Observing best practice juvenile justice programs in the UK, Canada, and USA

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Signed: Bruce Grant Dated: 29 February 2004
Introduction and acknowledgements

The challenge for any justice system is to strike a balance between reacting to criminal acts and those who perpetrate them and controlling the rate of crime through prevention. The study program provided me with the opportunity to visit a number of programs that have met this challenge without resorting to the use of secure remand or custodial sentences. An essential aspect my travels was to connect with policy practitioners, program managers and program participants to observe 'what works' with a view to identifying / replicating further good practice in NSW, Australia. I offer a big thank you to the agencies visited and the people who provided their time, support and access to their networks. These folk are Mark Perfect, Tom Burnham, Cassandra Dunphy, Mark McCausland, Pat Helpin, Dr James McGuire, Nigel Whisken, and Pauline Hanson (UK). Donni LeBoeuf, Stephanie Lewis, Michael Collins, Robert Wellman, Shirley Hunt, Marilyn Jones, Kara Lozano, Jim Riley, Sherry Nitchman, Pete Kliest, Stacey McCoy, Mark Takayama, Sandi Halstead, Sharon Countryman, Jeanne Dunham and Jane Porphin (USA). Daniel Watson, Odette Johnson, Terrence Hunsley, Margaret Shaw, Amy Baker, and Kimberly Fever (Canada). And to the staff and participants, a big thanks you for sharing with me your wit, knowledge, and wisdom.
1.0 Executive summary

As a 2002/2 Churchill Fellow, Bruce Grant, Coordinator of the Policy Unit of the New South Wales (NSW) Department of Juvenile Justice, Australia’s largest juvenile justice system, and Juvenile Justice Technical Adviser to UNICEF Papua New Guinea, travelled to the UK, Canada and the USA to observe the practical application of best practice juvenile justice prevention programs, targeting a specific group of young people – young people caught up in the justice system and who are sentenced to some form of supervision within the community and who are at high risk of further offending and receiving a custodial sentence. An essential aspect of the study program was to connect with policy practitioners, program managers and program participants to observe ‘what works’ with a view to identifying / replicating further good practice in NSW, Australia. The six best practice programs visited were: Youth Justice Board of England and Wales (UK) – Intensive Supervision and Surveillance Program; Crime Concern (UK) - Programs targeting persistent young offenders; International Centre for the Prevention of Crime (Canada) - Best practice prevention frameworks and tools; The Aboriginal Justice Strategy (Canada) - Diversion and alternative justice activities; Office of Juvenile Justice and Delinquency Prevention (USA) - Policy and program development processes; and the Probation Department Orange County California (USA) - The 8% Early Intervention Program.

The challenge for any justice system is to strike a balance between reacting to criminal acts and those who perpetrate them and controlling the rate of crime through prevention. The study program provided an opportunity to observe programs that have met this challenge without resorting to the use of secure remand or custodial sentences. Both the Intensive Support and Supervision Program (ISSP) and the 8% Early Intervention Prevention Program (8%) provide a direct alternative to custody for young people who commit serious crimes and / or are repeat offenders. The ISSP is multi-modal and highly intensive, combining supervision with surveillance to help ensure program completion. Participants are provided with a minimum of 25 hours of programming each week along with support during evenings and weekends. The surveillance, which is primarily in the form of electronic tagging, is designed to ensure that the young people themselves are aware that their behaviour is being monitored and that they cannot get away with offending as they did in the past. The community has the reassurance of knowing that they are being closely watched. The 8% delivers a similar type of program but with a greater emphasis on early detection and intervention and on family participation where all programs available to the young person are also available to family members. The inclusiveness of family participation and the focus on early intervention could make this program type an attractive model of service delivery for Aboriginal young people in NSW. Program supervision does not involve electronic tagging, as is the case with ISSP. However, curfews, intelligence led policing, home spot checks, supervised activities and surveillance are central components of the two programs. Both programs clearly demonstrate that it is neither cost effective or crime prevention effective to continue to place all serious and repeat offenders in institutions, when real alternatives exist.

1.1 Recommendation & benefits

It is recommended that the NSW Department of Juvenile Justice consider piloting similar models of program interventions. The benefits of such programs are many and include:

• Cost effectiveness - it is cheaper to deliver programs in the community rather than in custody
• Crime prevention effectiveness - ISSP and 8% are effective in reducing offending for the most serious and prolific of offenders
• ISSP offers an alternative to remand, and therefore provides an effective and efficient way of reducing the number of juveniles placed on remand
• Both programs are a direct alternative to custody for control order clients, and therefore provides an effective and efficient way of reducing the number of young people placed on control orders, and
• Both programs provide Magistrates with real alternatives to the use of custody for young, serious, and prolific offenders.
2.0 The study program

2.1 Program goal

The goal of the study program was to observe the practical application of best practice juvenile justice prevention programs in the UK, Canada and USA that target young offenders who are on some form of supervision within the community and who are at high risk of reoffending, and further progressing into the justice system (receiving a custodial sentence). This includes those who may have served a custodial sentence previously. An essential aspect of the program was to connect with policy practitioners, program managers and program participants to observe ‘what works’ with a view to identifying / replicating further good practice in NSW, Australia.

2.2 Program beneficiaries

Male and female juvenile offenders between the ages of 10 and 17 who are on some form of community supervision order (serving their sentence in the community rather than in custody) and who are at high risk of reoffending and progressing further into the justice system (are at high risk of receiving a custodial sentence).

2.3 Time frame

The study program was for 9 weeks from late August through to the end of October 2003.

2.4 Program itinerary

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Place</th>
<th>Institution &amp; purpose</th>
<th>Key People</th>
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</thead>
<tbody>
<tr>
<td>19 Aug 2003</td>
<td>Depart Sydney for London</td>
<td>Youth Justice Board • Intensive Supervision and Surveillance Program</td>
<td>Mark Perfect, CEO Tom Burham, Program Manager, ISSP</td>
<td></td>
</tr>
<tr>
<td>25 Aug 2003</td>
<td>29 Aug</td>
<td>London</td>
<td>Youth Justice Board • Liverpool ISSP</td>
<td>Mark Mc Causland, Deputy Manager, Youth Offender Team Pat Helpin, Manager Liverpool ISSP, staff and program participants Dr James McGuire, prolific writer and policy guru on juvenile justice</td>
</tr>
<tr>
<td>8 Sep 2003</td>
<td>12 Sep</td>
<td>Liverpool</td>
<td>Youth Justice Board • Liverpool ISSP</td>
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<td></td>
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<td></td>
<td>Liverpool University</td>
<td>Dr James McGuire, prolific writer and policy guru on juvenile justice</td>
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<tr>
<td>15 Sep 2003</td>
<td>18 Sep</td>
<td>London</td>
<td>Crime Concern • Community based juvenile crime prevention programs</td>
<td>Nigel Whisken, CEO Pauline Hanson, Senior Youth Consultant</td>
</tr>
<tr>
<td>19 Sep 2003</td>
<td>Depart London for Washington</td>
<td>Office of Juvenile Justice &amp; Delinquency Prevention, Department of Justice • Intensive Aftercare Program • Youth Courts</td>
<td>Donni LeBoeuf, Special Adviser to the Director</td>
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### 30 Sep
Depart Washington for Ottawa & Montreal in Canada

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<th>Institution &amp; purpose</th>
<th>Key People</th>
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</table>
|      |    |       | **Aboriginal Justice Strategy, Department of Justice**  
|      |    |     | • Meet with strategy partners  
|      |    |     | • Review programs  
|      |    |     | • Visit a range of sites to observe programs  
|      |    |   | **Aboriginal Corrections Policy Unit** |
|      |    |     | Daniel Watson, Director General  
|      |    |     | Odette Johnson, Regional Coordinator  
|      |    |     | Amy Baker  
|      |    |     | Kimberly Fever |

### 9 Oct
Depart Montreal for Santa Ana in California

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<th>Institution &amp; purpose</th>
<th>Key People</th>
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</thead>
</table>
| 16 Oct | 24 Oct | Santa Ana | **Probation Department**  
|       |       |     | • Review 8% Program  
|       |       |     | • Meet with program leaders and participants  
|      |    |     | Stephanie Lewis, Chief Probation Officer; Michael Collins, Program Coordinator; program staff from the four centres and program participants |

### 15 Oct
Depart Montreal for Santa Ana in California

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<th>Institution &amp; purpose</th>
<th>Key People</th>
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</table>
|       |    |       | **United Nations International Centre for the Prevention of Crime**  
|       |    |     | • Review internationally recognised best practice frameworks  
|      |    |     | Terrence Hunsley, Executive Director  
|      |    |     | Margaret Shaw, Policy Adviser |

### 26 Oct
Depart Los Angeles for Sydney

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<th>Institution &amp; purpose</th>
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### 2.5 Program questions

Eight key or big picture questions were considered when observing each program. They were:

1. To what degree is the program informed or influenced by restorative justice?
2. What is the evidence that the program works?
3. What is the evidence that the program works equally well for females and males?
4. Is the program cost effective?
5. What are the drivers of success and are they local and specific or are these drivers present in NSW?
6. Does the program reflect the ‘essential six’? (does the program fit within McGuire’s definition of an effective program)
7. Is the program informed or influenced by theories relating to pro-social modelling, or working with involuntary clients?
8. To what extend does the local juvenile justice environment nurture or support the delivery of the program?

### 2.6 Agencies visited, purpose and observations

#### 2.6.1 Youth Justice Board of England and Wales – Intensive Supervision and Surveillance Program (ISSP)

The challenge for any justice system is to strike a balance between reacting to criminal acts and those who perpetrate them and controlling the rate of crime through prevention. The ISSP is an example of one program that has achieved this balance. Its key challenge is to reduce reoffending by prolific and serious young offenders without resorting to the use of secure remand or custodial sentences. The ISSP provides a strict and closely monitored regime, which can be used where a secure remand or custodial sentence might otherwise be an option. In other words, if the ISSP was not in existence the young people on the program would have been placed on a secure remand or would have received a custodial sentence. The specific criteria are:
• young people who have been charged, warned or convicted of offences committed on four or more separate dates within the previous 12 months and received at least one community or custodial penalty
• the current charge relates to an offence which is sufficiently serious that an adult could be sentenced to 14 years or more, or
• they have a history of repeat offending while on bail and are at risk of a secure remand.

The program seeks to reduce the frequency and seriousness of offending, address the underlying causes of offending, and provide reassurance to communities through close surveillance backed up by rigorous enforcement.

Participants are aged between 10-17, the average age is 15.8 years, 11% are female. The mean number of recorded offences per participant in the 12 months prior to joining the program is 10.3. The percentage of participants enrolled in education at intake is 16%, the unemployment rate at intake (for non-school attendees) is 66%, the mean reading age at intake is 10.6 which is 5 years below the UK national average and the level of drug use at intake is 56%.

ISSP is multi-modal and highly intensive, combining supervision with surveillance to help ensure program completion and to bring structure to young people's lives. For the first three months, participants are provided with a minimum of 25 hours of supervision each week along with support during evenings and weekends. The level of supervision is reduced over the following three-month period. Key features are:

• education and training
• interventions to tackle offending behaviours such as work based programs and counselling
• reparation to victim or the community
• assistance in developing interpersonal skills, and
• family support.

In essence, participants attend school or another suitable program five days a week and have regular meetings with their case manager, support workers and counsellors as appropriate. On weekends and some evenings, support workers visit the young person at their house and when appropriate supervises a range of recreational activities.

The program is similar in delivery to a Juvenile Justice Community Service in NSW. Participants are provided with a range of interventions based on need and level of risk of reoffending and can include school attendance, drug and alcohol counselling, and counselling for specific behaviours i.e., violence or predatory sexual activity. The key difference is that the program is designed for serious and chronic offenders who would otherwise receive a custodial sentence. It is the application of surveillance and electronic tagging that makes it possible to keep these young people in the community rather than in custody.

A mix of tracking by project staff, electronic tagging, and intelligence-led policing comprises the surveillance component of the program. The surveillance is designed to ensure that the young people themselves are aware that their behaviour is being monitored and that they cannot get away with offending as they did in the past. The community has the reassurance of knowing that the program participants are being closely watched.

The electron tag is waterproof, shockproof, looks like a large watch and is fitted to the ankle. It can be worn in the shower, while swimming and playing sports. The tag is nor visually intrusive and can be hidden underneath long trousers or socks. The tag sends signals to a monitoring unit, which is the size of a radio or cassette player and connected to the phone line in the young person's house. A second telephone line is installed for the sole purpose of tagging. In the period leading up to the installation of the second line, the existing phone line is used. The monitoring unit sends signals down the phone line to the control office monitoring the system. The control office can tell whether the young person is at the curfew address or is absent during curfew hours.

In the UK, the program is primarily delivered by the NGO sector through the extensive network of Youth Offender Teams. In NSW, Juvenile Justice Community Services are well placed to deliver the program by bringing together the range of Department interventions and NGO partners. Participants are case managed by an officer with similar responsibilities to a Juvenile Justice Officer in NSW.
Some good / best practice features include:

- **High quality reports and presentations at Court.** Such reports include the young person’s timetable, guarantees of measures to protect public safety, a written agreement between the young person and the supervising agency about curfews, acceptable behaviours and actions that will lead to the young person’s transfer to a custodial facility. Further, the Court is provided with regular reports on the young person’s progress through the program.

- **Rapid program start-up.** The young person commences the program the same day or the day following having their matter dealt with by the Court.

- **Extensive and effective use of curfews and electronic tagging.**

The British Government has proposed introducing a range of measures to extend the reach, and enhance the effectiveness of the ISSP and related programs. The ISSP will soon become the main response to repeat and serious offending. This means that community intensive surveillance and supervision will replace custody as the main intervention for prolific and serious offenders. ISSP may also replace all short-term custodial orders (i.e., those sentences to 12 month or less).

Replication of a similar type of program in NSW should be considered as a priority. One of its key strengths is its potential for state-wide reach.

### 2.6.2 Orange County Probation Department (USA) - The 8% Early Intervention Program

The Orange County Probation Department has an annual budget of over 128 million, and employs approximately 1,500 staff. It supervises on average 3,000 juveniles and 8,000 adults each year, of which 17% are female. In terms of juveniles, 16% are female, 78% are classified as non Anglo-American, i.e. Hispanic, African-America, etc., 50% are aged 15 and younger, 67% have problems with alcohol and / or drugs and 55% are classified as high risk, meaning they have committed more serious offences and/or are high risk of reoffending.

The Department has demonstrated that the prevalence of serious delinquency can be reduced significantly by identifying and treating the small percentage of juveniles who are at risk of becoming chronic offenders. The project is designed for first time offenders appearing at Court, with at least three of four key risk factors. These factors are:

- **Education** - attendance problems, suspension/expulsion from school, failure of two or more classes
- **Family** – poor supervision, history of domestic violence, child abuse/neglect, family members with criminal backgrounds
- **Substances** – regular use of alcohol and/or drugs
- **Delinquency** – high risk behaviours such as stealing, vandalism, or chronic runaway.

The 8% Program is delivered through Family and Youth Resource Centres, which are administered and managed by the Probation Department, in partnership with other Government agencies such as Education and Health, and the non-Government sector. The Department is responsible for the administration of the centres and in partnership with the other agencies co-manages the program. In other words, the Department is responsible for the physical management of each site, the movement and supervision of the young people, and retains primary case management responsibilities. Whereas, the actual management of the program is delivered through a management committee chaired by the Department and involving all partners.

Each Family and Youth Resource Centres provides an intensive range of services in a semi secure environment, for eight hours a day, five days a week. It is a one-stop shop. Program components include:

- a school
- transporting clients from their home to the centre and to home again
- providing intensive drug and alcohol counselling for both the young person and their family
- providing employment skills training for both the young person and their family
- placing great emphasis on building the young person’s empathy ‘reserves’, and sense of community, primarily through engaging the young person in meaningful community projects, i.e. activities that focus on people and relationships rather than things and tasks. For example, the
young people do not mow lawns, instead they work with say an older person to design and build a
garden, together.
• curfews, that are supervised and monitored through spot checks at night and weekends –
electronic tagging is not a feature of this program.

In many ways, the Family and Youth Remand Centres are similar to a Juvenile Justice Centre in
NSW. The case management and type and range of program are similar. Young people are under
constant supervision by Deputy Probation Officers who perform the same functions of Youth Officers
in the NSW system. They carry handcuffs and mace. The main difference of course is that 8% is
delivered in the community with young people residing at home, whereas in NSW the program is
delivered in a secure residential setting, removed from the community.

While specialist staff such as psychologists and others provide essential services, the program model
is not therapeutic. Specialist staff such as psychologists and counsellors provide one of the
intervention types and contribute to case planning and casework. Education is an equally important
element. It is designed to get young people back into the formal or community education system
where they can attain at least the minimum level of education required to make meaningful life
choices and realise these choices. Employment and broader social welfare support are equal program
players.

The visit to the 8% Early Intervention Program provided the opportunity to:
• observe the practical application of the program
• learn about the strengths and challenges of the program through discussions with policy
practitioners, program managers and program participants, and
• identify the drivers or factors that supported the involvement of social services and communities in
the delivery of the program.

This type of program warrants further investigation by juvenile justice sector in Australia. It is a post-
justice model in that the Department’s mandate extends beyond simply supervising young offenders,
to actually addressing the causes of offending, by intervening early in the young persons ‘criminal life’
and doing so by driving a whole of government and community series of interventions, based on a
‘what works’ framework. It does what needs to be done and treats the young person in the community
where family members, parents and siblings have equal access to the program. This program type
may be of interest to Aboriginal communities, because it is holistic in its approach. It is family and
community friendly, is not therapeutic, and provides practical and tangible support to families based
on what families want, rather than what the agency has to offer.

Whereas the ISSP has potential for state-wide reach the 8% is more geared to providing intensive
and effective services to specific cultural and / or geographical communities.

2.6.2.1 Possible negative consequences of ISSP and 8%.

There are a range of possible negative consequences of ISSP and 8%. For example, net widening,
where young people who may have received a standard supervision order, are provided with more
intrusive and unwarranted supervision. Tagging may not be appropriate for some cultures, this may
be particularly so for some Aboriginal communities. Some research has indicated that tagging can be
seen by some young offenders as a status symbol. This seems particularly so where tagging is not
balanced by program support and where curfews are not effectively supervised and enforced. Further,
Enforcing tagging in situations where young people particularly girls and young women are at risk of
abuse in their homes. ‘Locking’ these young people in their homes would more than likely increase
their risk to sexual or other forms of abuse. Finally, it is universally recognised that home detention
and electronic supervision without the support of program interventions to address the causes of the
offending behaviour were ineffective.

2.6.3 The Aboriginal Justice Strategy (Canada)

The Aboriginal Justice Strategy (AJS) of the Department of Justice Canada has three components.
These components are community-based justice programs, the Aboriginal Learning Network and self-
government negotiations in the field of the administration of justice.
The key lesson learnt from the visit is that justice sector agencies place great emphasis on processes rather than product. Much of the public policy direction in the areas of juvenile justice and crime prevention is underpinned by a strong focus on:

- social capital, and restorative processes which in themselves fuel social capital
- improving processes for communication between government and Aboriginal communities, and
- building more effective partnerships for the delivery of programs.

Social capital can be defined as: … the trust, norms of reciprocity and networks that facilitate coordinated actions (Hanselmann 2002: 2).

A practical example of social capital building are Community Sentencing Circles.

- **Circles**

There is no format or ‘script’. Circle hearings are usually presided over by a ‘Keeper’ who begins and concludes the circle with a prayer, and governs the passing of the feather or talking stick round the circle, recognising those who wish to speak. Participants include those closely involved with the offender, both family and friends, and victims and their family and supporters, as well as elders, the judge, crown and defence councils who present the facts of the case, the police, and other representatives of justice or community organisations. Circles are open to all members of the community. Recommendations to refer a case for a circle sentencing may be made by a judge, or following a request by an offender and through the local Community Justice Committee. Acceptance into a sentencing circle is not dependent on the seriousness of a case, but upon the sincerity of the offender, victim interest and support. The function of a Circle is to hear and discuss the issue relating to the offence, the consequences for both offender and victims and their families, and to come to an agreement about the sentencing plan. The judge has the final responsibility in sentencing and may accept or reject the recommendations. A review date may be set to consider how well the plan is being followed. (Shaw & Jane, 1998: 20-21)

A Sentencing Circle combines traditional justice (Healing Circle) and Western Justice (all justice agencies are involved and the magistrate or judge retains final responsibility in determining the sentence). Its dual strength is that it brings Indigenous communities into the decision-making processes of the formal justice system, while also bringing the justice system into the thinking of indigenous communities.

- **Good practice frameworks for circles**

  - **Selection of members**: Community representatives are chosen by the community through whatever process the community decides. Community representatives are not appointed by justice officials.
  - **Composition of members**. Membership is balanced among age groups and gender, and includes a broad representation from all sectors within the community.
  - **Inclusion of professionals**. Professional are used to resource committee members, they do not dominate but instead facilitate and support.
  - **Circles rely on a greater level of commitment from the offender**. It calls for more than simply admitting guilt. He or she must be willing to change their behaviour. An offender must earn the privilege of being admitted into a circle process. They must ‘walk the walk’ and may be required to undergo programs prior to the Circle.

The visit to the AJJP provided the opportunity to:

- learn about a range of processes being used by government and the Aboriginal community to build trust between the two
- meet with key agencies working in the area of Aboriginal justice, and
- review the practical application of Community Sentencing Circles.

### 2.6.4 Crime Concern (UK)

Crime Concern is an independent, national crime reduction organisation. Its mission is to work with government and community agencies to help reduce crime and create safer communities. Their work
is based on the belief that everyone, regardless of age, gender or race, should be able to lead their lives free from the incidence or fear of crime. Crime Concern is recognised as a world leader in its field. One of the agency’s key objectives is to demonstrate and promote good practice in the area of youth offending, including work with persistent young offenders. The visit to Crime Concern provided the opportunity to:

- learn about the agency’s overall approach to supporting / initiating programs targeting persistent young offenders, and
- meet with the agencies justice sector partners.

2.6.5 International Centre for the Prevention of Crime (Canada)

The International Centre for the Prevention of Crime (ICPC) is an international non-governmental organisation with the mission of assisting cities and countries to reduce delinquency, violent crime and insecurity. It collaborates with local, national, regional and specialised agencies to harness prevention experience and know how from around the world to solve local crime problems. The visit to ICPC provided the opportunity to:

- review best practice prevention frameworks and tools, and
- review interventional research on risk assessment for girls

The key lesson learnt from the visit was that risk assessment tools that are not developed specifically for women are faulty when used on assessing a women’s risk of reoffending.

A useful definition of risk assessment is: “A comprehensive and integrated assessment process where an offenders’ risk (factors which lead to criminal behaviour and the criminal record) and needs (areas in an offender’s life / lifestyle which, if changed can reduce the risk of reoffending) are identified, at the beginning of the sentence, so that treatment and programming can be appropriately focussed.” (Hannah-Moffat & Shaw, 2001: 60)

Hannah-Moffat and Shaw (2001:60) point out that risk assessments are primarily concerned with managing male offenders, and have rarely considered their implications for women or ethno-cultural minorities. The authors outline three key lines of approach to the development and delivery of an effective gender specific and culturally relevant risk assessment tool. First, the development of such a tool will only be possible with bureaucratic and institutional commitment and support for such an endeavour. Second, the development process must have a clear purpose and objectives and be centred in the crime experiences of women and not reinterpreted through the crime experiences of men. Thirdly, given that there is now a substantial body of work on female offending, this research should be the main informant of the assessment development process.

In Australia a number of studies (Daly & Lane 1999, Dawson 1999, NSW 1985) have raised concerns about the applicability of risk assessment tools to women and Aboriginal populations. For example, one such concern is that such systems ignore the different circumstances of women’s life in relation to work patterns and drug use, leading to women receiving a poor assessment in these areas.

There is enough evidence (Hannah-Moffat & Shaw), to suggest that women who commit a violence offence are unlikely to pose a danger to the community at large. To emphasis the difference between the offending patterns of girls and boys, Shaw & Tschiwula (2002: 67) set out seven key cultural and social differences in the ways girls and boys are raised and how these differences influence the high rate of offending by boys and low rate of offending by girls.

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<thead>
<tr>
<th>Cultural &amp; social differences</th>
<th>Girls</th>
<th>Boys</th>
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</thead>
<tbody>
<tr>
<td>1. Social control</td>
<td>More</td>
<td>Less</td>
</tr>
<tr>
<td>2. Leisure time</td>
<td>Closer to home, and in the presence of adults, and often alone. (This contributes to girls being more vulnerable to sexual abuse by an adult relative or close male family friend)</td>
<td>Further away from home, and away from adult supervision, and in groups. (This contributes to boys being more vulnerable to sexual abuse by a stranger)</td>
</tr>
<tr>
<td>3. Health, accidents and risk taking behaviour</td>
<td>More prone to self injury, eating disorders and entry into</td>
<td>More prone to suicide</td>
</tr>
</tbody>
</table>
4. Type and extend of physical, sexual and emotional abuse
Girls are more likely to be abused by someone they know
Boys are more likely to be abused by a stranger

5. Rates of maturity
Girls are more likely to do better academically and stay at school longer (so long as the school and curriculum is girl friendly)
Boys are more likely to drop out of school earlier

6. Maturation
Girls are much more likely to cease offending behaviour as they mature
Boys are less likely to cease offending behaviour as they mature

7. Socialization re violence and aggression
Not socialised
Boys are

3.0 Five key lessons learnt / reinforced

3.1 The delivery of program interventions in the community rather than in custody offers a range of benefits. They are:

- **Cost effectiveness.** It is cheaper to deliver programs in the community rather than in custody. A cost/benefit analysis conducted by the Youth Justice Board showed that ISSP costs 70% less per client than custody. Thus existing resources can be redirected towards identifying young people at high risk of becoming entrenched in the justice system, developing programs to prevent further offending, and more intensive programming for young people who commit more serious offences

- **Crime prevention effectiveness.** The ISSP and 8% are effective in reducing reoffending for the most prolific of offenders. 8% is reducing reoffending by 30%, whereas the effectiveness of ISSP is closer to 50%

- **ISSP offers an alternative to remand.** It provides an effective and efficient way of reducing the number of juveniles placed on remand, while provide reassurance to communities through close surveillance backed up by rigorous enforcement

- **Less Aboriginal young people in custody:** 8% in particular, provides a real alternative to custody for aboriginal young people. The model is family and community friendly and targets high risk young offenders

- **Equity for girls.** Both ISSP and 8% provide services to girls and boys. By providing services in the community rather than in custody, girls can be kept closer to their communities, rather than being transported and detained in a facility far removed from a girl’s community

- **ISSP and 8% offer an alternative to custody.** Both programs are a direct alternative to custody for control order clients, and therefore provides an effective and efficient way of reducing the number of young people placed on a control order

- **Magistrates have a real alternative to use other than custody.** Both programs provide Magistrates with a real alternative to the use of custody for young, serious and prolific offenders. One of the strengths of the ISSP is that it has actively engaged with the community and Magistrates. The program is well branded and marketed

3.2 Effective programs conform to James McGuire’s six characteristics of best practice juvenile justice prevention programs. They are:

- **Risk classification.** The degree or intensity of the program is determined by the risk of reoffending.

- **Criminogenic needs.** The type of program is determined by the direct causes of offending

- **Responsivity.** The program is targeted to individual need (issues such as gender, race, class, learning abilities, and so on, inform the program design)

- **Community based.** The program draws from and involves community resources and where possible is based in the community

- **Treatment method.** The program is multi-model and cognitive (is designed to get the young person to think about and question their own behaviour)

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James McGuire has written extensively on crime prevention, program design and juvenile offending and has made a significant contribution to the ‘what works’ literature and theory. I had the opportunity to meet with him briefly while I was in Liverpool
• **Program integrity.** The program is evidence based and is logical (the program provider has the inputs (resources) required to design, deliver and monitor the program).

### 3.3 Effective programs for Indigenous young offenders also seek to address the needs of families and communities. Such programs are:

- **Comprehensive.** Programs should address the needs of the young person, the family, and the community
- **Accessible.** Programs must actively reach out to ensure that all targeted families have the ability to participate
- **Proactive.** Programs must target children who are at risk of coming into conflict with the justice system – early detection and intervention is a must for any prevention program
- **Integrated.** Programs should bring together social services, education, and health care services
- **Community driven.** The design, allocation, and delivery of programs should rest with community authorities. The role of government agencies is to assist and facilitate learning rather than to lead and prescribe prescriptions
- **Quality.** There should be recognised standards of practice
- **Accountable.** Evaluation is an important component.

### 3.4 Characteristics of effective programs for girls, when girls and boys do the same programs

- **Girls and young women - same but different.** Programs recognise that the needs of girls (less mature) are different to the needs of young women (more mature) and this is reflected in the type and range of activities available
- **Girls and boys – just different.** Programs recognise that the needs of girls and boys are different and this is reflected in the design of the program. Programs that are designed for both girls and boys should be audited to ensure that they are meeting the specific needs of girls.
- **Gender neutral or women specific risk assessment.** Given that there appears to be no risk assessment tool for use with girls and young women, and until a tool is available, existing tools should not be used as the main means to determine risk.
- **Safety over supervision.** Enforcing home detention, with or without tagging, without an appropriate assessment of vulnerability/risk, may place young people particularly girls and young women at higher risk of abuse.
- **Equity for girls.** Both ISSP and 8% provide services to girls and boys. By providing services in the community rather than in custody, girls can be kept closer to their communities, rather than being transported and detained in a facility far removed from the girl’s community.

### 3.5 Effective programs are more likely to be found in environments where the four main components of the juvenile justice system seek to work collaboratively to address re-offending. The four components are:

- **Government policy.** The program is a direct outworking of government policy.
- **Human service agencies (such as welfare / social services, education and health).** The juvenile justice system embraces the broader human services sector and prescribes their role in juvenile justice program delivery.
- **Justice agencies (such as police, courts, remand, and custodial providers).** Justice agencies embrace the involvement of the human services sector in juvenile justice program delivery.
- **Community expectations.** There is general agreement within communities about what government is trying to do to address juvenile crime. Communities may or may not be fully or partially supportive of the policy direction, but at least they know what to expect.

### 4.0 Conclusions

When it comes to prolific and serious young offenders, much of current juvenile justice practices in Australia draws from research conducted in the early to mid seventies that argued that nothing worked in preventing reoffending with these young people. However, a growing "what works"
movement has drawn attention to convincing evidence that certain types of community rather than custody interventions can significantly reduce reoffending. The study program provided me the opportunity to witness the practical application of two such programs. The 8% Early Intervention Program in the US and the Intensive Supervision and Surveillance Program in the UK clearly demonstrate that these young people can be effectively supervised and supported in the community rather than in custody. Indeed, in the UK the ISSP will soon become the main response to repeat and serious offending. This means that community surveillance and supervision will replace custody as the main intervention for prolific and serious offenders and it may replace all short-term custodial orders.

An 8% type program is clearly worth exploring further with a view to piloting such an intervention in NSW. While its application may not be statewide as is the case with an ISSP type intervention, it is a pragmatic and logical response to prolific and serious offending by very young offenders.

The audience for this paper is justice sector professionals. Its premise is that there is a good understanding across the sector that custody delivers little in terms of cost effectiveness in the management of serious and chronic offenders or crime prevention effectiveness in reducing the level of offending by this group. Internationally, there is a wealth of evidence clearly demonstrating this. For example: "... contemporary criminal justice sanctions have little impact on deterring re-offending. Those who serve prison terms are often denied the opportunity to make personal reparation, are more likely to re-offend as they self identify with the label criminal, and are exposed to negative criminal influences while being isolated from positive role models." (ICPC, 1999: 116). The study program provided an opportunity to visit a number of programs that are working in this reality and without resorting to the use of secure remand or custodial sentences.

5.0 Recommendation & benefits

It is recommended that the NSW Department of Juvenile Justice consider piloting similar models of program interventions. The benefits of such programs are many and include:

- Cost effectiveness - it is cheaper to deliver programs in the community rather than in custody.
- Crime prevention effectiveness - ISSP and 8% are effective in reducing offending for the most prolific of offenders.
- ISSP offers an alternative to remand, and therefore provides an effective and efficient way of reducing the number of juveniles placed on remand.
- Both programs are a direct alternative to custody for control order clients, and therefore provides an effective and efficient way of reducing the number of young people placed on a control order, and
- Both programs provide Magistrates with a real alternative to the use of custody for young, serious and prolific offenders.

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