



**University of Sheffield**

**A ONE YEAR RECONVICTION STUDY OF  
FINAL WARNINGS**

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## SUMMARY

### Key Results

1. The final warning sample has statistically significant better outcomes than the caution comparison group. The rate of further proceedings for final warnings overall is six percentage points better than expected: the expected rate<sup>1</sup> was 36% and the actual proportion with further proceedings was 30%. These two figures take account of differences between the two samples and are comparable on a like with like basis.
2. Within this overall figure of six percentage points fewer than expected with further proceedings, there was variation between the sub-groups:
  - ? Males with previous criminal proceedings were most likely to have further proceedings in both the final warning and caution samples, but the final warning proportion was significantly lower than expected. The actual proportion with further proceedings was 38% compared with an expected rate of 46%.
  - ? Within this sub-group, the biggest difference between expected and actual rates of further proceedings was for males aged 16 and over with previous proceedings: the actual rate of 33% was much better than the expected rate of 44%.
  - ? The sub-group with the highest expected rate of further criminal proceedings was males aged 15 and under with previous proceedings. The expected rate was 47% and the actual proportion with further proceedings was 41% – six percentage points fewer than expected.
  - ? Both males and females aged 16 and over and without previous proceedings also had better than expected rates of further proceedings. However, numbers in these groups, especially for females, were very low and the results should be treated with caution.
3. There was no statistically significant difference in further criminal proceeding rates between those who the youth offending team assessed as appropriate for a 'behavioural change programme', those who were assessed as not appropriate, and those who were not seen by the youth offending team. This result calls into question the nature and role of assessment procedures and the programmes delivered as part of a final warning during the pilot period.
4. Analysis of young offenders' 'risk' factors, as identified by youth offending teams and in relation to further proceedings, confirms the importance of these in predicting future offending. Education is highlighted as a particularly important risk area for work by youth offending teams.

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<sup>1</sup> The expected rate of further proceedings was calculated by applying the rates for sub-groups in the caution sample to the corresponding final warning sub-groups.

## Other Results

5. The new legislation required final warnings to be followed by a court appearance for all subsequent offenders. This is confirmed by final warning cases having more court convictions, and less cautions and subsequent warnings than the comparison caution cases. The analysis suggests that the higher court reconviction rate recorded for the final warning group is a characteristic of the new procedures for youth offending, rather than a difference in the overall offending rates of the two groups. It confirms the need to include all subsequent criminal proceedings in the analysis.
6. There is some evidence that the repeat cautions previously received by the caution sample may have been replaced by reparation orders for the final warning sample.
7. Comparison of times to first court reconviction shows shorter times for final warnings, illustrating the impact of procedures to speed the court processing of young offenders introduced at the same time as the final warning.
8. The proportion of the final warning sample which had a subsequent caution, reprimand or final warning is higher, at 8%, than might have been anticipated. Explanations for this are suggested.
9. Unsurprisingly, males were more likely to have further criminal proceedings than females in both samples.
10. The most common offence at first further proceedings for both final warning and caution samples was theft and handling (38% and 37%). Comparison of first subsequent offence with original offence shows substantial variation in both samples. Both of these results are in line with other reconviction studies.

## Methodology

11. This analysis is based upon a one-year follow up of 856 final warnings for which data was collected for the evaluation of pilot youth offending teams (Holdaway et al 2001). The comparison group consisted of a national sample of 4718 offenders aged between 10 and 17 who were cautioned in 1998. The validity of using this comparison sample is discussed and evidenced.
12. Cautions and final warnings are similar but not directly comparable. In most cases, a final warning was given to someone who had already received a reprimand or caution. Moreover, after a final warning, the expectation is that prosecution will follow automatically for a further offence. In contrast, a caution neither implies a previous record of offending nor attracts an automatic court appearance for a subsequent offence.
13. There were statistically significant differences between the two groups which would affect their respective overall likelihood of reoffending: the final warning sample had more cases with a previous record of offending; and had more male offenders.

Consideration of all of these factors led us to anticipate that the final warning group would have a higher overall reconviction rate than the caution group.

14. Logistic regression analysis was carried out to take account of the statistically significant different characteristics of the two samples. This analysis confirmed there was an independent positive effect that can be attributed to having a final warning, and that the actual extent of that effect varied according to the characteristics of the offenders.
15. Reconviction results are based upon data obtained from the Police National Computer (PNC). PNC data is complex to analyse and several anomalies arose in the process. PNC data allows the identification of reconvictions for offences committed prior to the original disposal ('pseudo-reconvictions'). It also records further cautions and warnings as well as court proceedings, and provides more up to date data.
16. This reconviction study includes all further criminal proceedings, ie court convictions, police cautions, final warnings and reprimands. This is in line with Home Office requirements and will enable comparison with reconviction studies of young offenders currently being carried out by the Offender and Corrections Unit of the Home Office.
17. The follow up period is one year from the date of the original sanction, either final warning or caution for the comparison group. Results are therefore not directly comparable with other studies which have a two year follow up period. It is also important to bear in mind that some studies (eg Raynor & Vanstone, 1996) have found that promising early outcomes have been eroded with time.

## INTRODUCTION

The Crime and Disorder Act 1998 introduced new criminal justice procedures to deal with young offenders. It provided courts and police with new ways of responding to offending by children and young people, and required the establishment of multi-agency Youth Offending Teams (YOTs) to administer these new responses. The core unifying aim of all parts of the youth justice system was the prevention of offending and reoffending by young people<sup>2</sup>, which was to be achieved by tackling the risk factors associated with offending. Pilot youth offending teams were established by the Home Office to trial the new arrangements, and their experience would be used to provide guidance to facilitate the national implementation of this strategy. A multi-disciplinary joint Universities<sup>3</sup> team undertook the evaluation of the establishment of the pilot youth offending teams and the delivery of the new disposals. Holdaway et al (2001) present the full report of that evaluation.

### The final warning

The Crime and Disorder Act replaced the pre-existing cautioning procedures for juvenile offenders with a system of reprimands and final warnings. The old system had been criticised for wide variation in implementation resulting in disparate cautioning rates between police forces, and because (subject to police discretion) unlimited cautions were allowed for an individual offender. Despite circulars designed to reduce inconsistencies and multiple repeat cautioning<sup>4</sup>, subsequent research found that 'there are significant differences between forces in their average cautioning rate' (Evans and Ellis 1997, p3).

The new system of reprimands and final warnings aimed to bring greater clarity and consistency to pre-court disposals, with the central objective of preventing re-offending. There were two mechanisms by which it was anticipated that this would be achieved.

- ? Firstly, by deterrence, because of the certainty which was introduced with the new proceedings. Reprimands were designed as the first option where juvenile offenders admit the guilt of relatively minor offences, essentially the same as the previous caution procedure<sup>5</sup>. Final warnings were designed for second minor offences, or for more serious first offences where guilt is admitted. When a final warning is given it should be made clear to the offender that any and all future offences will be dealt with by way of court proceedings.
- ? Secondly, by means of working with the offender to address the factors in their life which are linked to their offending behaviour. All final warnings are notified to youth offending teams where the offender is assessed and a final warning programme<sup>6</sup> is

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<sup>2</sup> Juvenile Offender Unit presentation to conference "Crime & Disorder Act 1998 - Implementing the Act, Delivering the Aim", 4 November 1998. <http://www.homeoffice.gov.uk/cdact/yotpres.htm>

<sup>3</sup> Universities of Sheffield and Hull, and latterly Swansea and Essex.

<sup>4</sup> HO circular 59/1990 established national standards for cautioning, whilst HO Circular 18/1994 aimed to discourage both multiple cautions and the use of cautions for multiple offences.

<sup>5</sup> Reprimands did not require input by the youth offending teams, and therefore were not included within the evaluation.

<sup>6</sup> This final warning programme was referred to as a 'rehabilitation (change) programme, in the guidance issued to pilot youth offending teams by the Home Office.

designed and delivered as appropriate. This is a key component of the strategy of 'nipping offending in the bud'<sup>7</sup>.

This report presents the results of a study of a one year follow up of further criminal proceedings of a sample of final warnings made during the early months of the pilot.

## THE FOLLOW UP STUDY

As part of the evaluation of the pilot projects, data was collected about young offenders referred to the YOTs after receiving a final warning (Holdaway et al, 2001). This included information about the YOT officer's assessment of the factors in the young person's life which were thought likely to put him or her at greater risk of re-offending; whether a programme of intervention was necessary; and the content and completion of that programme. Approximately half of those cases were included in this follow up study: those young offenders given a final warning between February 1999 and September 1999. This was the last reasonable date that allowed sufficient time to have passed for such a follow up to be possible. The results are compared with a larger group of young offenders who received a caution in 1998, prior to the introduction of the reprimand and final warning arrangements.

A follow up period of one year was used to enable early assessment of the effect of final warnings to be made. This is unusual, as most reconviction work is undertaken on a two year basis. However, many studies have found that most (two thirds or more) of first reconvictions occur within the first year after original disposal (eg Kershaw et al, 1999), and in a recent study of criminal careers, Prime et al (2001) found that 55% of male offenders and 80% of female offenders had a total criminal career of less than one year (p1).

### Identification of the comparison group

It is in the nature of a new disposal that the already problematic issue of identifying a comparison group is made more difficult. In this piece of work the comparison group is a national sample of young offenders given cautions during 1998. There are problems with such a comparison:

- the criteria for the decision to deliver a final warning are more precise than those for cautioning a young offender.
- a final warning may be given for offences that might be considered too serious for a caution.
- a final warning would not be given for a first offence of a minor nature, where a reprimand would be appropriate.
- a final warning is given for minor offences following a reprimand, thus more final warnings will have previous offences.

Nevertheless, a group of young offenders who received a caution is the closest match in terms of disposal type.

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<sup>7</sup> Speech by the Home Secretary, "Crime & Disorder Act 1998 - Implementing the Act, Delivering the Aim", 4 November 1998. <http://www.homeoffice.gov.uk/cdact/yotpres.htm>

Cautioning rates for indictable offences fell one percentage point in 1998, this being the continuation of a downward trend which began in 1993 (Sisson, 1999) following Home Office Circulars (eg HOC18/1994) which aimed to increase consistency in cautioning across police forces. Variation among police forces in their cautioning rates is well documented, with the latest available figures (Home Office, 2000) showing the highest cautioning rate for indictable offences in 1999 as 51% and the lowest as 24% (para. 5.28, Table 5.4). Efforts were made to control for this by obtaining a sample of offenders cautioned in the same police force areas as the pilot youth offending teams were based<sup>8</sup>. However, it proved impossible to identify appropriate cases for local areas. PNC data identifies the particular constabulary, but not divisions within it, and as three of the four pilot areas were divisions within a large metropolitan constabulary using the complete force data would not have provided sufficient specificity for comparison. The Home Office Offender and Corrections Unit<sup>9</sup> used their 1998 PNC 'census' file<sup>10</sup> to provide the comparison group. The data provided constituted a 6% national sample of all offenders who had a caution recorded during that year and whose age was between 10 and 17 at the date of that caution<sup>11</sup>.

We considered the question of whether police cautioning practice nationally is different to practice in the four pilot areas by examination of the comparison group data. This analysis indicated that differences in cautioning practice *among* the four pilot areas resulted in their combined data showing no significant difference to the national pattern. Phillips and Brown (1998) have shown considerable variation among police stations in their cautioning practices. This variation was related to differences in the types of crime that they dealt with as well as the different ways in which they dealt with the same type of offender.

“Ultimately, whatever guidance or instructions are provided, decision makers retain a residual discretion in deciding how best to deal with the suspect before them. It is likely that the individual practices of custody officers and inspectors play an important – albeit unquantifiable – role in accounting for differences between stations in patterns of cautioning and charging. This may help explain why cautioning rates in an individual station were not always in line with those for the forces within which they were situated.” (p92)

Such variation was reflected in interviews with police officers delivering final warnings in the pilot areas (Holdaway et al, 2001, p74-5). Pilot youth offending teams were linked to petty sessional areas and in all but one team this was one section of a much larger police force area. This analysis would suggest that controlling at the level of police force area would not be sufficient to account for the local differences in practice that would have occurred in the few police stations affected by the piloting of final warnings.

Howard and Kershaw (2000) cite work by the Home Office that demonstrated differential reconviction rates in different parts of the country, suggesting that this could mainly be accounted for by differences in predicted rates, i.e. it was related to individual

<sup>8</sup> Criminal Statistics 1999 show that the caution rates in each of the four pilot areas did vary. For example, the rate of caution for 15-17 year old males varied between 38% and 54%; for 12-14 year old males they varied between 60% and 74%.

<sup>9</sup> Philip Howard, Criminal Careers Section and colleagues.

<sup>10</sup> This file contains details of everyone with a caution, reprimand, final warning or conviction on the PNC for 1998.

<sup>11</sup> The sample provided also contained details of all offenders aged 10-17 with a conviction during 1998, but these were not used in this study.

offender-related factors rather than the criminal justice process. However, they go on to describe how 'clear up rate was the only locally available statistic that warranted inclusion' in the model for calculating Key Performance Indicator 1 (Reconviction Rate) for the Probation Service (p9). Other work (eg May, 1999; Kershaw, 1999) suggests that local clear up rate may be an important factor, but again emphasises the importance of individual criminal characteristics.

Leigh et al (2000) undertook analysis to generate comparative (family) groupings for the 318 Basic Command Units (BCUs, or police divisions) in England and Wales. This resulted in thirteen groups. The four pilot youth offending teams span eight of these, with none of the four police force areas involved having all of its BCUs in the same family. To test adequately the effect of police force area it would be necessary to compare each of the pilot youth offending teams separately, and numbers of final warnings in our sample are not big enough for this to be done. More fundamentally however, it has been pointed out that "collecting fully adequate data for matching purposes is, logistically, almost impossible; criminal history is relatively easy to collate, but how much (if any) social information is needed" (Lloyd et al, 1995, p8). It is our view that this national sample of cautions is a reasonable comparison group and will offer appropriate indications of the success or otherwise of final warnings in preventing re-offending.

The Home Office Offender and Corrections Unit provided the comparison group, and data about subsequent offending. They took a 6% sample from their 1998 PNC file, which generated 4757 cases for which the first proceeding of the year was recorded as a caution. The date of those proceedings was used as the equivalent of the date the final warning was made, and used as that sample's index date. On further investigation, 34 of these cases were found to have had a court disposal recorded at the 'caution' proceedings and were therefore removed from the sample. As a result of inconsistencies in the data, the sample was reduced by a further five cases leaving a total of 4718 cases in the sample of cautions.

## **The final warning group**

The cases chosen from the original pilot<sup>12</sup> samples for the follow-up consisted of all the final warnings from the evaluation sample that had a date of final warning between 1 February 1999 and 31 August 1999<sup>13</sup>. Details were submitted for follow up analysis at the end of February 2001, which is one year and five months after that last date. This would allow about ten weeks for offences committed at the end of the follow up period to be detected and processed through the criminal justice system. As already mentioned, the average time for loading data onto the PNC was two months. Because of the tight time frame it is possible that some offences committed in the latter stages of the follow up period had not been recorded on the PNC when details were submitted for follow up data. However, it is envisaged that the number of final warning cases which are likely to be affected by this is very small.

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<sup>12</sup> The pilot YOTs were Hampshire & the Isle of Wight, Sheffield, Wolverhampton and West London.

<sup>13</sup> The respective number of final warnings included for each pilot were: 471, 181, 115 and 89.

PNC numbers were requested from youth offending teams (YOTs) during the course of the pilots evaluation, but were not provided in a large proportion of cases. In some instances those that were provided were clearly wrong. Arrangements were therefore made to obtain PNC identifiers for these cases from Sheffield Phoenix Bureau of South Yorkshire Police.

In total the PNC numbers of 867 individuals were submitted for follow up data. There was a small minority of cases where the individuals concerned could not be traced from the PNC number provided by either the YOT or the Sheffield Phoenix Bureau. When the PNC numbers for the sample for this follow up were submitted six PNC numbers had not found a match<sup>14</sup> in the police national computer. These cases were excluded from the analysis. Inconsistencies in the data resulted in the removal of a further five cases, leaving 856 cases in the sample.

Descriptive data for the full sample of final warnings (Holdaway et al, 2001) was compared with the summary data for this sub-sample, and results were found to be within one or two percentage points for all descriptors other than previous criminal history. The main report of the study reported that 42% of the final warnings had a previous caution, reprimand or conviction, which is substantially less than the 59% recorded in this sub-sample. The data on previous criminal history for the former report was based on information provided by the youth offending team, whereas that reported here is from the police national computer. This calls into question the validity of the original data. Offences against property were recorded at a lower level in the original study than in this sample, again based on the different data sources. PNC data was used for subsequent analysis of these two factors.

## Characteristics of the caution and final warning samples

Before considering the data about reconviction, it is important to assess whether there are differences between the two groups in respect of factors which are known to be important in relation to likelihood of future offending. The key factors are gender, age, number of previous convictions, and type of current offence (Colledge et al, 1999; Howard and Kershaw, 2000).

### GENDER

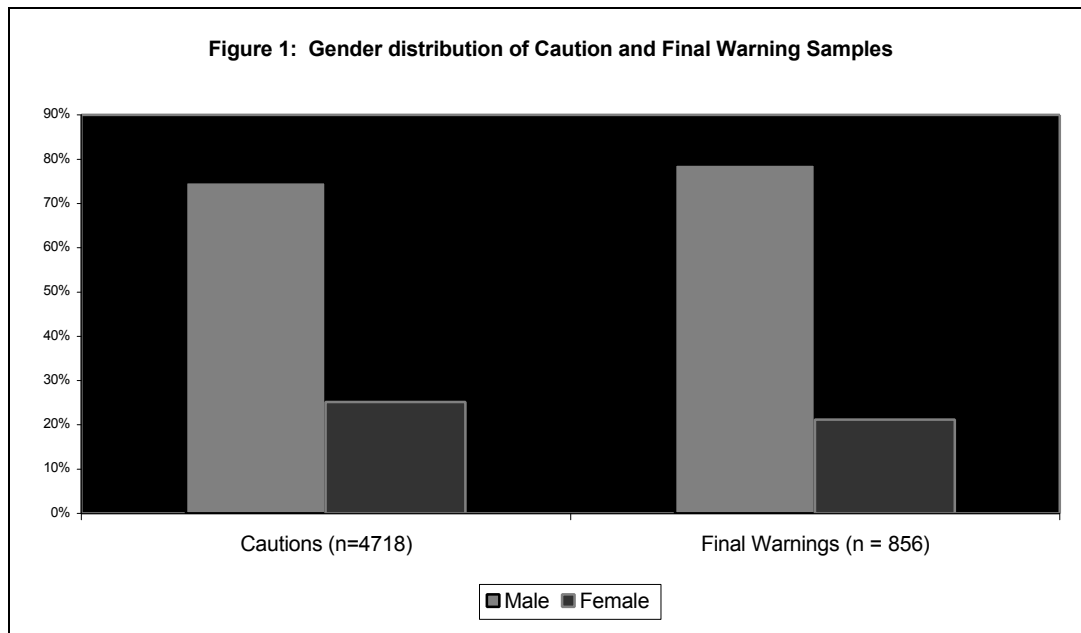
In general, males are more likely to offend than females: Prime et al (2001) calculate that 33% of males born in 1953 but only 9% of females born in the same year had a conviction by the age of 46. Males are also more likely to be reconvicted (eg Phillpots and Landcucki, 1979; Lloyd et al, 1994; Kershaw et al, 1999).

There were proportionally more males and fewer females in the final warning group (chi square,  $p < 0.05$ ), though the actual difference is slight. We see from figure 1 that 21% of the final warning group were females, compared with 25% of the caution group. In both these groups the proportion of females is relatively high compared with the proportion of female offenders who appear in court. For example, Sisson (1999, Table

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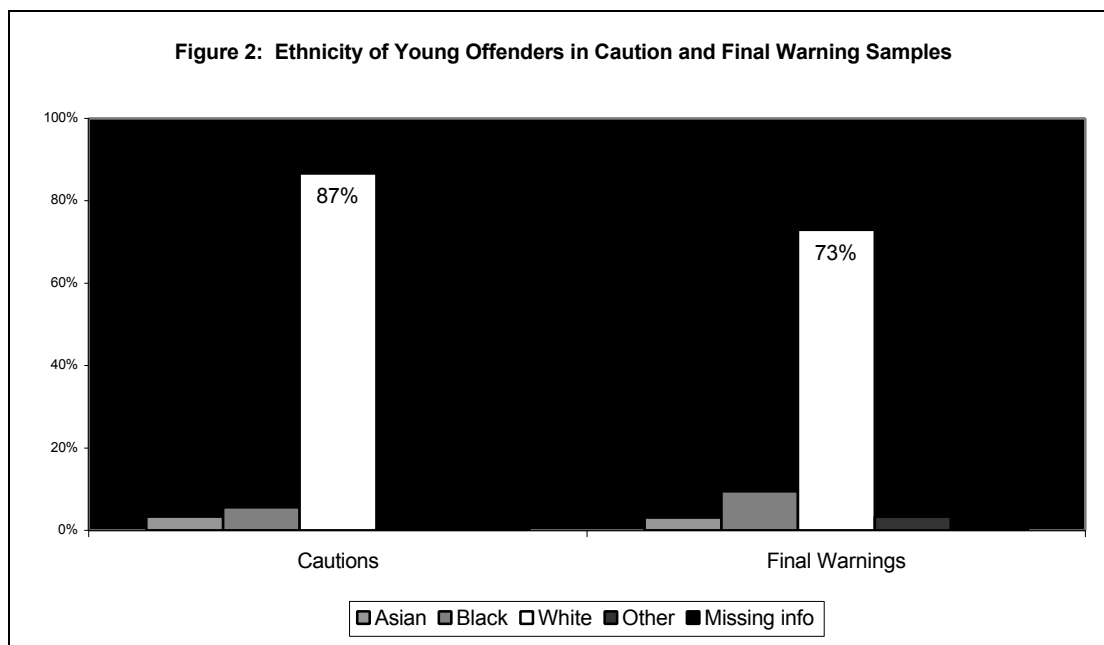
<sup>14</sup> All but one of these were PNC numbers provided by the youth offending team, so it is likely that transcription errors occurred. There was no time to resubmit these details for individual check.

8), shows that in 1998 females constituted 14% of all offenders sentenced for indictable offences. Although statistically significant, the actual difference between the final warning and caution groups is relatively small and is likely to have led to a slightly higher overall reconviction rate of the final warning group.



## ETHNICITY

The two groups differed significantly in relation to ethnicity (figure 2), with the final warning group containing more young offenders whose ethnic group was recorded as black (chi-square,  $p < 0.001$ ).

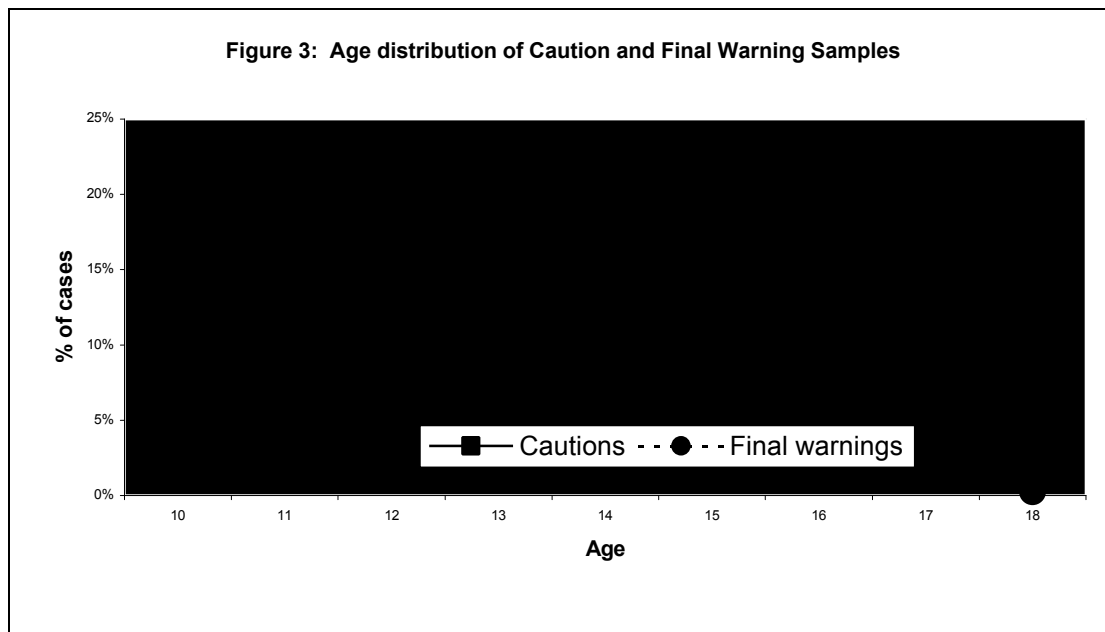


However, it would be dangerous to draw too much from this data, for two reasons:

1. The mechanism for recording the information in the two groups is different. The final warning data came from the youth offending team on the evaluation data forms, whereas the data on cautions came from the police recording at time of arrest. The categories used were slightly different with the police categories containing more detail. The mapping of categories between the two groups may have created some of the difference. Final warning data was in the categories Asian, black, white and other, and 15% of the cases were reported as Asian, black or other. The categories for the caution sample came from PNC data which uses the categories of white European, dark European, African-Caribbean, Asian, and a number of other ethnic groups including Arab and Oriental. Ten per cent of cautions were recorded as being African-Caribbean, Asian, or one of the other ethnic groups. This seems to be a substantial difference, but it has not been possible to explore how far this difference relates to the different categorisations.
  
2. The final warning group contains a higher proportion of cases where the ethnicity of the young offender was not known (11% compared with 4% of cautions). Many of these young offenders will be in the group that were not seen by the youth offending team because they did not keep their appointments. Although these young offenders are likely to be spread across all ethnic groups in a similar proportion to those who were seen, it is possible that there are hidden differences in ethnicity.

**AGE**

The mean age for the final warning sample was 14.5 years and for the comparison sample 14.3 years, which is a statistically significant difference (t-test,  $p < 0.001$ ). The difference in mean ages is not great, but a breakdown of the age distribution of the two groups reveals that the final warning sample has more offenders in the older age groups, and fewer in the younger age groups. This is demonstrated in the graph in figure 3.



We can see from this graph that the biggest difference occurs at the 16 years age point. The final warning sample have a greater proportion of offenders at this age than the caution sample, which has slightly more offenders at the younger age points. Compared with the caution sample, there were significantly more offenders aged 16 or over and significantly fewer aged 13 to 15 in the final warning sample (chi square,  $p < 0.001$ ). This may reflect that younger offenders were more likely to be committing their first offence, and thus receiving a reprimand.

Age has been shown to be related to the likelihood of offending and of reoffending, particularly the age at first offence (see for example Prime et al, 2001). The younger the offender at first conviction, the more likely that they will be reconvicted. The Youth Lifestyle Survey (Campbell and Harrington, 2000) found that the average age that offending started was 13.5 for boys and 14 for girls; 18 year old boys offended most, but the peak age for offending was 15 (when fraud and workplace thefts are excluded). The difference in age distribution between the samples must be taken into account when interpreting the reconviction rates of the two groups. Since the final warning sample was biased towards the older ages, it might be expected that this might lead to a slightly lower reconviction rate.

### PREVIOUS CRIMINAL HISTORY

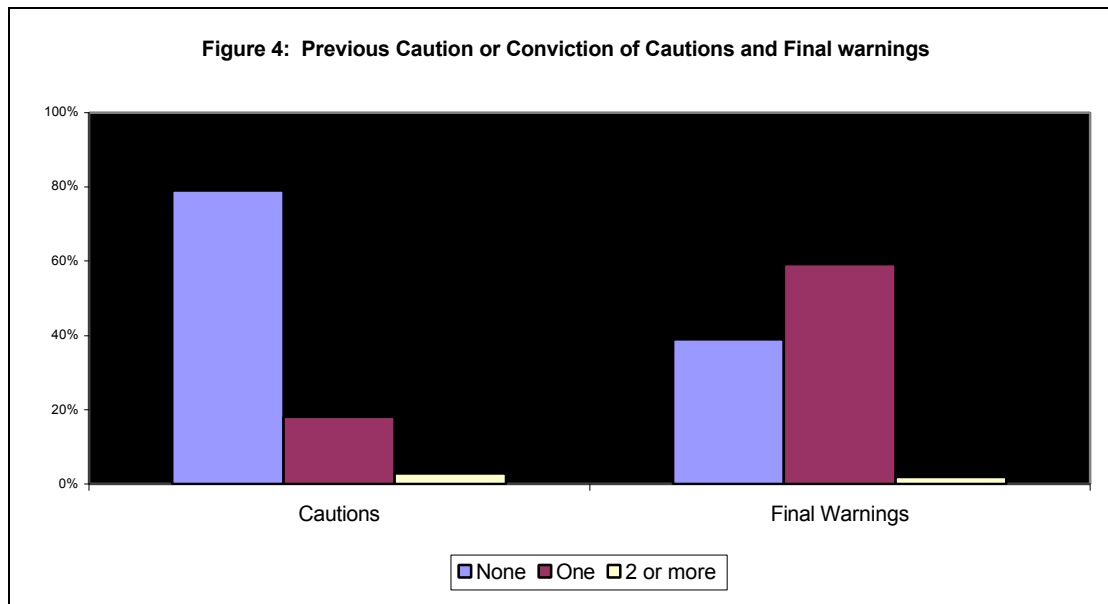
It is well established that previous recorded offending history is strongly associated with the likelihood of reconviction, particularly for young offenders. In a study of offenders convicted in 1971, Phillpotts and Lancucki (1979) found that "the fewer the number of previous convictions the lower the reconviction rate" (p14) and this was particularly so for juvenile offenders. They found that of those with no previous conviction 50% were reconvicted, compared with 97% of those with 5 or more previous convictions. Prime et al (2001, Table 7) present data which shows that for those born in 1978 and having no previous convictions at the time of their first court appearance, just 15% had a subsequent conviction by the end of 1999: whereas for those with one previous conviction, 47% had a further court appearance.

Criminal Statistics for England & Wales 1999 (Table 5C) show subsequent conviction rates for offenders cautioned in 1991 and 1994. These figures demonstrate that just 11% of offenders cautioned for the first time had a subsequent conviction; of those with one previous caution or conviction 30% were reconvicted; and with two or more previous cautions and/or convictions 42% have a subsequent conviction. Although these figures will include adult offenders who will have lower reconviction rates, they do demonstrate the importance of known prior offending in predicting future conviction. Figure 4 below shows that there are substantial differences between the two groups on this variable. This difference is statistically significant (chi square,  $p < 0.001$ )

Many more of the offenders in the final warning group had a previous caution, reprimand or conviction than those in the caution comparison group. This difference is a direct consequence of the rules for the new final warning, which anticipate that it will follow a reprimand (or previous caution). The new system of reprimands and final warnings was introduced to "*end repeat cautioning and provide a progressive and meaningful response to offending behaviour*"<sup>15</sup>. Final warnings should only be given

<sup>15</sup> [http://www.homeoffice.gov.uk/cdact/police.htm#\(i\)](http://www.homeoffice.gov.uk/cdact/police.htm#(i)). Purpose of the final warning scheme

for first offenders where the offence is relatively serious. Reprimands will generally be given for first offences which are more minor<sup>16</sup>.



The figures for cautions suggest that the level of repeat cautioning under the old system may not have been as high as often presented, though interestingly, the caution group contained more offenders with a previous court conviction (7%) than the final warning group (2%). This indicates that the picture for repeat cautioning may also be more complex than often assumed.

The high proportion of caution cases with no previous proceedings at all would lead us to predict that the reconviction rate overall for the comparison caution group will be lower than that of the final warning group as we know that repeat offenders have a higher risk of reoffending.

#### OFFENCE AT INDEX DATE

The distribution of the main type of offence<sup>17</sup> for which the warning or caution was given was broadly similar between the two groups can be seen in Table 1 below.

The largest category for both samples was theft and handling (nearly half of all cases). Violence offences formed the other largest grouping but with a much smaller proportion at 14% and 15%. The biggest differences between the two samples were the proportion of offenders with fraud and deception offences, and the proportion with criminal damage offences. The final warning group contained a higher proportion with a criminal damage offence, whilst the comparison caution group contained a higher proportion of fraud and deception offences than the final warning group. None of the differences is statistically significant.

<sup>16</sup> The evaluation did not look at these disposals as they are not part of the work of youth offending teams.

<sup>17</sup> Where more than one offence was recorded at a single set of proceedings the main offence was identified as the one which attracted the most serious sentence.

**Table 1: Comparison of index offences between sample groups**

|                     | Comparison caution |             | Final warning |             |
|---------------------|--------------------|-------------|---------------|-------------|
|                     | <i>Number</i>      | <i>%</i>    | <i>Number</i> | <i>%</i>    |
| Violence            | 648                | <b>14%</b>  | 127           | <b>15%</b>  |
| Sex offences        | 31                 | <b>1%</b>   | 6             | <b>1%</b>   |
| Burglary            | 370                | <b>8%</b>   | 70            | <b>9%</b>   |
| Theft and Handling  | 2107               | <b>45%</b>  | 378           | <b>46%</b>  |
| Drugs               | 498                | <b>11%</b>  | 59            | <b>7%</b>   |
| Fraud and Deception | 406                | <b>9%</b>   | 10            | <b>1%</b>   |
| Criminal Damage     | 352                | <b>8%</b>   | 108           | <b>13%</b>  |
| Other               | 301                | <b>6%</b>   | 65            | <b>8%</b>   |
| TOTAL <sup>18</sup> | 4713               | <b>100%</b> | 823           | <b>100%</b> |

Unfortunately we cannot say anything about seriousness of offence from the data available to us from PNC, but, given the guidance for the use of final warnings, it is likely that the final warning group contains a higher proportion of relatively more serious offences.

#### **POTENTIAL IMPACT OF DIFFERENCES ON RECONVICTION**

It has been suggested that likelihood of reoffending and thus reconviction is affected by dynamic social factors in an offender's life more than by their criminal history. This hypothesis was tested by May (1999), who found that the addition of social variables to criminal history variables increased predictive power in the statistical analysis very slightly, because 'the relationship of reconviction with criminal history factors is so strong' (p.ix).

It is to be expected therefore that the differences between the final warning group and the comparison caution group which are described above will have the biggest impact on their respective overall reconviction rates. Differences in age and gender will be substantially outweighed by the previous criminal history differences, such that overall we would expect a higher reconviction rate for the final warnings than for the cautions.

<sup>18</sup> Offence details were missing from PNC for 5(.1%) of the comparison cases and 33 (3%) of the final warning cases. This high figure for final warning cases is explained by the number of mismatches of data on PNC (see Appendix 1). Where no match on index date could be found offence data was taken from the YOT information, some of which was missing.

## RECONVICTION

### Assessing reconviction

Reconviction is used as a proxy measure for reoffending, the extent of which cannot readily be known for individuals. Reconviction data always involves an underestimate of re-offending: not all offences are reported to the police or recorded by them, not all recorded crime is detected and arrest does not always result in a conviction or caution. The 'dark figure of crime' (Tarling, 1993) remains cloaked but informed estimates based on a comparison of police and the British Crime Survey data indicate that only 3% of recorded crime results in a caution or conviction (Home Office, 1998).

Lloyd et al (1994) discuss the problems of using reconviction information as an outcome measure, and identify additional difficulties such as:

- reconviction is influenced by a range of factors including police, crown prosecution service, and court practice.
- clear up and cautioning rates will influence reconviction rates.

Despite these well documented caveats, Kershaw (1999) concludes that 'Reconviction is nevertheless important in any credible assessment of programme effectiveness'. He does go on to say, however, that the comparison of raw reconviction rates, without adjustment for differences in the characteristics of offenders, is inappropriate for monitoring underlying trends or comparing disposals.

Reconviction studies have until recently relied on data from the Offender Index, a database maintained by the Home Office and containing data about all individuals who have been convicted of standard list offences in courts in England and Wales. This database is regularly updated to maintain a comprehensive criminal history for individual offenders. There are substantial limitations with the Offender Index, however (see Mair et al, 1997), which are particularly relevant to this study of young offenders given a final warning or caution. Data from the Police National Computer (PNC) has more recently become available as a source of information about further criminal proceedings, but 'Experience in analysing PNC data is still limited' (Colledge et al, 1999, p14). PNC data has been used for this study as it overcomes critical disadvantages of the Offender Index.

? PNC data contains the dates of offences, something not available in the Offender Index. As a result it is possible to check to what extent reconvictions relate to offences committed prior to the date of the disposal that is being followed up, referred to by Lloyd et al (1995) as 'pseudo-reconvictions'. As they point out, reconviction studies "have usually ignored the problem of false-positives"(p7). Howard and Kershaw (2000) suggest that a quarter of convictions following community sentences are in fact pseudo convictions, and advocate the use of PNC data to take account of these. They suggest that it is then 'more defensible and feasible to use short term follow up periods for interim evaluations'.

Lloyd et al (1994) found that the effect of excluding pseudo-convictions was to reduce the proportion reconvicted by between 2 and 7 percentage points. Work on custodial and community sanctions has suggested that reconviction rates can be reduced by four percentage points to allow for these. It would not be appropriate to apply automatically such a reduction in this study, for three reasons:

- (i) the figure of 4% is based on two year reconviction rates, which are inevitably higher than the one year period of this current study;
  - (ii) the reconviction rates for custodial and community sentences are much higher than for cautions and warnings, generally with around 50% of cases having a reconviction within two years, and the impact of such a reduction would have a disproportionate effect on our lower reconviction rates,
  - (iii) final warnings were introduced at the same time as initiatives to speed the processing of young offenders through the courts. It is to be expected that these initiatives would have had a greater impact on the final warning group.
- ? PNC data is more up to date than that from the Offender Index. The Offender Index can be up to nine months behind the event, whereas the average time between an event and its recording on PNC is two and a half months<sup>19</sup>. It was therefore essential to use PNC data for this one year follow up of warnings made in 1999. Offender Index data for this period would not have been available.
- ? Importantly for this particular study, the Offender Index does not include information about cautions and warnings. Use of PNC data enables exploration of the use of cautions, final warnings and reprimands both as a feature of previous history of offending and as a feature of reoffending. Changes in the youth justice process make this of particular importance in the interpretation of our results. The final warning is intended to be final with any further offending resulting in a prosecution. In contrast, for those in the comparison group, multiple cautions could and were given. There was no expectation that further offending would automatically result in a court appearance. The extent of this can be assessed with the use of PNC data.
- ? A further difference between Offender Index data and PNC data is that the Offender Index includes convictions for standard list offences only, and excludes the minor offences that Lloyd et al (1995) suggest should be included in reconviction studies. Unfortunately, the data that we received from PNC had problems with the identification of standard and non-standard list offences, and analysis of this could not be undertaken. All offences, both standard list and non-standard list, are included in this analysis, again very important when considering offending by young people which results in cautions and final warnings.

PNC data is difficult to process for research purposes because of the format in which it is stored and made available. These issues are the subject of a study by Francis and Crosland (forthcoming). Concerns about the quality of PNC data have focused on the time taken to enter data onto the system (Russell, 1998, quoted in Howard and Kershaw, 2000). Although targets have been set and there has been some improvement, there are still substantial delays in some forces.

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<sup>19</sup> The Police Information Technology Office (PITO) advises a two month buffer period to allow for reconvictions to reach PNC (Howard & Kershaw, 2000).

During analysis for the present study many anomalies were discovered within the PNC data, and in the matching of data between that recorded in PNC and that recorded by the youth offending teams. Details of these anomalies and decisions made about how we dealt with them are given in Appendix 1.

The use of PNC data does, however, pose a dilemma: the different basis for reconviction data used here will mean that direct comparisons with reconviction rates from earlier studies are not valid. However, it can be argued that changes in the criminal justice system have already created problems for valid comparisons for this study. The report on the evaluation of the pilot YOTs (Holdaway et al, 2001) noted that as a result of the reduction of processing time, young offenders may find themselves sentenced more quickly and more frequently for further offences.

The Home Office are currently undertaking a national analysis of youth offending and reoffending, and intend to include in their analysis all further proceedings, ie court convictions, cautions, reprimands and final warnings. This will be used to measure the achievement of PSA Target 10, the technical notes for which state that: "Reconviction' includes further cautions, reprimands and final warnings". Much of the analysis for this study was undertaken on that same basis, to enable comparison with these results when they are available. We will use the term 'reconviction' in this wider sense, and refer to reconviction by a court as 'court reconviction'. The terms 'genuine reconviction' and 'genuine court reconviction' will be used when pseudo-convictions have been removed from the analysis.

## Court reconviction compared

The overall reconviction rate within one year was 21% for the caution sample, which compares with a figure of 27% overall for the final warning group (see Table 2 below). Jones (2001) reports conflicting data about court reconvictions following a caution (p371), much of which is related to the inclusion of adult cautions in some of the figures. He quotes 13% of young offenders cautioned who were convicted within two years (reported in Home Office Statistical Bulletin 20/92) which is much lower than the rates reported here.

**Table 2: Court reconviction rates for final warning and caution groups**

|  | <b>Comparison cautions</b> | <b>Final warnings</b> |
|--|----------------------------|-----------------------|
| <i>Number of cases in follow up analysis</i>   | <i>4718</i>                | <i>856</i>            |
| Proportion reconvicted by a court within one year of index caution or warning  | 21%                        | 27%                   |
| <b>GENUINE COURT RECONVICTIONS, ie proportion reconvicted by a court within one year for offences committed after index date or caution or warning</b> | <b>19%</b>                 | <b>25%</b>            |

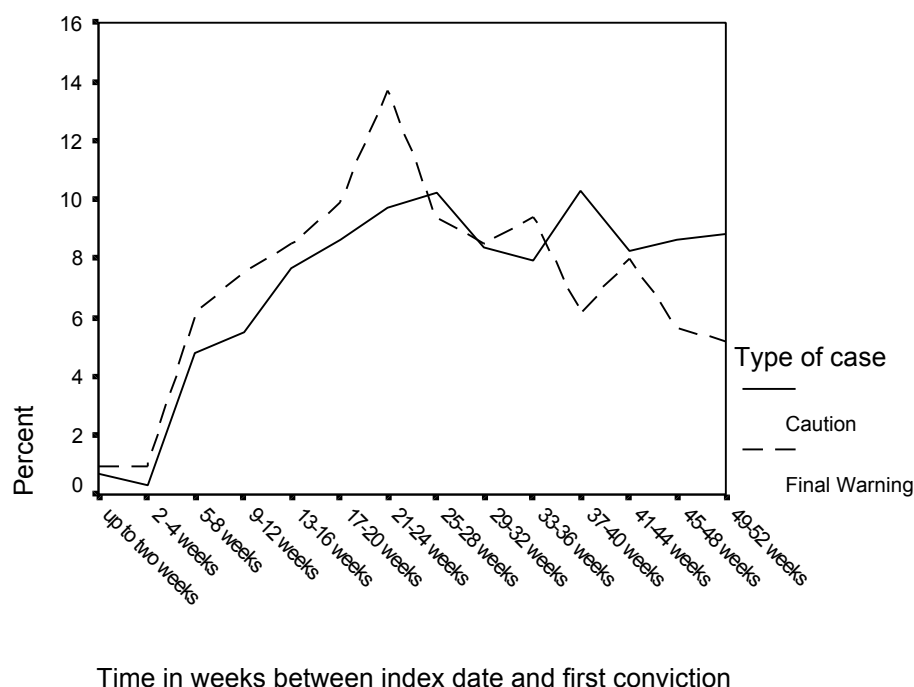
Table 2 above includes results of calculation of the 'genuine' court reconviction rate, which excludes all court convictions where all the offences were committed prior to the index warning or caution.

When court convictions for offences committed prior to the index date are removed, we see a reduction of two percentage points for both groups: 25% of those given a final warning had one or more court convictions during the year following the warning for offence(s) committed after the date of original final warning, compared with 19% of the comparison cautions group. This difference is statistically significant (chi-square,  $p < 0.001$ ), and suggests that overall final warnings are less successful than cautions. However, these differences are likely to be related both to the already identified differences in key characteristics of the two groups, and to changes in the criminal justice system.

### Length of time to first court reconviction<sup>20</sup>

Initiatives to speed up the processing of young offenders through court were also being introduced at the time of the piloting of the Crime and Disorder Act, and we can examine the impact of this on our final warning sample. Figure 5 below examines the time to first genuine court reconviction for all of those reconvicted in court within both groups. It shows that court reconvictions for the comparison sample lag behind the final warning sample. The first genuine court reconviction occurred within 24 weeks of original warning for 48% of the reconvicted final warning group. For the comparison caution sample the corresponding figure was 37% of the first genuine court reconvictions within 24 weeks. The final warning group were dealt with more quickly.

**Figure 5: Time to First Genuine Court Reconviction for Cautions and Final Warnings**



The median point, ie the time by which 50% of the court reconvictions had occurred, for the final warning group was in the 25-28 week period, whereas for the caution group it occurred in the 29-32 week period. This delay of four weeks seems likely to be a

<sup>20</sup> Unfortunately it has not been possible to provide analysis of time to first proceedings, including cautions, warnings and reprimands.

function of the shorter processing time brought about by the changes in the youth justice system. By the end of the twelve months, the additional number of caution cases being reconvicted in court was approximately 1.5% of the total sample. Remembering that final warnings were more likely to have a court reconviction, figure 6 below shows the impact of the different time to court reconviction on the overall rate of court reconviction at monthly intervals during the year after the original caution or final warning.

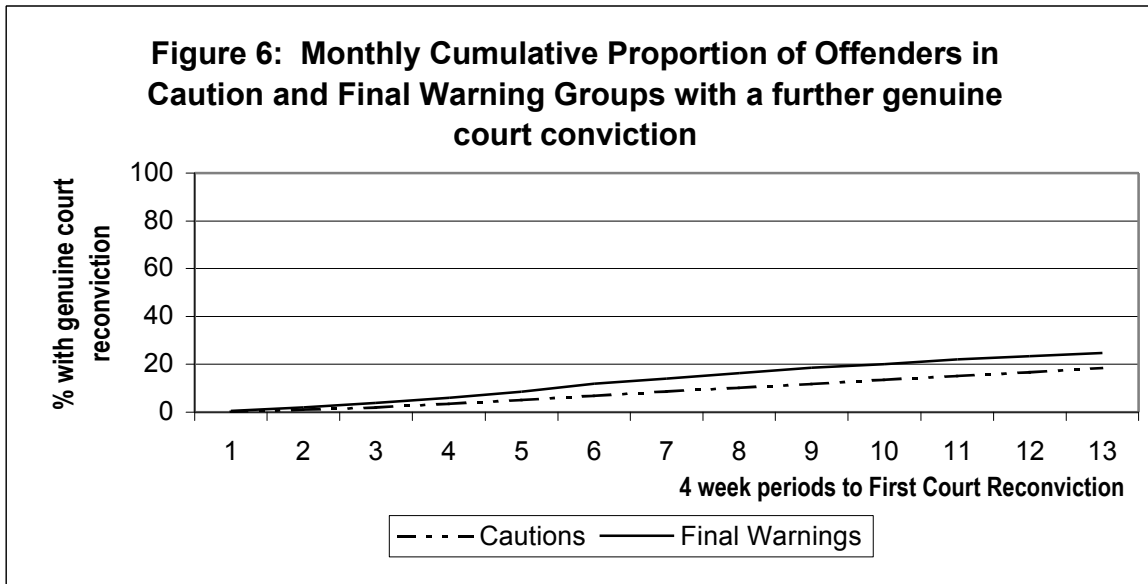


Figure 6 demonstrates how the overall genuine court reconviction rate for the final warning group is always slightly above the corresponding rate for the caution group. If the adjustment is made for the final warning court reconvictions taking place earlier the lines would be closer together over the full period, but the final warning rate would always be very slightly higher.

**Disposal at first court reconviction**

An indication of the seriousness of subsequent offending resulting in a court appearance may be obtained from the disposals given by courts for those offences; these are given in Table 3 below.

**Table 3: Disposal<sup>21</sup> at first genuine court reconviction for final warning and caution groups as a proportion of all first reconvictions**

| Disposal for first genuine court reconviction | Caution | Final Warnings |
|---|---------|----------------|
| Custodial                                     | 4%      | 2%             |
| Community Service                             | 4%      | 3%             |
| Probation/ Supervision Order                  | 15%     | 10%            |
| Action Plan*                                  | <1%     | 9%             |
| Attendance Centre                             | 8%      | 7%             |
| Reparation Order*                             | <1%     | 25%            |
| Monetary                                      | 46%     | 33%            |
| Miscellaneous                                 | 22%     | 10%            |
| TOTAL   | 100%    | 100%           |

\* New disposals introduced in pilot areas October 1998, and nationwide June 2000.

Table 3 shows some significant differences between the two samples in the disposals given at first court reconviction. In comparing these disposals, however, it is important to remember that a large proportion (more than a third) of the disposals received by the final warning group were orders not available to the courts sentencing the comparison caution group.

The proportions for the more severe disposals like custodial sentences and community sentences are similar but there are proportionally fewer fines in the final warning group. After fines, the most frequent disposal for the final warning group was a reparation order (25%) a disposal that was introduced for sentences not serious enough to warrant a community sentence, and broadly equivalent to a conditional discharge, which was no longer available for these young offenders. The category 'miscellaneous' contains the less severe disposals such as a conditional discharge, which was quite large for the caution group. If we consider the two categories of reparation orders and miscellaneous as roughly equivalent we see that the final warning group contains a higher proportion of offenders in this less serious group (22% of cautions and 35% of final warnings). This bigger proportion suggests that the change in the rules for dealing with repeat offenders could have led to these offenders being given a reparation order instead of a further caution.

### Further proceedings compared

It was predicted that an increase in court reconviction rates over the short term would result from the new youth justice legislation. The new system requires that subsequent offences of young offenders who have received a final warning are routinely referred for court proceedings, whereas the sample who had received a caution were eligible for a repeat caution. In order to provide a comparison that takes account of the difference between the old cautioning system and the new final warning process, it will be appropriate to compare *further proceedings* (i.e. further convictions and further cautions, reprimands or warnings) rather than court reconviction alone. In line with Home Office guidance outlined above (p16), we shall include these in the subsequent analysis of 'reconvictions'.

<sup>21</sup> Where more than one disposal was given at first proceedings, the most serious disposal was used for this analysis.

Table 4 below shows the impact of including formal cautions or warnings recorded within one year for offences committed after the index caution or final warning.

**Table 4: Further cautions, reprimands or warnings given within one year of index warning or caution**

|   | Comparison cautions | Final warnings |
|---|---------------------|----------------|
| Proportion given a caution, reprimand, or warning within one year of index caution or warning, for offences committed after index warning or caution <sup>22</sup>  | 15%                 | 8%             |
| <b>GENUINE RE-OFFENDERS,<br/>ie Proportion with any further proceedings (court convictions, cautions, reprimands or warnings) within one year, for offences committed prior to index warning or caution</b> | <b>29%</b>          | <b>30%</b>     |

It is clear that the new system resulted in less use of repeat warnings or cautions. Table 4 shows that 15% of the caution group had a further caution, reprimand or warning within one year, compared with 8%<sup>23</sup> of the final warning group. This figure of 8% of the final warning group having a subsequent caution, reprimand or warning is higher than the legislation would suggest is appropriate. There are three possible reasons for this: (i) subsequent offences may have been dealt with outside of the pilot areas, where the new legislation was not operational; (ii) interviews with police officers in the pilot areas (Holdaway et al, 2001, p75) suggest that establishing procedures for effective implementation took some time; and (iii) some of the subsequent offences will have been very minor, and pilot projects reported the dilemmas which this posed for decision makers.

The final row of Table 4 gives the overall rate of further recorded proceedings for offences committed after the original caution or final warning. The rates are almost identical and there is no statistical difference between the two groups on this figure. This suggests that the higher court reconviction rate recorded for the final warning group in Table 2 is a characteristic of the new procedures for youth offending, rather than a difference in the offending rates of the two groups. However, as previously noted, the differences between the two samples in factors known to be related to further offending led us to expect that the final warning sample would have higher reconviction rates than the caution sample, and that is not apparent here. We will explore this in more detail after considering details of further proceedings.

## CHARACTERISTICS OF FURTHER PROCEEDINGS

### Offence type at first further proceedings

The most common offence at first further proceedings in both the caution and the final warning samples was theft and handling (38% and 37% respectively). This is similar to the findings of other reconviction studies (eg Kershaw et al, 1999). Table 4 below gives

<sup>22</sup> This is an overall figure, and includes cases that also have a conviction

<sup>23</sup> Of the 67 cases, nearly a third (21) were cautioned, more than half (37) got a further final warning and the rest (9) were reprimanded.

details of the numbers in each offence category at first further proceedings, together with the offence as a percentage of all genuine further proceedings in that group.

**Table 5: Offence<sup>24</sup> at first reconviction, caution, warning or reprimand for final warning and caution groups**

|                     | Caution |      | Final warning |      |
|---------------------|---------|------|---------------|------|
|                     | Number  | %    | Number        | %    |
| Violence            | 207     | 15%  | 55            | 21%  |
| Sex offences        | 3       | <1%  | 1             | <1%  |
| Burglary            | 128     | 9%   | 22            | 9%   |
| Theft and handling  | 528     | 38%  | 96            | 37%  |
| Drugs               | 95      | 7%   | 22            | 9%   |
| Fraud and deception | 125     | 9%   | 8             | 3%   |
| Criminal damage     | 101     | 7%   | 30            | 12%  |
| Other               | 200     | 14%  | 25            | 10%  |
| TOTAL               | 1387    | 100% | 259           | 100% |

The second most common offence at first further proceedings for both groups was violence offences at 15% and 21% respectively. The final warning group contains more violence offences (chi square,  $p < 0.05$ ), although this difference is accounted for by the relatively lesser serious offences of violence such as assault. There was no significant difference between the final warnings and the cautions in the proportion of more serious violent offences (offences such as grievous bodily harm, wounding and robbery).

A comparison of index offence with offence at first further proceedings was undertaken. This showed that relatively few offenders committed the same type of offence on both occasions. For example, examination of those whose offence at original caution or final warning was burglary, revealed that less than one quarter of the first further proceedings were for another burglary. The proportion of repeat violence offences was higher but still less than one third of all repeat violent offences. Again, this result is in line with other reconviction studies which have assessed this (eg Kershaw et al, 1999)

### **Disposal at first further proceedings**

Analysis of further proceedings, including cautions, is shown in Table 6 below, and confirms the conclusions from Table 5 above, that the change in the rules for dealing with repeat offenders could have led to these offenders being given a reparation order instead of a further caution.

<sup>24</sup> Where there was more than one type of offence recorded at a proceeding, the more serious offence was used for this analysis. The offence which attracted the more serious disposal was taken to be the most serious offence.

**Table 6: Disposal<sup>25</sup> at first genuine further proceedings for final warning and caution groups as a proportion of all first proceedings**

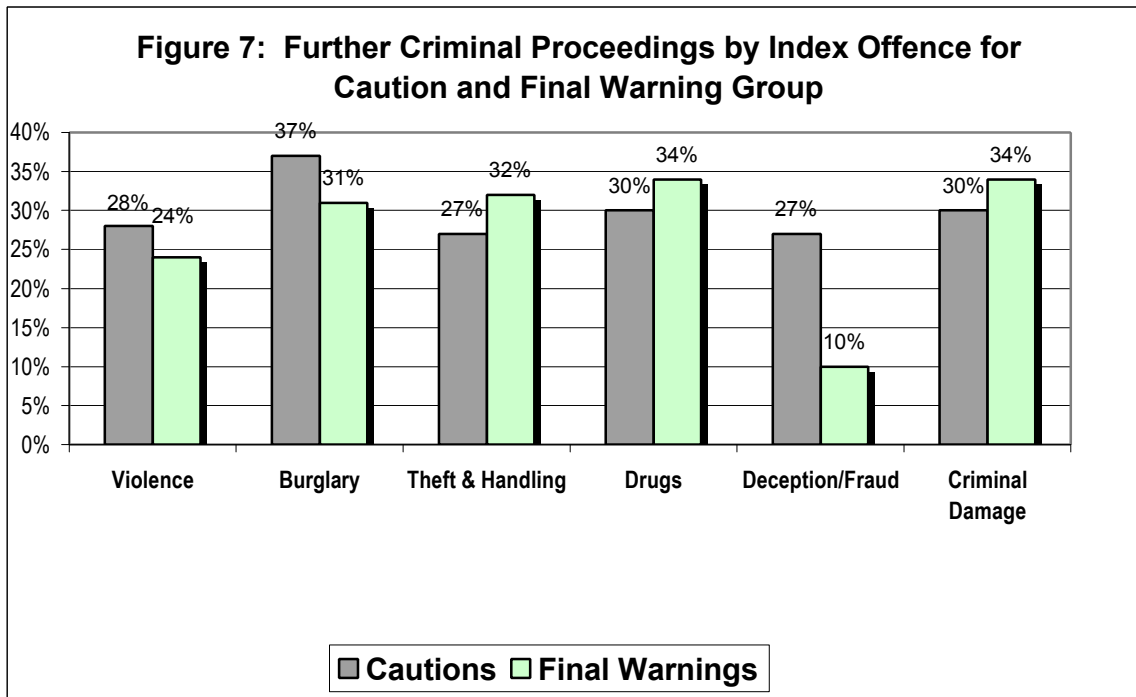
| Disposal for first genuine proceedings | Caution | Final warnings |
|--|---------|----------------|
| Custodial                              | 3%      | 2%             |
| Community Service Order                | 3%      | 2%             |
| Probation/ Supervision Order           | 9%      | 8%             |
| Action Plan Order*                     | <1%     | 7%             |
| Attendance Centre                      | 5%      | 6%             |
| Reparation Order*                      | <1%     | 21%            |
| Monetary                               | 29%     | 28%            |
| Miscellaneous                          | 14%     | 8%             |
| Caution, Warning or Reprimand          | 37%     | 18%            |
| TOTAL                                  | 100%    | 100%           |

\* New disposals introduced in pilot areas October 1998, and nationwide June, 2000.

We see that the difference in caution category rates between the final warning and caution groups (19%) is much the same as the proportion of new Reparation Orders (21%), with the proportion of Action Plan Orders (7%) being equivalent to the difference between the two groups in the proportions of Miscellaneous disposals (6%). This may be coincidence, and should be treated with caution without further investigation, but these results are interesting. The introduction of the final warning system was intended to increase prosecutions for further offending by young offenders, and these results indicate that did indeed happen.

**Offence at index date**

Figure 7 below shows the proportion with further genuine proceedings of all types for each index offence.



<sup>25</sup> Where more than one disposal was recorded at a proceeding, only the most serious disposal was included in this analysis.

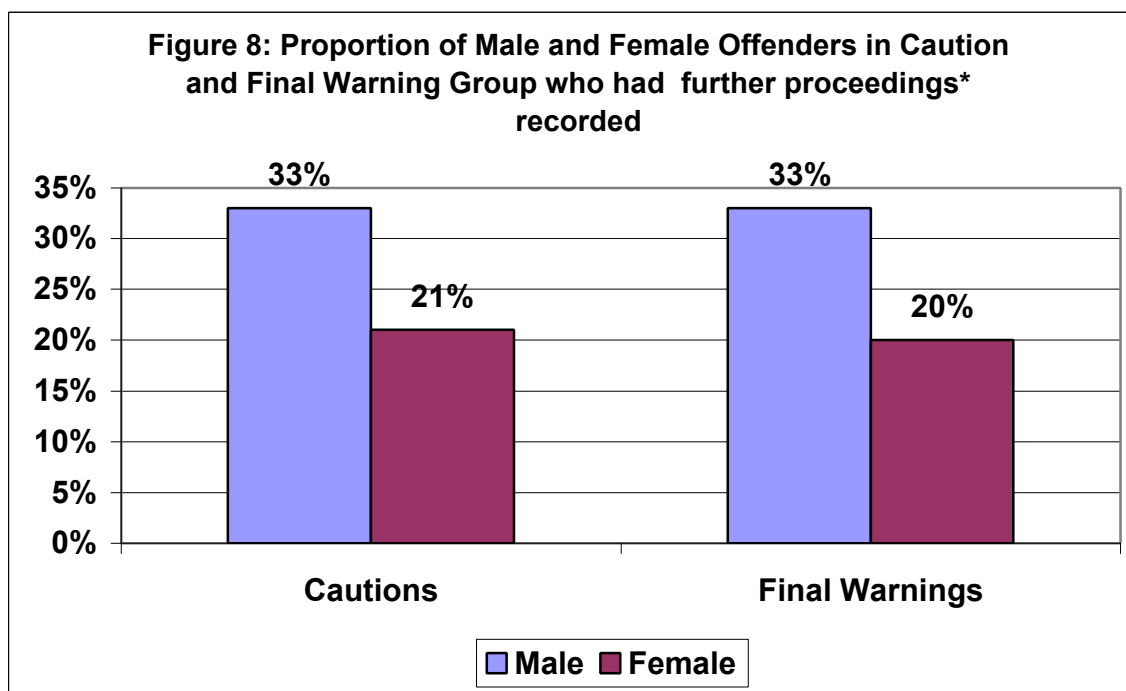
The picture which emerges from an analysis of further proceedings by original offence is complex. Many studies have found that property offences, particularly burglary, have the highest reconviction rates (eg Kershaw et al, 1999), but this does not follow straightforwardly in our analysis. Burglary offences had the highest further proceeding rate among the caution group, but it was lower for the final warning group, where the highest further proceeding rate was for theft and handling and criminal damage. There are differences in both directions when comparing final warnings with cautions on each offence, suggesting a need for much more detailed analysis on larger numbers before conclusions can reasonably be drawn.

### CHARACTERISTICS OF OFFENDERS WITH FURTHER CRIMINAL PROCEEDINGS

The identified differences between the two samples in terms of their age, gender and previous history are particularly important to consider in some detail when comparing the reconviction rates.

#### Gender

The literature predicts that males are more likely than females to be reconvicted. We have already seen that there were proportionally more males in the final warning group (figure 1) and so reconviction rates were calculated separately for males and females in both the caution and the final warning group. The results are presented in figure 8 below.



\*Further proceedings = one or more court conviction, caution, final warning or reprimand within one year of index warning or caution, for offences committed after index date.

For both samples, males were more likely to have a genuine further criminal proceedings than females, but we can see that for both males and females, there was virtually no difference between the final warning and caution groups<sup>26</sup>.

**Ethnicity**

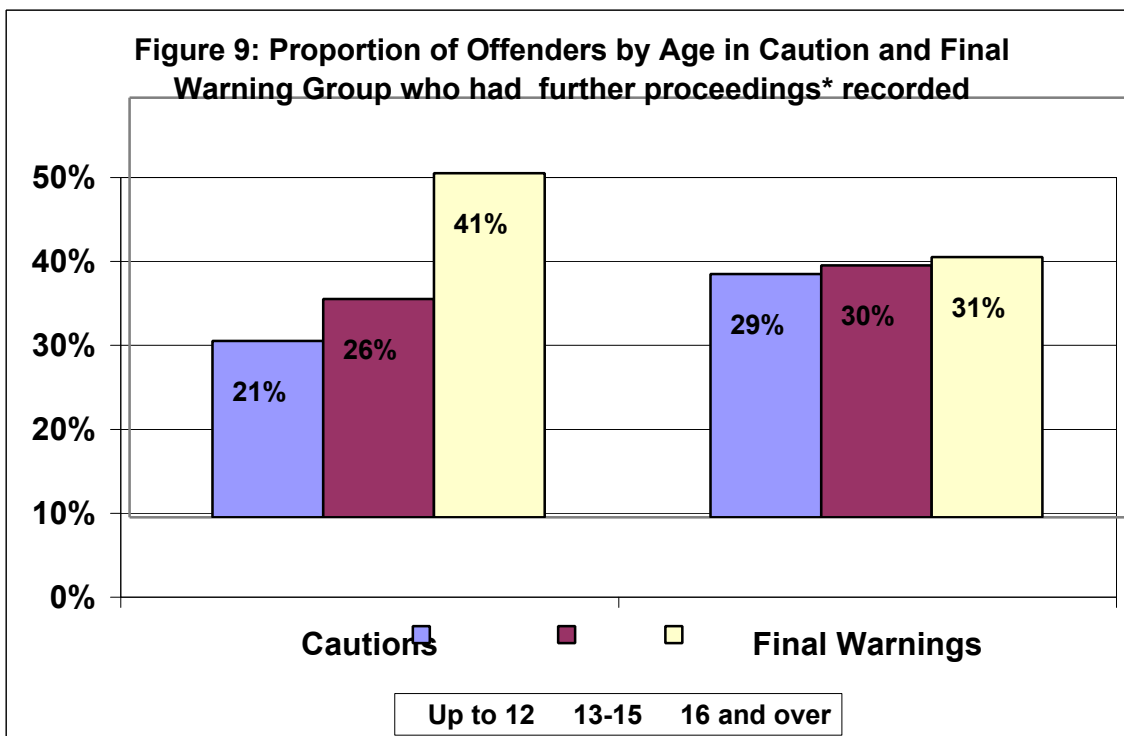
Table 7 shows that the rate of reconviction for white offenders was much the same in both samples (30% and 29%). The differences in the other groups are complex, numbers in the final warning group are small, and ethnic group was recorded differently for cautions and warnings. Thus it is dangerous to draw any conclusions on the basis of these figures.

**Table 7: Reconviction Rates for Final Warning and Caution Groups by Ethnic Group**

| Ethnicity | Cautions | Final Warnings |
|-----------|----------|----------------|
| Asian     | 20%      | 30%            |
| Black     | 36%      | 31%            |
| White     | 30%      | 29%            |
| Other     | 20%      | 44%            |
| Overall   | 29%      | 30%            |

**Age**

The impact of age on reconviction is also complex, as shown in figure 9 below.



\*Further Proceedings = one or more court conviction, caution, final warning or reprimand within one year of index warning or caution, for offences committed after index date.

<sup>26</sup> Although there appears to be a 1% percentage difference between the females, this is the result of rounding up the percentages. The full percentage figure for females in the caution group is 20.5% and for the females in the final warning group 20.3%, a difference of just 0.2%.

The only statistically significant difference between the two groups was in the 16 and over group where the final warnings cases were less likely to have further proceedings (chi square,  $p < 0.01$ ). There was no statistically significant difference within the final warning group but there were differences in the caution group between the younger age groups and the 16 and over group (chi square,  $p < 0.001$ ). It is notable that the comparison group shows a progressive increase in the rate of further proceedings with increase in age. This is not apparent in the final warning group, where the rate of further proceedings is much more similar for all ages. This may reflect that the younger ages in the caution group have a higher proportion of first time offenders, which are those least likely to reoffend.

### **Previous criminal history**

Previous research has shown that the most important factor in predicting reoffending is previous criminal history. Lloyd et al (1994) demonstrated that past offending was one of the best predictors of reconviction. Those with previous offending are more likely to be reconvicted than those without, and the more previous convictions someone has, the more likely they are to be reconvicted. These factors are embedded in the Offender Group Reconviction Score (OGRS) developed for use by the Probation Service (Copas, 1995).

OGRS has been developed to serve two purposes. The first is to assist probation officers to assess an offender's likelihood of reconviction, and thereby inform the judgement as to the most appropriate sentence to propose to the court. The second is as a tool to compare actual reconviction rates with predicted reconviction rates for groups of offenders. This instrument was developed specifically to predict reconviction for offenders aged 17 and over serving a community sentence, and therefore the instrument would not be appropriate for use with our final warning or caution group of young offenders.

However, we can use the principles of OGRS to investigate reoffending among these groups of young offenders. Although previous court convictions were rare for these offenders, it is reasonable to suppose that any previous known offending is likely to increase the probability of future offending and reconviction. PNC data allows us to include known offending that resulted in a caution, reprimand or warning as well as a conviction. Figure 10 shows the rate of reconviction, caution, reprimand and warning for those who had previous proceedings and those who did not for both the final warning and caution group.

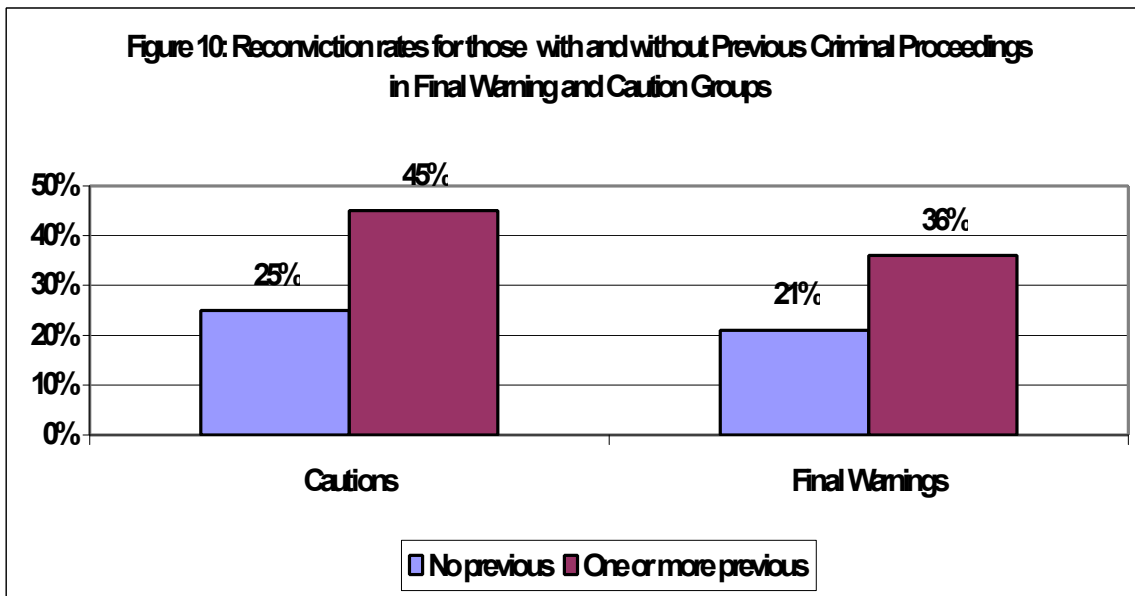


Figure 10 shows that those with previous proceedings were more likely to have subsequent criminal proceedings in both caution and final warning samples. The difference between the final warning and caution groups for those with no previous proceedings is not statistically significant. However, the final warning cases *with* previous proceedings were significantly less likely to have further proceedings than the caution group (chi square,  $p < 0.01$ ). This suggests that final warnings may have a real impact on those who are not first time offenders.

### Assessing the impact of final warnings: logistic regression analysis

From the analysis presented so far, it is clear that a range of factors are important in determining the likelihood of a young offender having further criminal proceedings or not. These factors are themselves differently present in the final warning and caution samples, and thus the simple comparison of overall rates of further proceedings for the two groups is not valid. The analysis undertaken so far suggests no difference in likelihood of having further proceedings between the two groups, despite the initial comparison of the two samples leading us to expect that the final warning group would have a higher rate of further proceedings. A more sophisticated analysis is required which takes account of the different structures and characteristics of the two samples and allows us to quantify the extent of such differences and their impact on outcomes.

Multivariate analysis was undertaken to address the question of whether those in the final warning sample had a lower reconviction rate than those in the caution sample. The chosen technique for this was logistic regression, an analytical tool specifically geared to assessing the extent to which several variables contribute to a dichotomous outcome – in this instance further criminal proceedings or no further proceedings. This statistical technique also takes account of any interaction effects between the variables included in the analysis.

Table 8 below shows the sub-groups included in the analysis and the proportion in each of the subgroups which had further criminal proceedings. In most of the sub-groups

the proportion of cases with further proceedings is lower for the final warning sample than in the corresponding group in the caution sample. However, the extent of difference varies considerably and some sub-groups have very small numbers. Logistic regression takes account of this, along with the inter-correlations between age group, gender and having previous criminal proceedings.

**Table 8: Proportions of further criminal proceedings in sub-groups within caution and final warning samples**

| Previous Proceedings or not        | Gender | Age group | Caution sample % with further proceedings | Final warning sample % with further proceedings |
|------------------------------------|--------|-----------|---|---|
| No previous criminal proceedings   | Male   | Up to 12  | 22.4% (n=557)                             | 21.7% (n=60)                                    |
|                                    |        | 13-15     | 26.0% (n=1467)                            | 21.5% (n=107)                                   |
|                                    |        | 16+       | 38.7% (n=661)                             | 31.1% (n=74)                                    |
|                                    | Female | Up to 12  | 10.0% (n=180)                             | 16.7% (n=12)                                    |
|                                    |        | 13-15     | 14.3% (n=698)                             | 13.5% (n=52)                                    |
|                                    |        | 16+       | 43.6% (n=149)                             | 10.7% (n=28)                                    |
| Some previous criminal proceedings | Male   | Up to 12  | 41.4% (n=58)                              | 41.3% (n=46)                                    |
|                                    |        | 13-15     | 47.9% (n=361)                             | 40.8% (n=211)                                   |
|                                    |        | 16+       | 44.2% (n=416)                             | 33.0% (n=176)                                   |
|                                    | Female | Up to 12  | 66.7% (n=6)                               | 20.0% (n=5)                                     |
|                                    |        | 13-15     | 35.0% (n=80)                              | 21.4% (n=56)                                    |
|                                    |        | 16+       | 39.4% (n=71)                              | 41.4% (n=29)                                    |

The aim of the logistic regression analysis is to identify (statistically) the factors which have the most impact on eventual outcome. Our particular interest in this case is whether, taking account of the different characteristics of the two samples, being in the caution or final warning sample has had an identifiable impact on the likelihood of further proceedings. The logistic regression analysis assessed the relationship between further proceedings or not, and the following variables:

|                                |                          |
|--------------------------------|--------------------------|
| Type of sample:                | Caution or final warning |
| Gender:                        | Male or female           |
| Age:                           | <13 or 13-15 or 16+      |
| Previous criminal proceedings: | Yes or no                |

The method chosen for the analysis was backwards stepwise logistic regression including all combination effects between the different variables. The analysis starts with a model which includes every factor and combination of factors, gradually removing from the model any factor or interaction effect which does not have a significant impact on the outcome variable (further proceedings or not)<sup>27</sup>.

The analysis retained the variable 'type' in a way which shows that there is an independent improvement effect which can be attributed to having a final warning. Also of note is that all of the factors were in some way retained in the final model, which shows that all of these factors are important, and confirms that all have a statistically

<sup>27</sup> More detail of the results of the analysis are presented in Appendix 2.

significant effect. The statistically significant inter-relationships can be seen in the odds ratios presented in table 9 below. An odds ratio of greater than one demonstrate that the final warning group has a lower likelihood of further proceedings. The bigger the odds ratio the better the results from final warning as compared to caution.

**Table 9: Odds ratios for further proceedings of the caution comparison group versus the final warning group**

| Previous proceedings or not        | Gender | Age group       | Odds ratio  | 95% Confidence Intervals |
|------------------------------------|--------|-----------------|-------------|--------------------------|
| No previous criminal proceedings   | Male   | Up to 12        | NS          |                          |
|                                    |        | 13-15           | NS          |                          |
|                                    |        | <b>16+</b>      | <b>1.95</b> | <b>[1.40 – 2.72]</b>     |
|                                    | Female | Up to 12        | NS          |                          |
|                                    |        | 13-15           | NS          |                          |
|                                    |        | <b>16+</b>      | <b>5.15</b> | <b>[2.59-10.25]</b>      |
| Some previous criminal proceedings | Male   | <b>Up to 12</b> | <b>1.46</b> | <b>[1.19 – 1.80]</b>     |
|                                    |        | <b>13-15</b>    | <b>1.46</b> | <b>[1.19 – 1.80]</b>     |
|                                    |        | <b>16+</b>      | <b>1.46</b> | <b>[1.19 – 1.80]</b>     |
|                                    | Female | Up to 12        | NS          |                          |
|                                    |        | 13-15           | NS          |                          |
|                                    |        | 16+             | NS          |                          |

This analysis is not directly comparing the final warning group and the caution group in terms of their overall rate of further offending. Rather it is looking at the outcome (whether there are further proceedings or not) and assessing the independent and interdependent effects of all of the factors in the model (including whether a caution or a final warning case) on that outcome. The differential effects are:

- a. There is no significant difference between the two lower age groups. This was confirmed by re-running the analysis with the up to 12s and 13-15 year olds in a combined group. The results were identical to those presented above.
- b. Where an offender does not have previous criminal proceedings, the most important factor is age, ie whether they were under 16 or aged 16 and over. For offenders aged under 16 there is no statistically significant difference between the caution and final warning groups.
- c. Where an offender has previous criminal proceedings, the most important factor contributing to a better outcome of the final warning is gender. Differences for females are not statistically significant (numbers involved are relatively small).

Table 10 below uses the caution sample rates of further proceedings to calculate the expected overall rate of further proceedings for the final warning group.

**Table 10: Expected and actual further proceedings for the final warning group**

| Previous proceedings or not        | Gender | Age group | No. of FW cases | Expected further proceedings |            | Actual further proceedings |            |
|------------------------------------|--------|-----------|-----------------|------------------------------|------------|----------------------------|------------|
|                                    |        |           |                 | number                       | %          | number                     | %          |
| No previous criminal proceedings   | Male   | Up to 15  | 167             | 36*                          | 22%        | 36*                        | 22%        |
|                                    |        | 16+       | 74              | 29                           | 39%        | 23                         | 31%        |
|                                    | Female | Up to 15  | 64              | 9*                           | 14%        | 9*                         | 14%        |
|                                    |        | 16+       | 28              | 12                           | 43%        | 3                          | 11%        |
| Some previous criminal proceedings | Male   | Up to 15  | 257             | 120                          | 47%        | 105                        | 41%        |
|                                    |        | 16+       | 176             | 78                           | 44%        | 58                         | 33%        |
|                                    | Female | Up to 15  | 61              | 13*                          | 21%        | 13*                        | 21%        |
|                                    |        | 16+       | 29              | 12*                          | 41%        | 12*                        | 41%        |
| <b>OVERALL</b>                     |        |           | <b>856</b>      | <b>2109</b>                  | <b>36%</b> | <b>259</b>                 | <b>30%</b> |

\* As there was no statistically significant difference for these groups the actual number with further proceedings was used as the expected rate, as this was usually lower than the calculated expected rate. If the calculated expected figure had been used here the overall expected rate would have been 38%.

Table 10 demonstrates that the expected overall rate of further proceedings for the final warning group, if nothing had changed, was 36%. The actual overall rate of further proceedings was 30% - an improvement effect for the final warnings of six percentage points. Within this overall figure there was variation between sub-groups.

- ? Males with previous proceedings had significantly less further proceedings than expected. The actual proportion with further proceedings was 38% (older and younger age groups combined) compared with an expected rate of 46%.
- ? The group with the biggest difference between expected and actual rates of further proceedings was males aged 16 and over with one or more previous proceedings. Based on figures from the caution sample the expected rate was 44%, and the actual rate was much lower at 33%.
- ? The sub-group with the highest expected rate of further criminal proceedings was males aged 15 and under with one or more previous proceedings. The expected rate was 47% and the actual proportion with further proceedings was 41%.
- ? Both males and females aged 16 and over and without previous proceedings also had better than expected rates of further proceedings. For males the expected rate was 39% and the actual 31%, and for females the expected rate was 43% and the actual was 11%. Numbers in these groups, especially for females, were very low and these particular results should be treated with caution.

## RECONVICTION AND THE WORK OF THE YOT

The data collected during the pilot YOT evaluation for the cases given a final warning provides an opportunity to examine reconviction and its relationship to a wider range of features of the young offenders and features of the process of the final warning.

### Risk factors and further criminal proceedings

The factors which are related to further offending by young offenders are well documented (eg Graham, 1998), and were included in the evaluation design. Youth Justice Officers were asked to say whether a range of risk factors were present for the young offender being assessed for a final warning change programme. The data collected here was unfortunately sometimes incomplete; and where it is present, it depends for its accuracy on the skill of the individual officer in assessing the case and the information available to her or him. This was frequently minimal in the early stages of contact with a young offender, and it is likely that risk factors would have become apparent further into the contact with the young offender. However, it was judged to be appropriate to collect information at that early point as this would be the stage at which decisions were made about the content of programmes. With those caveats concerning the reliability of the information available for analysis, we examine in this section the extent to which the various risk factors were associated with further proceedings in the final warning sample.

**Table 11: Numbers of final warning cases assessed as having risk factor and percentage of those with a genuine reconviction within one year**

| <b>RISK FACTOR</b>             | <b>Number assessed as at risk</b> | <b>% of those assessed as at risk who had further criminal proceedings</b> |
|--------------------------------|-----------------------------------|--|
| School Exclusion               | 64                                | 50%  |
| Truancing                      | 172                               | 43%  |
| <i>School domain risk</i>      | <b>209</b>                        | <b>45%</b>   |
| Poor parent/child relationship | 145                               | 41%  |
| Poor parental supervision      | 124                               | 43%  |
| Known offender in household    | 90                                | 37%  |
| At risk register               | 10                                | 40%  |
| <i>Family domain risk</i>      | <b>237</b>                        | <b>41%</b>   |
| Drug abuse                     | 88                                | 43%  |
| Alcohol abuse                  | 64                                | 34%  |
| Other substance abuse          | 17                                | 41%  |
| <i>Community domain risk</i>   | <b>136</b>                        | <b>37%</b>   |
| Anti social peers              | 356                               | 33%  |
| Referred mental health service | 38                                | 37%  |
| <i>Individual Domain Risk</i>  | <b>366</b>                        | <b>34%</b>   |

Table 11 above presents information about the risk factors on which information was requested, the number of cases which were assessed as having the risk factor, and the

percentage of those with the risk factor which subsequently had a court reconviction, caution, warning or reprimand within the year after original warning. The general pattern of risk factors and their presence in this sub-sample of final warnings is broadly similar to the main sample (Holdaway et al, 2001, p76).

It is important to remember when looking at Table 11 that there was a high level of missing information about risk factors that makes it difficult to draw definitive conclusions. Moreover, simple percentages may give a misleading impression. For example, although 40% of those known to be on the at risk register were reconvicted, this represents just 4 out of 10 cases in a sample of 856.

The literature on risk factors identifies four domains into which these different risk factors may be grouped conveniently: school, family, community, and personal (including friends)(eg Farrington, 1996). The Youth Lifestyle Survey (Flood-Page et al, 2000) highlighted the family and school as important factors in relation to the young person's likelihood of offending. They also found that peer groups had an important influence on offending, but anti-social peers was the risk factor with the lowest reconviction rate in Table 11.

We will consider the picture of further proceedings in each of these domains.

### **SCHOOL**

Overall, 45% of those assessed as having recent truanting or current exclusion had further criminal proceedings within the year following the warning.

Information was missing or coded as 'unknown' for risk arising from recent truanting for 21% of cases. However, in those cases where recent truanting was known there was a statistically significant relationship with further proceedings (chi square,  $p < 0.001$ ). The link between current school exclusion (missing or unknown in 20% of cases) was equally strong and those excluded from school had the highest proportion of repeat offenders (50%).

The relationship between school exclusion and offending is well known, and very recently Berridge et al (2001) have identified a link between school exclusion and the start of a criminal career. They found that 65% of those permanently excluded from school were convicted or cautioned at some time, with 35% not having any criminal record at any time: 44 points of the 65% excluded had their first recorded offence AFTER they were excluded, with just 21% who had their first recorded offence prior to their exclusion. Current exclusion was the risk factor which had the highest further proceedings rate of any of the risk factors assessed, suggesting a potentially critical role for the youth offending team in facilitating the return of these offenders to education. Interestingly, Berridge et al (2001) reported that less than 40% of those who were excluded returned to mainstream education. The potential for success here is highlighted in the example case in *Youth Justice Board News*, Issue 7, March 2001, p8.

**FAMILY**

Overall, 41% of those cases where parental risks were identified had further criminal proceedings within the year following the date of the final warning. Unfortunately, information about parent/child relationship was missing in 25% of cases and in 27% for parental supervision. Both a poor relationship and poor parental supervision were each statistically significantly associated with further proceedings (chi square,  $p < 0.001$ ), but neither having a known offender in the household (missing information 32%) nor the offender being on an 'At Risk' register (missing information 21%) were statistically associated.

**COMMUNITY**

The overall rate of reconviction, caution, reprimand or warning for those with a known substance abuse risk was 37%. Drug abuse (information missing or 'unknown' in 29% of cases) was significantly related to further proceedings (chi square,  $p < 0.001$ ). However, neither alcohol abuse nor other substance abuse emerged as significant despite 41% of those assessed as having an 'other' substance abuse risk having a further proceeding recorded. The small numbers involved may explain that apparent contradiction. There were high levels of missing or 'unknown' cases (31% and 34% respectively) for both alcohol and other substance abuse.

**PERSONAL**

Anti-social peers was the most frequently cited risk factor for young offenders given a final warning (45% of final warnings overall, see Holdaway et al 2001, p76). The proportion that subsequently had further proceedings recorded was statistically significantly higher than those where that risk factor was not identified (chi-square,  $p < 0.05$ ). However, this risk factor had the lowest overall rate of further proceedings of all the risk factors identified.

**The process of the final warning and reconviction**

The simple fact that an offender has been subject to a final warning does not necessarily mean that the youth offending team have been able to work with the young person on their offending behaviour. In order to gain a better understanding of the likely impact of the work of the YOT this section examines the relationship between features of the final warning process and further criminal proceedings.

The extent to which this can be done, however, is limited by the quality of the data here, particularly in relation to the conclusion of the warning and any change programme provided within it. Many of the returns from the pilot YOTs had no information about the nature of the programme to be delivered, whether there were failures to comply, or whether completion was satisfactory or not. It was also apparent from the analysis of case records for other elements of the evaluation that programmes were recorded as terminating normally despite failures to keep appointments, showing that where information was provided it was not always reliable. Despite these limitations of the data, it is worthwhile examining this material in more depth (Table 12 below).

**Table 12: Genuine reconviction (inc warnings, cautions and reprimands) compared by whether change programme assessed as appropriate**

| <b>CHANGE PROGRAMME APPROPRIATE?</b>                   | <b>Number and % of all sample</b> | <b>% with genuine further criminal proceedings</b> |
|--|-----------------------------------|--|
| No meeting with YP so not assessed                     | 61<br>(7%)                        | 39%  |
| Assessed as appropriate and/or programme details given | 401<br>(47%)                      | 30%  |
| Assessed as not appropriate for programme              | 362<br>(42%)                      | 29%  |
| Unclear/contradictory data                             | 32<br>(4%)                        | 28%  |
| <b>TOTAL</b>   | <b>856<br/>(100%)</b>             | <b>30%</b>   |

It had been hypothesised that those who did not attend their appointment with the youth offending team were more likely to be reconvicted than those who did attend for assessment. Though the actual reconviction rate is higher than for other groups, this is not a statistically significant difference. There was, however, a relatively low number in this group and this is an issue worthy of further examination on a larger scale. It may be worth seeing failure to attend the initial meeting as a risk predictor of itself, and investing in more substantial follow up of those who do not attend their invitations to meet the YOT.

Interestingly, there was no discernible difference, either statistically or in actual rates, between those for whom a change programme was deemed inappropriate (primarily because their risk of reoffending was assessed as very low) and those for whom a programme was designed. This does call into question the adequacy of the assessment procedures used by the pilot youth offending teams. This may have improved with the recent introduction of ASSET as a tool to improve assessment and design of interventions in youth offending teams, but it is an area that requires further investigation.

Hollin (1999) usefully reviews the requirements of effective interventions, and identifies three key areas: offender assessment, treatment design, and treatment management. The evaluation overall suggests that pilot youth offending teams generally had deficiencies in all of these areas. Much of this was due to the newness and experimental nature of the pilot project. Whilst the 'What Works' learning was becoming well established in the treatment of adult offenders both in prisons and in the community, the work was less well developed for young offenders. Juvenile justice workers often continued working to a model of practice based upon reactive minimalist intervention strategies, especially in the earlier months of the pilot period to which these results relate. The new strategies, particularly the final warning, were designed to change that approach to one of early proactive intervention focused on criminogenic need. However, the inevitable teething problems of establishing a new multi-agency organisation such as the YOT meant that the transition to the new ways of working was slower than anticipated. Unfortunately, the level of policy advice and support that was provided to the pilot teams implementing this significant change in approach was

minimal. Indeed, Holdaway et al (2001) reported that some pilot YOT managers were not able to obtain the early funding for training and team building for which they had identified a need.

Another way of considering the process of the final warning in relation to reconviction is type of termination. Again, because of the limitations of the data, it is not straightforward to interpret, but it was possible to construct the categories presented in Table 13.

**Table 13: Termination of the Change Programme and Further Proceedings**

|  | No further proceedings | Further proceedings |
|--|------------------------|---------------------|
| Satisfactory termination               | 223 (74%)              | 78 (26%)            |
| Failed to comply                       | 33 (75%)               | 11 (25%)            |
| New criminal proceedings <sup>28</sup> | 4 (28%)                | 10 (71%)            |
| Other/referred to other agency         | 1(14%)                 | 6 (86%)             |
| Missing information                    | 17 (53%)               | 15 (47%)            |
| TOTAL                                  | 280 (70%)              | 121 (30%)           |

Table 13 shows by termination type, for those identified as receiving a change programme, the proportion reconvicted or given a further caution, reprimand or warning. Satisfactory completion of a change programme is not related to statistically significant improvements in reconviction. Failure to comply does not appear to predict a greater likelihood of further offending but referral to another agency produced a greater proportion of reconviction. However, the numbers involved are very small and meaningful comparison is not possible.

It may be that some programmes work with some offenders, and an important piece of work is required here to assess what works, for whom, and in what circumstances. The small scale nature of this study meant that this was not feasible here.

## Discussion

The evidence for early intervention with young offenders arises from research related to understanding the factors related to onset of offending rather than evidence of desistance. The best known of these relate to risk and protective factors (eg Farrington, 1996). Studies of late onset adult offending (eg Paternoster et al, 2001; Elander et al, 2000) suggest that the roots of this behaviour were apparent in childhood years. Research with young prisoners (Lyon et al, 2000) suggests a need to work with offenders very early in their offending as 'the majority felt that once they had become involved in the cycle of offending it was very hard to get out' (p. ix). Work is currently being undertaken to assess the potential of early intervention in the prevention of the onset of criminal behaviour<sup>29</sup>, and the effectiveness of a wide range of interventions for young offenders<sup>30</sup>. It is important that this work considers the question of possible similarities and differences between interventions effective in preventing the onset of

<sup>28</sup> The four cases listed as having no further proceedings appear to indicate a recording problem in either the YOT or PNC data.

<sup>29</sup> The National Evaluation of On Track being undertaken by the University of Sheffield.

<sup>30</sup> Commissioned by the Youth Justice Board. Interim results are presented in Renshaw & Powell (2001).

criminal behaviour (resistance) and those effective in preventing its recurrence (desistance).

Two notes of caution need to be heeded in consideration of the value and impact of interventions for young offenders given final warnings. Firstly, evaluation of work with adult offenders shows that intervention with offenders with a low risk of reoffending can result in increased reconviction rates (eg Underdown, 1998). Secondly, reconviction studies (including this one) show that a large proportion of offenders receiving a first caution do not re-offend, suggesting that intervening too early could be a waste of valuable resources.

Those working with young offenders on final warnings are faced with a difficult question of assessment – how to identify those offenders most likely to reoffend and thus repay the investment of appropriate intervention. The best predictor of future criminal activity is previous criminal activity, as attested by the factors included in the instrument for predicting likelihood of reconviction among adult offenders<sup>31</sup>. However, May (1999) found evidence that social variables were important in predicting reconviction for less experienced offenders, indicating that such factors would be relevant to assessment for a final warning behavioural change programme. The analysis reported here shows greater rates of further proceedings for those with the established ‘risk factors’, suggesting that they also have value in the assessment process. The pilot youth offending teams did not have a common tool for assessment. ASSET was introduced as a national assessment instrument for all youth offending teams in Summer 2000 and is currently being evaluated.

One strategic development suggested by this analysis is for youth offending teams to focus their programmes more specifically on those offenders who have one or more prior criminal proceedings at the time they are given a final warning.

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<sup>31</sup> OGRS: Offender Group Reconviction Score

## **THE IMPACT OF THE FINAL WARNING ON REDUCING FURTHER CRIMINAL PROCEEDINGS**

Overall there was a lower actual rate of further criminal proceedings for those given a final warning during the pilot period than would have been expected. The further proceedings rate of juvenile offenders given a caution in 1998 led us to expect that 36% of the final warning sample would have one or more further criminal proceedings during the year following the date of the final warning. The actual proportion which had further proceedings was 30%, six percentage points lower than expected.

There is no data to suggest how much of this improvement is a result of the deterrence effect of the new procedures and how much is a consequence of the intervention work by the youth offending team. The first interim report of the evaluation of pilot youth offending teams (Holdaway et al, 2001, pp 30-35) outlined issues emerging in the early stages of the implementation of the new disposals which affected the teams' ability to deliver programmes effectively, and which could have affected reconviction rates adversely. Despite this, the results presented here are encouraging, and show that there are specific sub-groups of offenders for whom final warnings have been particularly effective.

The work presented in this report lends tentative support for the new approach introduced by the Crime and Disorder Act 1998: a reprimand for a first offence, followed by a final warning with appropriately focussed intervention. The Home Office is currently undertaking reconviction work on juvenile offenders which will provide results for larger samples given a wide range of disposals, including final warnings. This work should also provide a complementary analysis of further proceedings following a reprimand which would complete this part of the picture.

It is important to remember that this is a one year follow up study, and as such the results are not directly comparable with those which have the standard time period for reconviction studies of two years. It is also possible that these promising early one year results could be eroded with time, as was found with the Glamorgan STOP programme (Raynor and Vanstone, 1996). A repeat run of this analysis at the two year stage would enable assessment of whether the new final warning has led to increased desistance from offending, or to delayed reoffending. Both outcomes are positive, but clearly the potential benefit to both the individual offender and society are substantially different and would have different policy implications.

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## **APPENDIX 1: NOTES ON ANOMALIES IN PNC AND YOT DATA**

A number of inconsistencies and lacunae were found whilst processing the data, complicating the analysis. Those found and the decisions taken to deal with them are summarised below.

Removal of proceedings because of inaccuracies or inconsistencies did not inevitably result in the removal of a case from the samples except where there was only one proceedings date for that case. Since the existence of only one proceedings date indicates no further re-offending or reconviction during the period, the effect of removing problem proceedings may be to increase very slightly the proportion who were reconvicted or re-offended.

### **INVALID PNC ID NUMBERS**

Six of the PNC numbers relating to Final Warning cases resulted in an 'offender not on Phoenix' error message. These cases were excluded from the analysis.

### **MISSING EVENT TYPE**

There were 11 proceedings amongst the Final Warning cases in which there was no record in PNC of the type of event (i.e. impending prosecution, conviction, caution etc). These were removed before undertaking the analysis.

### **CONVICTIONS WITHOUT A DISPOSAL**

Where the PNC record listed a conviction but did not contain a disposal, the details of the 'conviction' were excluded. There were four proceedings amongst Final Warning cases and 12 amongst the comparison caution sample of this problem.

### **IMPENDING PROSECUTIONS, CAUTIONS, REPRIMANDS AND WARNINGS WITH A DISPOSAL**

Where the proceedings were listed as other than a conviction but there was a disposal given, the proceeding type was changed to a conviction. In the Final Warning cases, there were ten proceedings falling into this category. Amongst the cases in the comparison sample for cautions, there were 51 instances. Changing these proceedings to convictions resulted in 34 cases being removed from the sample because there was only one proceeding listed for the case.

### **CAUTIONS WITHOUT AN OFFENCE**

The comparison sample contained five instances of a caution without an offence. These cases were retained in the sample.

### **DISPOSALS WITHOUT AN OFFENCE**

Although a disposal was recorded in PNC, there was no related offence in two of the Final Warning proceedings. There were 19 instances of this problem in the comparison sample. These proceedings were excluded from the analysis.

**START DATE FOR OFFENCE IS AFTER PROCEEDINGS DATE**

In 43 proceedings in the Final Warning sample, the date of the offence recorded on PNC was later than the date of the court proceedings, so that the offence was apparently committed after the court proceedings. There were 165 instances of this problem in the comparison sample. These proceedings were excluded.

**MISMATCH BETWEEN DATE OF BIRTH**

In the Final Warning sample, there were 87 cases in which there was a mismatch between the date of birth provided by the youth offending teams and that obtained from PNC data. In some instances the difference was as great as a year. The decision was taken to use the YOT date of birth.

**MATCH BETWEEN INDEX DATE AND PROCEEDINGS**

In 122 of the Final Warning cases, there was no match or near match (within seven days either side of the index date) in the PNC file for the start date recorded by the youth offending team. Further investigation revealed that inaccuracies had apparently occurred in both sources. The general rule applied was to use the YOT date to calculate whether or not there was any further offending or conviction. In specific instances though, it was necessary to make decisions on an individual case-by-case basis.

## APPENDIX 2: LOGISTIC REGRESSION ANALYSIS

The following table presents the results of the final step of the logistic regression analysis.

BIPRE = Previous proceedings or not: 1 = no further proceedings; 0 = 1 or more previous

SEX = Gender: 1 = Male; 0 = female

TYPE = Type of sample: 1 = Comparison caution; 0 = Final warning

AGEGP = Age group: 1 = Up to 12 years; 2 = 13-15 years; 0 = 16 years and over

Variables in the equation

|   | B      | S.E. | df | Sig. | Exp(B) |
|---|--------|------|----|------|--------|
| Step 9                                    |        |      |    |      |        |
| BIPRE(1)                                  | -1.341 | .320 | 1  | .000 | .262   |
| SEX(1) by TYPE(1)                         | .380   | .106 | 1  | .000 | 1.462  |
| BIPRE(1) by TYPE(1)                       | 1.640  | .351 | 1  | .000 | 5.153  |
| BIPRE(1) by SEX(1)                        | .770   | .344 | 1  | .025 | 2.159  |
| AGEGP * BIPRE * TYPE                      |        |      | 2  | .000 |        |
| AGEGP(1) by BIPRE(1) by TYPE(1)           | -1.936 | .298 | 1  | .000 | .144   |
| AGEGP(2) by BIPRE(1) by TYPE(1)           | -1.531 | .197 | 1  | .000 | .216   |
| BIPRE(1) by SEX(1) by TYPE(1)             | -1.352 | .404 | 1  | .001 | .259   |
| AGEGP * BIPRE * SEX * TYPE                |        |      | 2  | .000 |        |
| AGEGP(1) by BIPRE(1) by SEX(1) by TYPE(1) | 1.155  | .325 | 1  | .000 | 3.173  |
| AGEGP(2) by BIPRE(1) by SEX(1) by TYPE(1) | .946   | .221 | 1  | .000 | 2.576  |
| Constant                                  | -.555  | .080 | 1  | .000 | .574   |

a Variable(s) entered on step 1: TYPE, AGE GP, SEX, BIPRE, AGE GP \* TYPE , SEX \* TYPE , BIPRE \* TYPE , AGE GP \* SEX , AGE GP \* BIPRE , BIPRE \* SEX , AGE GP \* SEX \* TYPE , AGE GP \* BIPRE \* TYPE , BIPRE \* SEX \* TYPE , AGE GP \* BIPRE \* SEX , AGE GP \* BIPRE \* SEX \* TYPE .