WHAT WORKS FOR JUVENILE OFFENDERS?

1 Scope

1.1 Jurisdiction

This Research Summary (Summary) focuses on literature from Australia and the United Kingdom (the UK). This Summary also identifies some relevant literature from the Commonwealth jurisdictions of Canada and New Zealand. Furthermore, because commentators and practitioners in each of the above jurisdictions rely to a significant extent on studies coming out of the United States (the US), this Summary draws on an extensive body of American literature.

1.2 The formal juvenile justice system

There are many sites of interaction where state-funded or state-endorsed programs may be implemented to affect young people at risk of offending. Indeed, the literature on juvenile offending suggests that the most successful policy frameworks are those that seek to engage with as many of these sites as possible in what is often described as a ‘multisystemic’ or ‘whole-of-community’ approach.¹

When the US Congress passed a law in 1996 requiring a wholesale review of the effectiveness of local and State ‘crime prevention assistance programs’ in receipt of funding from the Federal Department of Justice, especially those programs with an emphasis on ‘factors that relate to juvenile crime and the effect of these programs on youth violence’,² programs were classified according to seven different institutional settings:

- Communities
- Families
- Schools
- Labour markets
- Businesses, hotels and other locations
- Police
- Criminal justice agencies

The scope of this Summary is generally restricted to the last two of these seven settings – that is, the practices and policies adopted by those institutions that comprise the state’s formal criminal justice

system. As Professor Sanjeev Anand explains: ‘While youth crime prevention efforts in other institutional settings may be directed at those who are not yet involved in crime, the criminal justice system deals solely with those who have already committed [or are alleged to have committed] offences.’ The first tier of this system includes police, courts, parole or probation offices, and prisons or residential corrective agencies. The second tier of this system consists of government and non-government service providers who are engaged by these agencies to run diversionary programs and evaluate program efficacy.

The services that these second tier entities provide will often involve settings outside of the formal criminal justice system. Indeed, a large number of effective youth diversionary programs are community, family or school-based. However, in contrast to youth crime prevention programs that are pre-emptive, the scope of this Summary is restricted to those policies and practices that emanate from the formal criminal justice institutions in response to juvenile offending.  

2 What Do We Mean when We Ask ‘What Works’?

2.1 Evidence-based practice

From a clinical perspective, Dr David Sackett describes evidence-based practice as ‘the conscientious, explicit and judicious use of current best evidence in making decisions about the care of the individual patient … integrating individual clinical expertise with the best available external clinical evidence from systematic research.’

When applied to reducing recidivism (or in the American parlance, ‘preventing delinquency’), evidence-based practice understood in these terms will include assessing community and individual client needs, selecting programs to meet those needs, assigning individuals to programs that fit their specific needs, constantly evaluating program efficacy, and developing new programs in light of these evaluations.

2.2 Reducing recidivism at least cost

What do we measure when we test the effectiveness of juvenile justice practice and policy? Depending on what we measure, different practices and policies will be found to ‘work’. There are number of measurabilities available, including:

- Community perception
- Rates of juvenile incarceration
- Protection of victims’ rights
- Protection of juvenile offenders’ rights

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6 Peter W Greenwood, Brandon C Welsh and Michael Rocque, Implementing Proven Programs for Juvenile Offenders: Assessing State Progress (Association for the Advancement of Evidence-based Practice, December 2012).
This Summary is focused on measuring ‘what works’ by looking for evidence of what practices and policies are most effective at reducing recidivism. In this context, effectiveness is understood as the correlation between a policy’s causative relationship with recidivism-reduction and the amount of public money spend on implementation. Axiomatic to this approach is the well-established understanding that incarceration and other incapacitative or punitive processes occupy the most expensive end of the range of juvenile justice dispositions.

2.3 Measuring what works: meta-analyses vs narrative techniques

That Australian Institute of Criminology (AIC) has divided ‘what works’ analyses into two categories: (1) meta-analyses, which rely on a graded assessment of the scientific strength of the systems by which different programs are evaluated, and (2) narrative techniques, which take a more qualitative and descriptive approach to program evaluation. This Summary has looked at both kinds of analysis, but has tended to privilege the former over the latter.

2.4 Policy transfer

Some commentators, including Professor John Muncie, have warned that what works in one jurisdiction may not always work in another, and that the results of similar programs from different jurisdictions may be incommensurable. Others have countered this view by arguing that programs can usually be adapted to suit local conditions while still drawing on the basic, universal merit of the program itself.

This Summary has tended to adopt the latter approach to understanding the international literature on ‘what works’. However, anyone attempting to draw up a complete inventory of ‘what works’ for Australian or English policymakers will need to address the issue of transferability more closely.

2.5 Principles and programs

This Summary has sought, in a cursory way, to organise the findings of different studies on ‘what works’ by establishing, first, a list of general principles and, secondly, some brief lists of specific programs that either work, don’t work or for which the ‘jury is out’. These lists are by no means comprehensive: they are only a start.

3 Common Principles Underlying Practices and Programs That Work

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3.1 The ‘decarceration principle’ – programs designed to rehabilitate juvenile offenders are more effective than those which are designed to punish or incapacitate

Incarceration should be avoided wherever possible. Imprisonment as the least effective form of juvenile intervention is the common finding of multiple studies from around the world. Professor Barry Goldson states that ‘it is clear from a range of statistics and research that levels of custody ... do not necessarily reflect levels of juvenile crime, nor do they particularly reflect evidence on its effectiveness.’

3.2 The ‘diversionary principle’: effective juvenile justice policy provides for maximum diversion from and minimum intervention by the formal justice system

Professor Goldson describes these principles in the following terms:

Diversionary principles provide that, whenever possible, children and young people in conflict with the law should be directed away (diverted) from the youth justice apparatus. In cases where absolute diversion is deemed inappropriate, the level of formal criminal/youth justice intervention should be limited to the minimum that is judged to be absolutely necessary.

Describing the evidence from the first phase of a longitudinal study of 4,300 juvenile offenders in Edinburgh, Lesley McAra and Susan McVie found the deeper a child penetrated the formal system, the less likely he or she was from desisting from reoffending:

Doing less rather than more in individual cases may mitigate the potential for damage that system contact brings ... targeted early intervention strategies ... are likely to widen the net ... Greater numbers of children will be identified as at risk and early involvement will result in constant recycling into the system ... As we have shown, forms of diversion ... without recourse to formal intervention ... are associated with desistance from serious offending. Such findings are supportive of a maximum diversion approach ... Accepting that, in some cases, doing less is better than doing more requires both courage and vision on the part of policy makers ... To the extent that systems appear to damage young people and inhibit their capacity to change, then they do not, and never will, deliver justice.

A similar conclusion was reached by the authors of a 2002 study of pre-court processes in the English county of Northamptonshire.

(a) Diversion from court

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In their survey of juvenile justice policy in eight Commonwealth jurisdictions (Australia, Canada, England, Ghana, New Zealand, Northern Ireland, Scotland and South Africa), Morris and Gelsthorpe found that:

Every jurisdiction examined accepts the value of diversion from court and so the issue is how best to achieve this. This review suggests that it is necessary to restrict police discretion, though there are different ways of doing this. Also, despite legislative (or other policy) intentions, diversion does not always occur and, hence, attempts to encourage it require careful monitoring … to ensure that this objective is realised.18

A 2007 study published by the AIC found that a juvenile pre-court diversion scheme introduced in the Northern Territory of Australia in 2000 had a marked effect on reducing recidivism.19

In the US a meta-analysis of 29 controlled studies comparing recidivism amongst young people formally processed through the juvenile justice system with those who were diverted to community programs found that court processing tended to increase criminal behaviour.20

(b) **Diversion from custody**

Morris and Gelsthorpe state that:

Paragraphs 13 and 19 of the Beijing Rules state that children should be detained or imprisoned only as a measure of last resort and for the shortest period of time. Article 37 of the UNROC also states this. Both documents further refer to alternatives to custody, holding young offenders separately from adults and providing constructive activities within custodial regimes. The reasons for encouraging diversion from custody (both pre-trial and as a sentence) are widely accepted.”21

They find that most of the Commonwealth jurisdictions surveyed provide for at least the following:

- Reprimands
- Discharges
- Binding over
- Fines
- Compensation
- Restitution
- Community service
- Probation
- Supervisions
- Attendance at non-residential programmes

In their discussion of the use and effectiveness of these alternatives, Morris and Gelsthorpe state:

[A] major focus in most jurisdictions has been to reduce the number in custody. It needs to be noted here, however, that research has consistently shown that increasing the number of alternatives to custody does not necessarily reduce the number in custody. Rather, there is a tendency for alternatives to custody to become alternatives to each other. The introduction of guidelines to restrict the use of custody (as discussed in the previous section) is a better approach (though this is not to suggest any restriction in the development of non-custodial measures). Sentencing guidelines also help and a couple of examples follow.22

In the Australian context, the effectiveness of community-based supervision of young offenders in Australia was the subject of a 2012 study by the AIC.23

3.3 The ‘risk principle’ – rehabilitation programs should target those who are most likely to reoffend

The AIC regards this as the first and arguably the most important principle in the ‘what works’ model.24 The AIC describes the risk principle as follows:

Published research identifies variables associated with the likelihood of an individual reoffending. These risk principles include those not amenable to intervention (static risk factors), and those that might change over time (dynamic risk factors). Static risk factors include age of onset of crime, offence history and family structure. Research suggests that higher risk offenders will benefit the most from rehabilitation interventions and that the intensiveness of services delivered should be proportional to the level of risk.25

The AIC has noted various longitudinal studies which have found that the majority of juvenile crime is committed by ‘a small subgroup of juvenile offenders who begin their offending careers early, commit more offences (and more serious and violence offences) and account for a disproportionate number of offences in their adult years.’26 Allison Morris and Loraine Gelsthorpe state:

It is widely recognised that a small proportion of young offenders are responsible for a large proportion of juvenile offending… As a result, some of the Commonwealth jurisdictions have also begun to plan special measures for persistent offenders.27

In practice, the risk principle will generally involve using an assessment tool to classify each juvenile offender into a low, medium or high risk group. Those assessed as medium or high risk are then given access to more intensive programs.

3.4 The ‘needs principle’: interventions should target young offenders’ criminogenic needs

According to the AIC, the ‘needs principle’ is the second most important feature of effective juvenile justice policy:

25 Ibid.
26 Ibid, 3; citing Rolf Loeber and David P Farrington (eds), Serious and Violence Juvenile Offenders: Risk Factors and Successful Interventions (SAGE, 1998).
The term ‘criminogenic needs’ refers to risk factors that are dynamic or amenable to change through intervention. The needs principle suggests interventions should target needs of this sort, as they are most directly related to recidivism. Examples of criminogenic needs that form important targets for intervention with young offenders are drug and alcohol use, anger and violence problems, and beliefs or attitudes that support offending.28

The AIC refers to meta-analyses used by Cottle, Lee and Heilbrun in 2001 to synthesis the results of 24 different studies involving more than 15,000 participants. They found that the main categories of criminogenic factors were:

- family and social factors (for example, significant family problems; ineffective use of leisure time; delinquent peers);
- educational factors;
- substance use history; and
- non-severe mental health problems.29

Practices and programs that adhere to the ‘needs principle’ engage with these kinds of factors.

3.5 The ‘responsivity principle’ – the most effective programs match the learning styles of juvenile offenders

The AIC describes the responsivity principle as follows:

The responsivity principle focuses on client and program characteristics that influence the offender’s ability to learn in a therapeutic situation. Treatment is a learning experience and individual factors that interfere with, or facilitate, learning are termed responsivity factors. These factors can also be understood as contextual variables, which may influence treatment outcome. These variables make a difference to the skills, strategies or identities that individuals develop and to the support available when transitions are made. Factors such as age, ethnicity, gender, disability and socioeconomic status can be considered key responsivity factors.30

Rehabilitation programs that accord with the responsivity principle engage young people in activities that are personally meaningful.31 Kaye McLaren states that ‘effective interventions teach new skills in active ways’.32

3.6 The ‘fidelity principle’ or ‘integrity principle’ – programs should have a sound evidentiary and theoretical basis, and practitioners should attempt to ‘stick with the program’

While providing some commonsense latitude for practitioners to respond to circumstances as they arise, the most effective policies are those that are implemented in strict accordance with intentions of the policymaker.33

31 Ibid, 14-17.
3.7 Where appropriate, programs should incorporate cognitive behavioural therapy (CBT)

A large number of psychological studies have demonstrated the remarkable effectiveness of CBT in the juvenile justice space. This expresses the deep synergy between mental health and offending behaviours. The AIC has found that social competence training that incorporates cognitive behavioural techniques 'can help change the way young people think and act and his has been shown to impact positively on criminal activity.'

3.8 ‘Universal services, holistic approaches and ‘decriminalizing’ responses comprise the most effective and least damaging forms of intervention’

Barry Goldson writes: ‘One of the most ambitious and comprehensive research analyses of youth crime prevent programmes in the world, for example, has demonstrated that, even for ‘serious, violent and chronic juvenile offends’, some of the most effective responses emanate from initiatives that are located outside of the formal youth justice system.’

3.9 The earlier the intervention the better

Consistent with the general evidence on developmental psychology, the earlier a young person’s offending behaviours can be addressed, the less likely he or she will be to reoffend.

3.10 Parents of young offenders should be encouraged rather than punished

The pre-eminent study by Professor Lawrence Sherman found that the most effective programs targeting at-risk preadolescents were those that involved family therapy and parent training. Morris and Gelsthorpe state: 'There is little to suggest that there are significant benefits to be gained from the penalization of parents for the wrongdoing of their children. Measures to support parents and to encourage them to accept responsibility in a constructive way are preferable.'

3.11 Juvenile justice programs must be sensitive to cultural difference, especially with young Indigenous people

In a 2010 report to the NSW Government, consultancy group Noetic Solutions reviewed the relevant literature and recommended tailored strategies for Indigenous and other culturally diverse groups:

Disproportionate minority contact with the juvenile justice system can only be reduced through tailored strategies which address the unique risk-factors associated with each minority group. For Indigenous Australians, this may involve increasing access to alcohol

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and substance abuse programs and ensuring culturally relevant programming through encouragement of Indigenous participation in juvenile justice and human service initiatives.40

Similar principles were cited as key in Gabrielle Maxwell’s report to the NZ Ministry of Social Development in respect of Māori and Polynesian youth.41

3.12 Gender-responsivity may be helpful but is not essential

A 2009 study of gender-specific programs in the US by Margaret Zahn and others found that the evidence neither supported nor detracted from the efficacy of gender-specific programming:

On the basis of this evidence, comprehensive programs targeting multiple risk factors appear to work best in reducing subsequent delinquency whether they specifically target girls or both genders. In other words, gender-non-specific programs, when rigorously evaluated (e.g., MTFC, MST, and Girls and Boys Town USA), appear to be effective in reducing recidivism for both boys and girls. This supports the position that ‘good gender-specific services begin with good services’... Although it appears that gender non-specific programs work equally well for girls and boys involved with the juvenile justice system, this does not necessarily mean that gender-specific programs are ineffective or unnecessary. Relative to programming for boys or for both genders, gender-specific programming has only recently garnered attention from scholars, practitioners, and policy makers. As a result of their relatively recent innovation, the established methods and measures may be ill equipped to provide thorough and sound evaluations of them.42

3.13 Diversionary processes that incorporate restorative justice principles can be effective as long as they have an adequate therapeutic component

Across a number of different jurisdictions where ‘conferencing’ initiatives have been adopted, Morris and Gelsthorpe found that:

Research on restorative conferencing shows that, to a large extent, it has achieved the key restorative aims of involving offenders, victims and supporters, achieving agreement about a co-operative and constructive response to offending, healing victims’ hurt and holding offenders accountable... Research also shows that offenders, their victims and their supporters have, generally, positive experiences in conferences. Compared to offenders and victims dealt with solely in juvenile courts, those who participated in restorative conferences tend to perceive the processes as fair and they are generally more satisfied with their outcomes.44

In the Australian context the AIC has also found:

Mediation in the form of conferencing appears to be effective in preventing young people continuing in an offending lifestyle. It is important that the young person and their families feel involved in the process and in the final decision. The young person and parents should not be left to feel bad about themselves and the process must increase the chance that the young person feels and shows remorse for their actions.\textsuperscript{45}

An Australian study in 2001 by the NSW Bureau of Crime Statistics and Research found that a large-scale youth justice conferencing initiative can generate reductions in recidivism of between 15-20% across different types of offence and offender.\textsuperscript{46}

4 Examples of Practices and Programs That Work

(a) The \textit{Persistent Young Offender Project} (PYOP), UK\textsuperscript{47}

(b) Family and community-based therapy such as \textit{Family Functional Therapy} (FFT)\textsuperscript{48}

(c) \textit{Multisystemic therapy} (MST)\textsuperscript{49}

5 Examples of Practices and Programs That Do Not Work

(a) Transferring juveniles for trial and sentencing in adult criminal courts increases recidivism\textsuperscript{50}

(b) Surveillance approaches such as onerous parole orders or intensive supervision programs (ISP)\textsuperscript{51}

(c) Peer mediation\textsuperscript{52}


\textsuperscript{48} Pete W Greenwood, Brandon C Welsh and Michael Rocque, \textit{Implementing Proven Programs for Juvenile Offenders: Assessing State Progress} (Association for the Advancement of Evidence-based Practice, December 2012).


\textsuperscript{50} Richard E Redding, ‘Juvenile Transfer Laws: An Effective Deterrent to Delinquency?’ (US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Juvenile Justice Bulletin, June 2010).


(d) Diversion from court to job training as a condition of case dismissal

(e) Arrests of juveniles for minor offences

(f) Correctional boot camps using traditional military basic training and lacking any significant therapeutic component

In 1995 Lynn Atkinson looked at the evidence of the capacity of boot camps to reduce juvenile recidivism and concluded by warning against the adoption of these kinds of policies in Australia:

Australian young offenders need properly resourced programs which increase their educational and vocational skills and improve their employment prospects; which teach problem solving, anger management and relationship expertise and enhance self-esteem; which safeguard or improve their physical and mental health; and which provide appropriate levels of support in the community. But the boot camp context is inappropriate and arguably alien to Australian history and cultures. Boot camp populations will inevitably include disproportionate numbers of Aboriginal and other minority youth, since over-representation of these groups increases with their greater penetration into the criminal justice system. Heavy-handed control and standover tactics have not worked with Aboriginal people? [N]or are they likely to with most young people. Policy makers should beware revisiting them.

(g) “Scared Straight” programs whereby minor juvenile offenders visit adult prisons

(h) Shock probation, shock parole, and split sentences adding jail time to probation or parole

(i) Home detention with electronic monitoring

(j) Rehabilitation programs using vague, unstructured counseling

(k) Residential programs for juvenile offenders using challenging experiences in rural settings

6 Examples of Practices and Programs where ‘the Jury Is Out’

(a) Cautioning young offenders as a means of reducing reoffending

54 Ibid.
60 Ibid.
61 Ibid.
Mentoring schemes

7 Some Leading Commentators on What Works for Juvenile Offenders

(a) Professor David P Farrington (UK)

David Farrington is Emeritus Professor Psychological Criminology at the University of Cambridge. His is the Leverhulme Trust Emeritus Fellow at Cambridge’s Institute of Criminology. He publishes widely in the area of juvenile justice and detention policy.

(b) Professor Barry Goldson (UK)

CYPP Partner, Professor Goldson of the University of Liverpool is a leading author on juvenile justice in England and Wales. Much of Professor Goldson's work is based on careful analyses of the empirical evidence of what works, and what does not work, in juvenile justice policy and practice.

(c) Dr Peter W Greenwood (US)

Dr Greenwood is the former director of the Criminal Justice Program of US think-tank, the RAND Corporation. He is a prolific author on and advocate of evidence-based juvenile justice policy.

(d) Professor Mark Lipsey (US)

Mark Lipsey is Professor in the Department of Human and Organizational Development at Vanderbilt University. He is also the Director of the Peabody Research Institute. His research interests include juvenile diversion and program evaluation. His meta-analyses are foundational to the global discourse on ‘what works’ in juvenile justice.

(e) Professor James McGuire (UK)

James McGuire is Professor of Forensic Clinical Psychology at the University of Liverpool. Professor McGuire is regarded as a leading international expert on effective treatments for reducing recidivism.

(f) Professor John Muncie (UK)

John Muncie is Emeritus Professor of Social Policy and Criminology at The Open University in the UK. Since 2003 he has been the Director of the International Centre for Comparative Criminological Research (ICCCR). His research interests include critical criminology and comparative youth justice.

(g) Professor Lawrence Sherman (UK)

Lawrence Sherman is Wolfson Professor of Criminology at Cambridge University, Director of Cambridge’s Institute of Criminology, and Director of the Jerry Lee Centre for Experimental Criminology. His research interests include evidence-based crime prevention and predictive techniques in assessing offenders.

8 Some Leading Sources of Research on What Works for Juvenile Offenders

(a) Association for the Advancement of Evidence-Based Practice (US) at <http://www.advancingebp.org/>

(b) Australian Institute of Criminology at <http://www.aic.gov.au/>

(c) Australian Institute of Health and Welfare at <http://www.aihw.gov.au>

(d) The Campbell Collaboration (Norway) at <http://www.campbellcollaboration.org/>

(e) Centre for Crime and Justice Studies (UK) at <http://www.crimeandjustice.org.uk/>

(f) Centre for Criminal Justice Research, University of Cincinnati (US) at <http://www.uc.edu/ccjr.html>

(g) Center for Juvenile Justice Reform, Georgetown University (US) at <http://cjjr.georgetown.edu/>

(h) Center for the Study and Prevention of Violence, University of Colorado, Boulder (US) at <http://www.colorado.edu/cspv/>

(i) Department of Criminology and Criminal Justice, University of Maryland (US) at <http://www.ccjs.umd.edu/>

(j) International Centre for Comparative Criminological Research, The Open University (UK) at <http://www.open.ac.uk/icccr/>

(k) National Youth Justice Board (UK) at <http://www.justice.gov.uk/youth-justice>

(l) Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, US Department of Justice, at <http://www.ojjdp.gov/>

(m) Washington State Institute for Public Policy (US) at <http://www.wsipp.wa.gov/>

(n) What Works Project, School of Human Ecology, University of Wisconsin (US) at <http://whatworks.uwex.edu/>