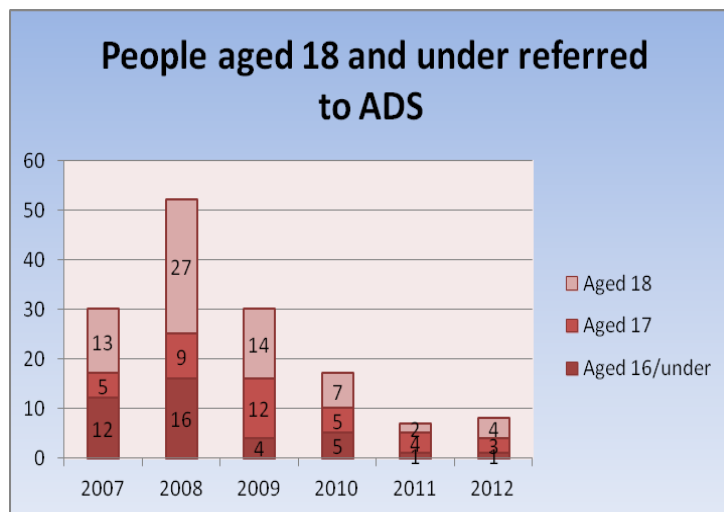
49. JPACS also use a validated risk assessment tool (LS1-r) to monitor the likelihood of reconviction of offenders and 59% of all probation orders completed during 2012 displayed a decrease in their score.

50. Meanwhile the number of young people appearing at **Parish Hall Enquiries** has risen from the drop seen in 2010 and 2011 with a 17% increase on 2011, although numbers are still generally down on previous years. Part of the reason for this may be a change in Police practice around this time. Originally most defendants were charged by a Centenier at the Police station and warned for court. Now all but custody cases go via Parish Hall :

	Parish Hall Enquiries
2008	406
2009	400
2010	288
2011	299
2012	349

206 (59%) of Parish Hall cases were first offenders, a slight increase on last year (55%). The main offence groups were road traffic (54%); public order (19%); larceny (8%); violence (5%) and malicious damage (5%). This compares to 56%, 21%, 18%, 6% and 5% respectively for 2011. 20 cases were sent from Parish Hall to Youth Court during 2012 (6 in 2011; 7 in 2010). 2 cases were also sent to Magistrate’s Court. There has been a 44% overall decrease in the number of supervisions imposed at Parish Hall, 20 this year compared to 36 in 2011.¹⁷

51. **The Alcohol and Drug Service (ADS)** likewise is seeing a reduction in referrals from people aged 18 and under although this also has a correlation with the loss of a counsellor’s post which has meant that referrals from the centeniers have gone through probation. The ADS also believe that the introduction of the Youth Enquiry Service at La Motte Street Youth Centre has meant that young people are using those services and the peripatetic counsellors there.



52. Situations can change rapidly and, given the general low numbers, the smallest change can affect the overall percentage; however, if we wish to sustain this very positive picture it is important to understand the contributing factors, what we are doing well and what may need to change, and ultimately why this change is happening.

¹⁷ Jersey Probation and After Care Service, Annual Report for 2012 and Business Plan for 2013.

PICTURE IN THE UK

53. Youth Offending Teams in England Wales and Scotland are all reporting reductions in youth crime. For example Swansea, which has an estimated population of just over 220,000¹⁸, has seen a 62% reduction between 2005 - 2011 in offences reported to the police committed by young people aged 10–17. The number of young people involved in youth crime has fallen by 52% and the number of first time entrants into the criminal system has been reduced by 62%.¹⁹
54. Darlington Borough has an estimated population of 100,800 (Mid 2010), living in approximately 45,000 households. Around 30% of the population consist of people aged 24 or under within the region of 10% in the 10 to 17 age bracket. ²⁰ In 2011/12 there were 62.6% fewer young people being dealt with by the courts than in 2005/6.
55. The picture across the UK is very similar with some regional variations. (Appendix 1)

18 clickonwales.org. "Population." clickonwales.org. 2013. http://www.clickonwales.org/wp-content/uploads/3_Factfile_Population.pdf.

19 Swansea,, YOS 2013.

20 Darlington YOS, 2012.

FINDINGS FROM INTERVIEWS

The following 3 main questions were addressed:

- What is the reason for the reduction in youth offending?
- What is being done well?
- Are there any emerging issues that we need to bear in mind?

Reason for the reduction in Youth Offending:

56. Whilst many reasons were suggested, most interviewees were careful to note that this present situation may not be sustainable which made it all the more important to understand the underlying reasons. There is much research being conducted in other jurisdictions as the reduction in youth offending is not just an island phenomenon but the long-term investment into community safety and early interventions to mitigate risks by the States of Jersey in 1996 is being recognised as best practice.

“None of this is a guarantee that crime rates will not rise in the future (there are no criminal justice ‘utopias’)..... This positive reduction suggests that Jersey is reaping some benefit from the investment in community safety strategies that started in the late 1990’s.” Dr Helen Miles

57. The acknowledgement that offending needs to be treated holistically, from early years through to any involvement with the criminal justice system, was a common theme and working in close partnership with other public, private and 3rd sector (voluntary , community and faith based) organisations. In addition:

- The impact of the investment made into the Building A Safer Society (BaSS) Strategy and earlier community safety strategies, policy and projects (parenting programmes, outreach youth work, court liaison officer, restorative justice officer, substance misuse, community sport.) This strategy has been monitored and evaluated and is showing some extremely positive results.
- Third sector involvement (e.g. the Bridge, Brighter Futures, PMNW, Jersey Domestic Violence Forum, NSPCC, JCCCT, Shelter Trust, Autism Jersey, MIND).
- Youth Enquiry Service – providing counselling for young people with issues which they may have otherwise needed to act out.
- Effective early interventions, evidence-based practice and changes in processes in States Departments.
- Involvement of Faith-Based organisations in Youth Work.
- More young people engaged with deciding their own services.
- The continued effectiveness of the Parish Hall Enquiry in dealing with a range of offences outside of the formal justice system.
- Evidence-based practice by Jersey Probation and After Care Service.

- The Youth Justice for Jersey – Options for Change Report recommendations about effective practice with children who offend.
- Changes in ways of dealing with young people by the SoJP- which include greater police involvement within the community especially through geographical policing, visits to schools and partnerships with Parish events and allowing more discretion for front line officers.
- Changes in Youth Court processes to facilitate faster and more meaningful sanctions and a closer relationship between the offence and the consequences. This has led to fewer court appearances.
- HMP La Moye provide, through their Learning and Skills Department, access to a variety of skills to enable a return to society that will help to prevent repeat offending.

There were other suggestions which included:

- The bad weather is keeping more young people inside.
- The lack of money. Although In most criminal justice research the correlation between poor economic output and crime is a positive one i.e. the less money around the more crime rises. In recent times this does not seem to be the case. *"This fall (in crime) is striking and unexpected, especially in view of the fiscal crisis, whose impact is bearing down sharpest on the poorest and most marginal social groups."*²¹
- Less lead in the atmosphere.

What is being done well?

58. The picture emerging is one of many best practices and evidence- based initiatives for building resilience and mitigating risk factors. Many of the initiatives and the changes in practice cited have happened following recommendations or based on evidence of what works in other jurisdictions and have been adapted to recognise the special context of working in Jersey.
59. Most of the very early interventions do not measure their outcomes based on a reduction in youth crime, with the exception of some BaSS funded initiatives like Community Sport Development which has the stated aim "To ensure the young people of Jersey can be healthy, safe and reduce their potential involvement in crime and anti-social behaviour" , so direct causation is difficult to prove. However, there is more than sufficient worldwide evidence that early intervention (from pregnancy onwards) and with families, has a positive impact on the life chances for young people including (but not limited to) desistance from, or resilience to, getting involved in crime.
60. The collection of data to facilitate evidence-based practice has improved and we now have some longitudinal data that can provide us with trends and general information. This includes the Jersey Annual Social Survey (JASS), and other data collected by the Statistics Unit, the Health Related Behaviour Questionnaire (HRBQ), the statistics collected by the SoJP and data collected by the Health Intelligence Unit, JPACS, the Courts and Parish Hall Enquiry data, as well as data collected by ESC.

²¹ Hough, M (2013) cited in Guardian Article by Alan Travis, Thursday 24 January 2013

61. There is a willingness to facilitate change in practices for the benefit of the community ranging from a change in processes in the Youth Court, to more co-operation between the SoJP and the Honorary Police, a recognition of the importance of the Parish Hall Enquiry in keeping young people away from the formal criminal justice system, changes in ways of dealing with young people by the SoJP, co-operation between services to provide appropriate custodial placements dependant on needs, restorative justice, and pro-social evidence based modelling approaches, training of professionals and families, work within families by Health Visitors and Social Workers and a significant input by voluntary agencies.
62. Schools, through their PSHE programmes and training of teachers to work more closely with parents, Youth Service provision, employment training through Workwise and Advance to Work schemes, diversionary activities like the community sport initiatives , Princes' Trust work , Housing compliance and community development especially with their Youth Forums, YES councillors available to discuss all areas of problematic behaviour with young people, input from various faith groups into Youth Work and provision, work at HMP La Moye with education and provisions for young offenders (recognised as excellent by a recent HMIP report) and less negative press reporting of young people. Finally, young people themselves are being encouraged and facilitated to be involved more and more in making their own decisions and understanding consequences.

Emerging Issues

63. **Young people's substance misuse.** The Alcohol and Drug Service is designed to work with adults and dependent users. The Service has been set up for dependent adults and is primarily constructed to meet the needs of an older rather than a younger age group whose drug use is primarily about recreational use and experimentation, including binge use whether that is licit or illicit drugs. Dependent young people in Jersey below the age of 18 years are thankfully rare however, not altogether unheard of and at the moment ADS would generally work with youngsters under the age of 18 in partnership with other services like CAMHS and Children's Services. A repeat of the Imperial College Research into Drugs (2000) has been requested in order to understand the current picture of drug use in Jersey, and in particular for young people the use of New Psychoactive Substances (NSP) or 'legal highs' but at the moment evidence is suggesting **the need for a young people's worker with specialist experience in alcohol and substance misuse** working solely with young misusers across the various agencies i.e. CAMHS, ADS, Social Services, Hostels etc.
64. **Young People and Alcohol Misuse:** young people in Jersey are less likely to drink alcohol than their UK counterparts; 82% of young people in Jersey did not drink any alcohol in the previous week compared with 72% of their peers in the UK,²² and the number of young people drinking alcohol has continued to decrease since 1998, some young people are drinking at higher risk levels with 9% of 14-15 year old males and 4% of females of the same age reporting drinking 15 or more units in the previous week. This amounts to around 70 young people in this year group risking their health. Alcohol has been correlated with unsafe sexual practices and one GP stated that this was a particular

²² Health Related Behaviour Questionnaire, 2010

worry to her. Notwithstanding the health implications, alcohol misuse has been recognised as a causative factor in some youth crime.

65. **Unregistered child care** is an issue that has been highlighted by the JCCT. More and more families are finding the costs of proper child care too high and the results of the focus groups they conducted with working parents showed that childcare costs, work-life balance and communications about services were their most pressing issues. This is an important issue if we recognise the importance of early years in building resilience and desistance to crime.
66. **Prolific offenders. Have we successfully intervened and diverted the next generation of prolific offenders?**
- Prolific Offenders do not appear to be on the streets anymore – 4 yrs ago there were some very prolific offenders. Some have left the Island, some are in prison. At the time their circle of influence centred on the children’s homes but lots of key individuals have now left the Island, some have turned 18, some settled down with girlfriends. Some were being flagged as possible offenders a couple of years ago but it hasn’t really happened. So we appear to have lost that whole cohort. So issues to be concerned about are:
 - **Was that the last cohort?**
 - **Is this just a lull?**
 - **Is there more illegal activity on the internet?**
67. **The internet.** Many agencies highlighted the internet and technology as an issue for many people ranging from the policing of crimes to the collecting of relevant and reliable data. The issues included:
- We need to understand young people’s relationship with the internet as they communicate virtually all the time.
 - Crimes such as fraud, are difficult to prove. Individual country laws may make access to a criminal in a different country difficult especially if a crime committed on a person in one country is not a crime in another.
 - Our laws are not keeping up with internet crimes. Internet safety is a big problem for example sexual grooming, hate emails, e-bullying or fraud and our laws at the moment only cover: protection of children, harassment, abuse and fraud. In Jersey we have no internet monitoring laws although they are being brought forward in UK.
 - However internet crimes are difficult for the police to deal with– where does the public and private start/stop in a virtual place? When is something a crime if it happens in a virtual reality?
 - One aspect of internet access which warrants a mention in its own right and could lead to a rise in youth offending is **the increased access children and young people have to extreme pornography**. Recent reports in the media indicate that a very high percentage of teenage boys and high percentage of teenage girls have seen hard core pornography on the internet. Much of this material is very much stronger than the old magazine content and it includes moving images. The content is freely available and legal. Indeed recent Royal and Magistrates Court cases show that illegal indecent images of children are not difficult to come by either. Nor does such material come with a warning that it is illegal. Young people are unlikely to analyse whether a girl in an image is 14, 15 or 16 and could therefore find themselves in possession of or making indecent images of children.

- The concern is that the **proliferation of such material (both legal and illegal) can lead young people to believe that what they see on such sites is the norm.** There will be, or are, confused boundaries and unrealistic expectations of sexual behaviour, leading to distorted ideas surrounding consent and sexual norms. Young people may find themselves taking part in sexual activity or coercing others into such activity simply because it is what they believe their boyfriend or girlfriend expects or what they think they themselves should do – **thus leading to offences being committed by or against young people.**

68. **Data Collection.** The collection of the correct data is essential to understanding changes for service provision and evidence-based interventions. Many people commented on the traditional data collection at the moment not capturing the realities of young people's lives.

- Some of the indicators we use for criminality now may soon need to be adapted as technology has become a dominant culture for young people and as they move into adulthood this internet usage will be maintained and enhanced.
- There is probably more illegal activity on the internet than we collect data for, for example ordering 'legal highs'.
- If an internet crime is reported, evidence collection is difficult especially as it is often across jurisdictions.
- At the moment the SoJP don't measure the extent that the internet has impacted on crime. But they are starting to and in 6 months they should have some idea how much of a factor it plays in crime in Jersey.

DISCUSSION

69. The results from the interviews and data collection have revealed a genuine reduction in youth offending. In Jersey there were more 10- 19 year olds, according to the 2011 Census, than ever before (10,797 compared to 9,669 in 2001) and so the demographics do not seem to be driving the scale of the fall.
70. The evidence collected suggests that the massive reduction in youth offending in Jersey is in no small part due to the early intervention policies and strategies that have been in place for more than 10 years and the recognition that the solutions to youth offending need to be holistic and early.
71. The interventions in place in Jersey compare very favourably with interventions in place in other jurisdictions (Appendix 1) and the changes to processes and service provision appear to be having a positive effect on the outcomes for our young people.
72. Young people themselves are becoming more and more involved with the provision of their own services and this again is in keeping with best practice provision in other jurisdictions and the United Nations Convention on the Rights of the Child (UNCRC). Although Jersey is not currently a signatory to the UNCRC, it is expected that it will sign by the end of 2013.
73. Nor is there any evidence from data at the Accident and Emergency Department (A&E) at the General Hospital that more young people are self-harming although the numbers are small and at the moment the data from A&E is not considered particularly robust. The health intelligence unit will start to monitor this annually.
74. However, the picture is not complete without recognising that this reduction in youth offending is taking place in the UK, Europe, the USA and other jurisdictions and therefore bears further investigation.
75. The results from this research showed some common issues that are being recognised in other jurisdictions namely:
 - **The Internet.**
 - **Data Collection.**
76. So, whilst the drop in numbers is to be celebrated, in common with most other areas, we do not seem to be collecting enough of the right data to deal with changes in young people's habits.
77. Some of the indicators we use for criminality now may soon need to be adapted as technology has become a dominant culture for young people and, as they move into adulthood, this internet usage will be maintained and enhanced.
78. The increased access children and young people have to extreme pornography on the internet is a growing concern. Whilst some of the content is freely available and legal recent Royal and Magistrates Court cases show that illegal indecent images of children are not difficult to come by either. The concern is that the proliferation of such material (both legal and illegal) can lead young

people to believe that what they see on such sites is the norm, which may lead to offences being committed by or against young people.

79. Crimes notwithstanding, the use of the internet, virtual technology and social media has been posited as a reason for the changes in youth offending worldwide:
- The internet has given young people a voice and the tools to change their world so the need to kick out and rebel against an adult dominated world has been tempered.
 - The need to 'hang out' is being realised in virtual space so there is less desire or need to 'hang out' in public spaces.
 - Boredom, the age-old reason for anti-social behaviour, is being tempered by on-line games and other virtual pastimes.
 - The ideology around technology is being suggested as the next great social movement; young people are inventing technological advances and changing their world at a rapid rate that will carry on into their adulthood.
 - The use of the internet as a fast way of communicating has been suggested as a driving force to change to a culture that is less tolerant of actual violence and more easy for people to identify criminality.
80. In Jersey in 2010 a survey of over 1,000 pupils in yrs 5- 13 found that 84% use the internet daily outside of school:
- Mobile phones were very common and widely valued amongst Jersey pupils and were a significant route that children use for accessing the Internet (from 14% in Y5-6 to 29% in Y12-13) but school and home computers were the most common route.
 - Any e-safety vulnerabilities that exist in cellphone and mobile-data services have the potential to affect large numbers of children. The telecommunications companies must be engaged to safeguard children.
 - As children get older they become less likely to report content and more likely to close any inappropriate material they encounter and carry on as before.
 - Overall, about half of all pupils have at some time done something on-line that they knew was not e-safe.
 - Cyberbullying is probably less prevalent than in the UK: the overall percentages of Jersey pupils who are affected by on-line and cellphone bullying are 15% and 8% respectively. (As in the UK, face-to-face bullying affects 50% of pupils.).
 - E-Safety awareness for children must be ongoing and should include, at an age-appropriate level, the risks and consequences of engaging in unsafe online behaviour.²³
81. There is a repeat of this research due in 2013 and it is expected that the use of mobile phones to access the internet will have increased.
82. There is a growing body of research that is recognising that, in order to understand why young people become involved in crime; their behaviour needs to be explored from young people's perspectives. This requires talking directly to young people.

²³ E-Safety Survey of Jersey Pupils, 2010, DfESC, Jersey.

83. There has been a steady growth in work that highlights the validity of young people’s perspective on matters that affect them directly and these developments link to changing understandings of the nature of childhood.
84. Several studies have spoken to young people about their experiences of crime and the criminal justice system and present common messages. Importantly, these studies reflect how young people’s understanding of their behaviour is different from the understanding of adults, particularly to youth justice professionals such as the police.
85. For instance, Hine (2007)²⁴ demonstrates how young people living in deprived areas are more likely to be involved in activities that have no criminal intent but are responded to as criminal and result in arrest and a final warning. Young people often learn that it is easier to go along with the adult view than to resist. Their strategies of resistance become more subtle, for instance by telling professionals as little as possible about themselves and their behaviours, even though this may reduce their opportunities to receive help and support. Others have highlighted young people’s frustration at not being involved in the processes that concern them where others make ‘uninformed’ decisions about them.
86. In Jersey, a PhD study²⁵ currently being researched has involved interviews with persistent young offenders in HMP La Moye and some of the emerging themes (mirrored in much international research) include:
- Early detachment from family life.
 - Low self esteem.
 - Disengaging from school and adopting deviant behaviour.
 - Early engagement in disruptive behaviour from about the age of 10yrs.
 - Adopting ‘risky’ lifestyles.
 - An early exposure to remand and custody resulting in progressive offending patterns.
 - Difficulty detaching from local crime scene once you are involved.
 - Insufficient support on release from custody towards addressing social needs and positive resettlement.
 - Insufficient accommodation and severe lack of employment opportunities.
 - Labelling by local criminal justice agencies.
 - A perceived lack of social support mechanisms.
 - Dissatisfaction with the Criminal Justice System:
 - Insufficient information on how the court justice system works.
 - Lack of respect for court judges and general court procedures.
 - An over use of custody for minor offences which they were adamant did not act as a deterrent towards re-offending.
 - Lack of respect for the SoJP.

²⁴ Hine, J and Williams, B with Chong, H, Knight, V and Smith, R (2007) Youth Crime and Offending, DfES Youth Strategy Review

²⁵ Chanter, A. (ongoing), Bringing the Social back into Policy: A view from the inside by Persistent Young Offenders in Jersey (working title)

87. On a positive theme, they were all aware of changes happening to the CJS in Jersey and tended to refer to the workings of the 'old system'. They all felt they had a good rapport with probation officers and prison wing staff.
88. They felt that a reduction on custodial sentencing and more community sentencing would be more effective including restorative justice and reparation. They would like to see more information in the Jersey community about preventing youth crime, and raising early awareness of the dangers of drug/alcohol abuse. They also felt that the Jersey CJS needed to allow young offenders to be more involved with the process.

WAYS FORWARD

89. Traditionally, early intervention for the CJS has been in the identification of risk factors and diversion and the prevention of re-offending and it appears early intervention to address issues of deprivation, bonding and family life remain of high importance. Indeed, most agencies agree that educating families and peers is the most effective way to progress. Investment by agencies and the 3rd sector into families, young children and peer education already can be seen as having beneficial outcomes of reducing crime. It has been suggested that there should be more universal provision of education around internet safety, and investment into early years' provision.
90. In the UK, the Justice Secretary wants more emphasis put on education whilst young people are in detention. In Jersey we have seen that the work taking place at HMP La Moye is already being recognised as excellent.
91. Closer partnerships with communities and non-government agencies, including virtually, has to be fostered.
92. Evidence is also suggesting that it is important to involve young people more and more in:
 - The provision of their own services
 - Criminal Justice processes
 - Prevention of crime and substance misuse (including alcohol)
 - Internet safety

CONCLUSION

93. Whilst we must celebrate the good practice and positive changes that have occurred in Jersey over the past few years, we cannot become complacent.
94. The reduction in youth offending being experienced in Jersey is being mirrored in many other jurisdictions and whilst there seems little doubt that the investments made into early interventions with families and young people are paying dividends, in common with other countries, we appear to be facing a new social movement in the shape of technology which is progressing at a fast pace. The division between what is public and private space is becoming more blurred and this poses a difficulty for traditional policing.

95. In keeping with much research in the UK, the role of education for parents and children has been suggested as an important factor in addressing the issues posed by the internet. So too is the continued and enhanced investment in very early interventions to build resilience and desistance in young people and closer partnerships with communities and businesses.
96. Finally, it seems that the participation of young people in finding their own solutions to problems with their peers may be the key to moving forward and ensuring that the current reduction in youth offending is sustainable.