POLICY CHANGE AND THE STREET LEVEL
POLICING OF CHILDREN AND YOUNG PEOPLE IN
A HOME COUNTIES POLICE FORCE

by

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for the
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NEW LABOUR’S YOUTH JUSTICE LEGISLATION AND THE ‘EVERY CHILD MATTERS’ PROGRAMME CONTAINED CONTRADICTORY IMPERATIVES. THIS RESEARCH EXAMINES HOW POLICE OFFICERS AND POLICE COMMUNITY SUPPORT OFFICERS (PCSOs) IN A COMMUNITY POLICING SETTING OPERATIONALISED THOSE IMPERATIVES IN ORDER TO REACH DECISIONS WHEN DEALING WITH CHILDREN AND YOUNG PEOPLE.

THE REVIEW OF LITERATURE FOCUSES FIRSTLY ON NEW LABOUR POLICY RELATING TO CHILDREN AND YOUNG PEOPLE, AND SECONDLY DESCRIBES PREVIOUS RESEARCH INTO THE PRACTICE OF POLICING JUVENILES, THE RESILIENCE OF POLICE CULTURE AND THE KEY FACTORS IDENTIFIED RELATING TO POLICE OFFICER DECISION MAKING. NO RECENT BRITISH RESEARCH IN THIS AREA WAS LOCATED.

FOUR OVERLAPPING HYPOTHESES WERE IDENTIFIED, WHICH WERE: OFFICERS WILL BE MORE RESPONSIVE TO THE ‘EVERY CHILD MATTERS’ POLICY IMPERATIVES; OFFICERS WILL BE MORE RESPONSIVE TO THE CRIMINAL JUSTICE IMPERATIVES; MANAGERIALISM WILL TRUMP BOTH SETS OF POLICY IMPERATIVES BECAUSE IT IS IN THE OFFICER’S INTERESTS TO RESPOND TO THE DEMANDS OF MANAGEMENT; AND BOTH SETS OF POLICY IMPERATIVES AND MANAGERIALISM NOTWITHSTANDING, OFFICERS WILL RESORT TO ‘COMMON SENSE’ RESPONSES INFORMED BY THEIR OWN LAY CRIMINOLOGIES, SCALES OF VALUES, POLICE CULTURE, AND POLICE ‘PRACTICE WISDOM’.
These hypotheses were tested using quantitative and qualitative data from 198 self-reporting postal questionnaires and eight follow-up interviews. The research population comprised Police Officers and Police Community Support Officers engaged in Neighbourhood Policing.

The research found that the majority of officers operated according to their own lay methodologies (hypothesis four) within the constraints of managerialism (hypothesis three), which led to officers and PCSOs taking actions which they did not always believe to be the most appropriate. Additionally, ambiguities in the legislation and lack of guidance led to the space for the exercise of officer discretion expanding when they were dealing with children and young people, whilst at the same time there was a lack of training on how they should best engage with this age group.
DECLARATION

I declare that this thesis is my own unaided work. It is being submitted for the degree of Professional Doctorate in Youth Justice at the University of Bedfordshire.

It has not been submitted before for any degree or examination in any other University.

Judith Ann Mortimore
March 2011
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CHAPTER ONE: INTRODUCTION

1.1 Introduction to the research problem

This thesis will examine how police officers and police community support officers negotiate the contradictory imperatives embodied in the laws they are required to enforce with relation to children and young people.

In 2007, when the research was conducted, the New Labour government appeared to be pursuing conflicting approaches to children and young people. While the Department for Education and Skills (dfes) had placed a duty on all professionals, including the police, to consider the safety and wellbeing of children and young people in everything that they did under the auspices of the ‘Every Child Matters’ programme of work, the Home Office was pursuing a policy of ‘catch and convict’. Phillips (2006) notes the uncomfortable dichotomy between ‘supportive’ policies and ‘punitive’ hard-edged policies. These two contradictory approaches can both be traced to the death of a child: the government’s punitive approach stems from the tragic death of James Bulger in 1993, whilst the ‘Every Child Matters’ approach is attributed to the equally tragic death of Victoria Climbié in 2000.

This research examines how police officers and police community support officers balance responding to offending behaviour and managing welfare issues on an everyday basis for the children and young people with whom they come into contact.

Underlying both government approaches to children and young people was an increasingly managerialist ethos which stressed the
institutionalisation of performance management to improve productivity and ‘value for money’ (Muncie 2008). To understand all the drivers operating on police officers and police community support officers at the time of the research, this thesis will include an examination of the impact of managerialist processes on practice.

Essentially, the argument is that police officers and police community support officers faced with these contradictions, while apparently having limited discretion as to how to act, were making decisions based primarily on conceptions of youth behaviour influenced by personal ethics. Whilst managerialism to some extent constrained the outcomes they were able to achieve, officers, lacking training, were still making decisions based on a ranking of contributing factors similar to that identified in previous studies of police decision-making with regard to children and young people, not only in the United Kingdom but also in other countries.

1.2 Justification for the research

Factors which impact on police decision-making with regard to children and young people have been explored in the past, but a review of the available literature found an absence of recent research into this in the United Kingdom. Where research does exist, it tends to explore the point of view of the child rather than that of the officer, and concludes that an adversarial contact is a fairly common occurrence (McAra & McVie 2005).

The police are acknowledged to be the gatekeepers of the criminal justice system (Marlow, 2005); however performance statistics fail to acknowledge the impact of police performance on both the number of young people entering the system and their subsequent reoffending. In order for a young person to enter the system, the police must first both identify that he or she is responsible for an offence (detect the offender) and collect sufficient evidence to give a realistic prospect of conviction.
Prior to 1998, young people committing first or minor offences could be diverted from the system. The erosion of this ability to divert in the interests of obtaining a ‘sanction detection’ over the ensuing five years will be described more fully in chapter 2.

Both British Crime Survey and police recorded crime data suggest that overall levels of offending have fallen since 2003. This decline in offending in general and youth offending in particular goes back to the early 1990s; however, figures compiled by NACRO (see chart 1.1 below) show a sharp rise in the number of offences committed by young people, starting in 2003. Bateman (2008) notes an increase in the number of young people given a reprimand or final warning. This, he states, may relate to changes in police practice rather than any change in the volume of offences committed by young people.

![Chart 1.1 Offences committed by young people 1992-2005 (indictable offences)](chart)

NACRO (2008b) argue that whilst it is difficult to ascertain the extent to which changes in police practice are responsible for this increase, it is possible to identify the pattern that might arise were such changes to have made a significant contribution. This would probably show an increase in
those offences or offenders who would, under the previous rules, have received an informal outcome. These would include offences committed by younger people, less serious offending and offences committed by girls. Their analysis of the data confirms that the increase can be explained in large part by disproportionate rises in each of these categories.

In the case of younger children, the Liberal Democrats (2009) identified an 87.2% increase in the number of 10-12 year olds convicted of an offence between 1997 and 2007. Bateman (2007) notes that the number of 15-17 year olds receiving a substantive disposal for an indictable offence rose by 11.9% between 2003 and 2005, whilst the rise for 10-14 year olds was 23.6%.

For girls, Bateman (2007) reports an increase of 30% in the level of detected offending by girls between 2003 and 2005, compared with a rise over the same period of only 7.6% for boys.

The alternative explanation is that there was a sharp rise in poor behaviour by younger children and by girls, and officer opinion was sought as part of the research as to whether this was or was not the case.

1.3 Methodology

Chapter four details the methodology used in this thesis. In brief, following an extensive literature review, a number of competing, although not mutually exclusive, hypotheses were identified. Contrasting evidence for and against each hypothesis was chosen as a way of addressing the research question as to how officers operationalised the tensions between the government’s punitive approach to justice and its more welfare-oriented ‘Every Child Matters’ programme. A location and research population were identified and a number of approaches considered. Ultimately a dual approach using a self-reported postal survey followed by
a small number of in-depth interviews was selected, with the questions for
the second qualitative phase developed from initial analysis of the
quantitative data from the survey. Ethical considerations were identified
and operationalised at all stages of the research.

A key assumption made in the development of the research was that
policing children and young people is essentially different and requires a
different skill set to the policing of adults. The clear and continuing
separation of youth justice from the adult system, including the provision of
separate courts and secure estate, supports this contention.

1.4 Outline of the thesis

The literature review for this thesis revealed two separate but equally
relevant areas of interest, one relating to policy and one relating to
practice. Following a brief description of the methodology utilised for the
literature review, chapter two of this thesis describes the policy
surrounding the policing of children and young people at the time the
research was conducted. Chapter three then describes previous research
into the practice of policing juveniles and the key factors identified therein
relating to police officer decision making.

As previously mentioned, chapter four will detail the methodology used in
the development and conduct of the research, including the hypotheses to
be tested, and chapter five will lay out the findings from the research,
concluding with a consideration of the evidence for and against each of
the four hypotheses.

The final chapter will briefly summarise changes subsequent to the
research which may have already addressed some of the issues
discovered, and then discuss the implications of the findings for both policy
and practice. It will conclude with some final thoughts on the research
question and a brief consideration of the impact of child death on government policy-making.

1.5 Boundaries of the research

The policies and practices in place when this research was undertaken have already in many cases been superseded; however the findings of the research indicate that the factors affecting the responses of police officers (and police community support officers) to young people remain consistent regardless of any particular government policy. It must be acknowledged that the research was conducted in only one force in the south of England and it is possible therefore that the same research conducted in a different force might have resulted in a different outcome; however since the 43 police forces in England and Wales are separate and distinct bodies, it was felt that the analysis would be more rigorous if the research population was selected from a single force.

1.6 Introducing the researcher

“The human element of qualitative inquiry is both its strength and weakness – its strength is fully using human insight and experience, its weakness is being so heavily dependent on the researcher’s skill, training, intellect, discipline, and creativity. The researcher is the instrument of qualitative inquiry, so the quality of the research depends heavily on the qualities of that human being.” (Patton 2002)

The author of this thesis, who also undertook all the research, has worked in the police environment for 28 years as a civilian. During that time she has performed numerous different roles, both at a local and a national level, and has a good understanding of the policing environment and culture. This understanding facilitated the design of the research tool; it
also allowed for an enhanced level of rapport with officers and police community support officers during the interview phase of the research. It further assisted in contextualising and interpreting the quantitative and qualitative data obtained.

The author’s current role includes environmental scanning, policy writing and provision of guidance in relation to all aspects of children and young people’s legislation.

1.7 Summary

This chapter lays the foundation for the thesis. It introduces the research problem and the research questions. The research is justified, the methodology is briefly described, the content of the thesis is outlined and its limitations explained.
CHAPTER TWO: LITERATURE RELATING TO POLICY

2.1 Introduction

The review of literature relevant to the proposed area of research revealed two separate but equally relevant areas of interest, one relating to policy and one to practice. The literature review has therefore been separated into two parts and will be presented as chapters two and three.

This chapter will consider policy surrounding the policing of children and young people at the time the research was conducted. It will consider first New Labour’s approach to youth justice, which has been described as increasingly punitive (e.g. Goldson 2005; Mogan 2007), with particular reference to police decision-making, and the erosion of discretion. It will then look at the ‘Every Child Matters’ programme and contrast the approaches taken by the government, with particular reference to the contradictions and the tensions created for the policing of young people as a result. Questions relating to policy will be identified during the course of the chapter.

2.2 Conduct of literature review

The literature review was commenced by reading widely on policing, with particular reference to the policing of young people, and on youth justice. This led to a wide spread of related information, not only in the field of youth justice but also in other areas such as psychology and sociology. From this initial reading a keyword list was drawn up. A search was then undertaken via the Athens gateway, which revealed a broad range of relevant material, which was further narrowed by linking keywords to
produce an initial reading list of journal articles. A similar search was also undertaken via Google Scholar.

The search on Google using ‘police’ and ‘young people’ as linked keywords netted 49,200 potential sources of information. This was reduced to a more manageable number by the introduction of more precise variables. The list was reduced to 683, from which about a dozen articles, which the Athens gateway had not uncovered, were finally selected as primary sources.

Closer reading of material selected in this first tranche produced a subsidiary reading list. This process was repeated several times.

It became clear that the literature fell into two areas. There was a wealth of material in the UK relating to policy, but few recent academic publications relating to the practice of policing young people. A seminal text by Loader (1996) was discovered on a visit to the University of Bedfordshire library. The search in this area was therefore widened and a wealth of material was uncovered from the United States and Australia. It was necessary here to substitute alternative terminology, for example ‘juvenile’ instead of ‘youth/young’. Articles available online were downloaded and printed for ease of reference; some were photocopied at the University of Bedfordshire or Open University library for reference purposes only.

During the period of the research and the writing up period, the researcher continued to monitor relevant bulletins, websites and media reports to keep abreast of the latest developments in the area under consideration.

Alongside the review of literature, a review of literature relating to the research element of the thesis was undertaken to inform the methodology. This will be covered in chapter four of the thesis.
2.3 New Labour and youth justice

The volume of criminal justice policy and law produced by the New Labour government was unprecedented (Goldson 2005). It was a rapid, apparently haphazard, deluge of legislative change with an underlying utilitarian – and increasingly punitive – theme (Goldson 2002). Nick Clegg, when home affairs spokesman for the Liberal Democrats, drew attention to the fact that by August 2006 New Labour had created 3,023 new offences, or nearly one for every day they had been in power (Sky News 2006).

New Labour’s approach was strongly driven by the Treasury, which wanted value for money and an evidence base for the proposals it would be funding (Newburn 2002). This emphasis on ‘evidence’ has been described as a defining feature of contemporary youth justice (Pitts and Bateman 2005).

Criminal justice policies developed by New Labour have been described as ‘a melting pot of contradictions, ideas and ideologies which may mitigate against each other’ (Fergusson 2007). New Labour’s youth justice policy has been described many times as punitive (for example, Goldson 2008; Bateman and Pitts 2005; Gelsthorpe and Morris 2002). However, New Labour’s policies were complex and it may be simplistic to describe them as entirely punitive in nature. Hughes, Mason and Prior (2007) suggest that it is possible to identify instances of crime policy being influenced and altered by elements of social policy, with methods of crime control based on ideas of treatment and rehabilitation rather than retribution and public protection.

There is considerable evidence that some intervention with a young person at risk of becoming a repeat offender is better than none (for example McIvor 1990); but this intervention may be described as punitive when the intrusiveness of the intervention exceeds the crime. It is perhaps
the case that legislation framed with the best intentions led to unintended (and cumulatively punitive) consequences, as will be described in the case of pre-court interventions (see section 2.5). Indeed, Goldson (2008) argues that because early interventions emphasised risk rather than guilt this tended them toward authoritarianism.

Burnett and Appleton (2004) found magistrates to be clear that they were interested in sentences that stopped young people from offending and were clear that custodial sentences were used only as a last resort; however, statistics produced by the Youth Justice Board for the Home Office demonstrated that custodial sentences for young people rose by 85% between 1992 and 2001, whilst detected youth crime fell by more than a quarter, and although custodial sentencing then began to fall, the population of the secure estate for children and young people remained relatively stable due to increased sentence lengths and rising levels of children remanded to the secure estate. This illustrates, intended or otherwise, a more punitive approach under New Labour.

**New Labour’s early Youth Justice legislation**

During the time he was Shadow Home Secretary, later Prime Minister Tony Blair promised to be ‘tough on crime, tough on the causes of crime’ (for example, BBC 199 3). Two months later, on 12th February 1993, two year old James Bulger was murdered by two eight year old boys, Jon Venables and Robert Thompson. Blair described the killing as ‘a hammer blow struck against the sleeping conscience of the country’ and stated that the killing of Bulger revealed a ‘moral vacuum’ (quoted in O’Neill 2010). As Labour’s spokesman on the Bulger killing, Blair was seen as ‘someone who could bring Labour back to power’ (Collins 2005).

The green paper ‘Tackling Youth Crime’ (Home Office 1997a) was published in September 1997, just four months after New Labour was
elected, and was based on evidence in the report ‘Misspent Youth’ (Audit Commission 1996), which had concluded that the Youth Justice system in England and Wales was uneconomic, uncoordinated, inefficient and ineffective. New Labour declared its intent to ‘draw a line’ under what had gone before, and the white paper ‘No More Excuses’ (Home Office 1997b) followed two months later in November 1997.

The paper promised a reform programme aimed to:

- Provide a clear strategy to prevent offending and re-offending
- Emphasise individual responsibilities and obligations to civic society (Jamieson 2005) by requiring that offenders and their parents took responsibility for their behaviour
- Provide earlier, more effective intervention (‘nipping crime in the bud’)
- Provide faster, more efficient procedures from arrest to sentence (the ‘Youth Justice Pledge’)
- Create partnerships between agencies to deliver a better system
- Give the victim a greater voice, putting them at the centre of the Justice system

The Crime and Disorder Act 1998 which followed appeared to ‘favour punishment to signal society’s disapproval of criminal acts and to deter offending’ (Gelsthorpe and Morris 2002). It emphasised the impact of crime and anti-social behaviour on victims and local communities and signalled its unwillingness to excuse offending on the basis of social disadvantage and youthful immaturity (Koffman 2008). This was particularly indicated by the abolition of the centuries-old principle of ‘doli incapax’\(^1\) for ten to fourteen year olds, which had protected them from the full rigours of adult justice, on the basis that it ‘no longer reflected the fact that children aged between ten and thirteen were plainly capable of differentiating between right and wrong’ (Bandalli 2000). It also

\(^1\) Literally, ‘incapable of crime’
questioned sentencing practice for young people, calling the fact that
different courts could give different sentences for the same offences
‘justice by geography’ (Muncie 2004).

To tackle ‘disorder’, section one of the Act introduced the Anti-Social
Behaviour Order (ASBO). This, together with local child curfew schemes,
parenting orders, child safety orders and police powers to take truants
back to their schools, were all intended to deal with ‘non-criminal’
behaviour which it was believed could develop into criminal behaviour, but
could also affect the quality of life of members of communities. In addition,
although the ASBO was a civil order, a breach could lead to a prison
sentence. The definition of ‘disorder’ was given as ‘acting in a manner that
caused or was likely to cause harassment, alarm or distress to one or
more persons not of the same household as [the defendant]’, although this
proved problematic (Crawford 1998). Whilst described as a means to
control ‘nuisance neighbourhoods’, Muncie (2004) notes the increasing
evidence that ASBOs were primarily targeted at youthful ‘rowdy and
unruly’ behaviour.

Taken together, the inference from the Act was that children were
‘offenders’ first and ‘children’ second (Goldson 2001).

In addition, the Act enshrined ‘the prevention of offending’ as the statutory
aim of the youth justice system (section 29). It introduced a complete
restructuring of the system, with the replacement of existing youth justice
teams located within social services and staffed wholly by social workers
with larger, more independent multi-agency Youth Offending Teams
(YOTs) overseen by management boards consisting of high-ranking
representatives of partner agencies. Although YOTs were answerable to
these boards, they were usually situated within local authorities and many
of the staff were local authority line managed, resulting in tensions both
within YOTs between the various agencies and between YOTs and social
services departments. The Act also created an executive non-departmental public body, the Youth Justice Board (latterly the YJB) to advise the Home Secretary, monitor the performance of the Youth Justice system, manage secure placements and identify and disseminate effective practice. The Home Office retained a Youth Justice and Children Unit responsible for policy, law, processes, etcetera and co-ordinated children’s issues within the Home Office.

The Act placed joint responsibility for ensuring that YOTs were adequately resourced on local authority chief executives and senior police officers, however, how this responsibility played out was left to individual areas to decide. Lee (1998) identified that the partnership approach is managerialist in application.

The lack of performance indicators for the police relating specifically to young offenders led to the poor resourcing of some YOTs by police (Youth Justice Board 2004).

The Act also replaced cautions for children and young people under the age of eighteen with new reprimands and final warnings, which will be dealt with in more detail in section 2.4.

It should be noted that the Crime and Disorder Act was not the first legislation to signal a move towards punitiveness. This accolade goes to the Criminal Justice and Public Order Act 1994 published by the previous Conservative government, which introduced the Secure Training Order and privately run secure training centres for the imprisonment of children aged twelve to fourteen years. In addition, moves to remove ‘doli incapax’ for children over the age of nine had also been first proposed by the previous Conservative government (Muncie 2004).
New Labour’s later Youth Justice legislation

Later legislation on balance continued the punitive trend. The Youth Justice and Criminal Evidence Act 1999 introduced the referral order for most children pleading guilty to a first conviction (Earle 2003). The order required a panel to meet with the young person and, if they were willing, the victim, to decide on reparation activities to be undertaken by the offender. This requirement led to many young people who had been convicted of relatively minor offences being required to undertake disproportionately intensive modes of correctional intervention (Goldson 2005). This was alleviated by an amendment to referral order legislation in 2003, although victim participation with referral order panels noted in the Home Office report on their introduction (Newburn, Crawford et al 2002) continued to be low.

Section 10 of the Terrorism Act 2000 allowed the police to stop and search anyone within designated areas without reasonable suspicion. The same year, the Criminal Justice and Court Services Act increased the penalties available to courts to impose on the parents of children who failed to attend school regularly. Also the same year, the Powers of the Criminal Courts (Sentencing) Act allowed for the electronic monitoring and surveillance of children.

The Criminal Justice and Police Act 2001 introduced powers for the police to give penalty notices for offences including ‘disorderly behaviour while drunk in a public place’. It also extended the application of child curfew schemes, extended the courts’ power to impose secure remand, and expanded the electronic surveillance of children (Goldson 2005).

The Police Reform Act 2002 extended the power to implement ASBOs to the British Transport Police and registered social landlords. It also enabled
interim orders, and ASBOs on criminal conviction, which quickly became known as Criminal ASBOs or CRASBOs (Sadler 2008).

March 2003 saw the publication of the ‘Respect and responsibility: taking a stand against anti-social behaviour’ white paper, followed by the Anti-Social Behaviour Act which received Royal assent in November of that year and the launch of the ‘Together’ campaign to tackle anti-social behaviour. The Act gave police powers to disperse groups and remove young people under the age of 16 found in a public place between 9pm and 6am where ‘members of the public have been intimidated, harassed, alarmed or distressed as a result of the presence or behaviour of groups of two or more persons in public places’ (Section 30, subsection 1). Failure to follow police instruction to disperse became a criminal offence which might lead to custodial detention. The Act also further increased the tools and powers available to anti-social behaviour practitioners, including the introduction of crack house closure orders and housing injunctions, and made the parents of children regarded as ‘disorderly’ or ‘criminally inclined’ eligible for parenting orders (Goldson 2005). It introduced fixed penalty fines which could be issued by the ‘extended police family’ (for example, community safety officers, street wardens and private security guards) for a wide range of low-level disorder such as insulting behaviour (Muncie 2004) and banned the sale of spray paint to children under the age of sixteen. It also allowed the media to name offenders convicted for anti-social behaviour offences.

Also in 2003, the Crime and Justice Act introduced Individual Support Orders (ISOs) which were later made available for orders on convictions (CRASBOs), and extended drug-testing provisions which had previously only been available for adults to children and young people under the age of eighteen.
By 2004, the increasingly high emphasis being placed by the government on anti-social behaviour led to the publication of a Home Office Research and Development document which included a table of potential ‘anti-social behaviours’ (Home Office, 2004d).

The 2006 Police and Justice Act introduced the option to include a punitive element in conditional cautions for adults and enabled local authorities and registered social landlords to apply for parenting orders where anti-social behaviour was the trigger.

The 2008 Criminal Justice and Immigration Act extended conditional cautions with their punitive element to young offenders.

Koffman (2008) notes that whilst defenders of the ASBO have suggested that it can be used to trigger increased support for children and their parents, in fact ‘it is difficult to understand why a case should need to progress to the stage of a court order, with the threat of imprisonment for breach ... before the appropriate remedial action and support is provided.’

Hughes, Mason and Prior (2007), however, note that New Labour’s anti-social behaviour legislation is an example of a cross-cutting policy objective embodying both complexity and contradiction as it simultaneously speaks of enforcement and punishment, but also of prevention and support (including the provision of constructive activities) in relation to young people’s behaviour.

Pitts (2000) argues that New Labour’s youth justice policy is driven by ‘the politics of electoral anxiety’ – that is, it is the desire to secure re-election victory that has pushed policy in this field in a populist (i.e. public/media determined) direction. Indeed, in a speech in July 2004 introducing a new five-year crime strategy, Tony Blair said, “ ... as fast as we act, as tough as
it seems compared to the 1970s or 1980s, for the public it is not fast or tough enough.” (Blair 2004)

2.4 Punitiveness in the media

“There may be one aspect of what it means to be English about which we can all agree. We love our pets, but don’t much like our children.” (Morgan 2007b)

As has been stated, this research was conducted in 2007, nearly a decade after the Crime and Disorder Act, New Labour’s flagship legislation to deter young offenders. However, headlines from 2006 indicate the media’s belief that, if anything, the situation was worsening. ‘Fears over yob culture’ (Sky News 2006); ‘Scared of teenagers’ (IPPR 2006); ‘Our children run wild - but it’s the police who are in handcuffs’ (Telegraph 2006). The image of young people presented by the press was of ‘yobs’, ‘hoodies’, ‘vandals’ or ‘feral thugs’ and, as Green (2007) notes, strikingly young people were overwhelmingly represented as offenders rather than victims.

A poll commissioned by Barnado’s in 2007 found that one in four adults thought that children who were disruptive or anti-social were beyond long-term help by the age of thirteen, and two thirds of adults were convinced that children were more criminal now than ever before.

It is outside the scope of this research to assess the impact of the reporting of young people specifically on police officers; however they are members of the same public described as fearful of its young people (IPPR 2006).

“We need severe action as soon as possible, police officers not doing their job should be named and we need some sort
of compound for these mindless youths.” (Member of public in the Grimsby Evening Telegraph 2006).

Morgan (2007b) notes that whilst all evidence suggested youth offending was falling, there was a 26% increase in the number of young people entering the criminal justice system between 2002 and 2006. He states:

“The biggest driver ... is the Home Office ‘offences brought to justice’ target ... the big increase has almost entirely been achieved by handing out on-the-spot fines and issuing cautions for relatively minor offences.”

2.5 The erosion of discretion

The police have been described as the gatekeepers of the criminal justice system (Marlow 2005). The basis for lawful arrest is ‘reasonable suspicion’ that an ‘arrestable offence’ has been committed. This can lead to the police exercising discretion as to whether or not to arrest.

Historically, consideration for juvenile offenders’ welfare was characterised by their diversion2 from the criminal justice system (Scraton and Haydon 2002). The use of informal cautions was formalised in 1853 in response to the belief that the formal involvement of children in the criminal justice system served neither their best interest nor that of the public. This was based on evidence that crime is a transitory affair for most young people and ‘desistance comes with age and responsibility’, and on a more practical note because ‘the volume of incidents that can be regarded as breaches of the law always outstrip the capacity of the relevant authorities to deal with them’ (Keightly-Smith and Francis 2007). Cautions were issued to young people and adults when the police took the decision that a particular offence was too minor to be taken to court. The decision was

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2 ‘Diversion’ in this case meaning diversion from the formal Criminal Justice System. ‘Diversion’ is also used when talking about diversion from court.
taken by the custody sergeant and was not dependent on whether the person concerned had previously received a caution.

By the 1980s, however, research indicated considerable national variation in the level of informal and formal cautions. These were assumed to devolve from individual officer decisions or ‘unfettered discretion’ (Saunders 1988). By the early 1990s, repeat cautioning was challenged in a speech by then Prime Minister John Major. Quoting the speech, Lee (1998) argued that police discretionary powers were ‘outside statutory control’ and that managerialist processes had failed to introduce standardisation, with officers ignoring gravity scores, and decision matrices.

Despite this, during the 1990s cautioning was extended by most forces to include ‘informal warnings’, which allowed for minor matters to be disposed of without recourse to the cautioning system (Marlow 2005).

**The Reprimand and Final Warning scheme**

On gaining power, New Labour took up the challenge of ‘repeat cautioning’. The Audit Commission (1996) had challenged this in ‘Misspent Youth’, and had cited evidence that a third caution was as effective as a first-time court appearance resulting in a conditional discharge (Spragg 2006). The ‘No More Excuses’ white paper (Home Office 1997b) described the existing system of police cautions for minor offences by juveniles as ‘inconsistent, repeated and ineffective’ and as having ‘allowed some children and young people to feel that they can offend with impunity’. The paper proposed a new pre-court regimen for young people, removing discretion from the police by stating that any young person who failed to fully and freely admit their offending behaviour must go straight to court.
Sections 65 and 66 of the Crime and Disorder Act replaced cautions for juveniles with a new process of reprimands and final warnings – that is, one ‘stage’ less than recommended by the Audit Commission. Depending on the seriousness of the offence, a reprimand would normally be given for a first offence and a final warning for a second offence (Home Office 2002a). The final warning carried with it an additional requirement for an ‘optional’ intervention by a Youth Offending Team. The ‘optional’ status of this intervention was undermined by the Youth Justice Board’s performance indicator for YOTs, which demanded an 80% minimum intervention rate in respect of final warnings.

If a young person committed a further offence, they would be charged. The only exception was where the previous final warning had taken place more than two years previously, in which case and for minor offences a second final warning could be considered. Any further offending would lead to court action.

Once a young person had appeared in court and received a substantive outcome, however, they would never again be eligible for any pre-court outcome. The propensity of defence solicitors to encourage young people not to admit to offending behaviour was therefore likely to result in a court appearance for a first offence for which previously the young person would have received a caution.

The automaticity of this approach removed the scope for any significant police diversion, allowing informal action to be taken only in ‘exceptional circumstances’, which the guidance described as ‘in cases of anti-social behaviour (which) fall short of being ‘criminal’, or for very minor non-recordable offences’ (Home Office 2002a).

The effect of this approach was noted in the media, for example Sachdave reports in the Daily Mail (2006) the arrest, and eventual reprimand, of
three twelve year old children for damage to a tree in a wooded area of public land. Apparently the children were breaking off loose branches because they wanted to build a tree house. Likewise, writing in the Telegraph, Wilson (2006) describes an incident where a ‘model pupil ends up with criminal record for a push in the playground’. He described how a boy had been reprimanded by police for pushing another pupil in the playground, despite having been already suspended from school for two days and having written a letter of apology for the ‘offence’. Hertfordshire police defended their action thusly:

“If someone makes a complaint or reports an alleged criminal offence to the police we are obliged by the Government’s crime recording standards to record the offence and investigate it. The individual concerned admitted the alleged offence and accepted a reprimand.”

Crime recording standards will be discussed in the next section.

The only police force which continued to pursue a policy of diversion was Northamptonshire, whose diversion scheme had received national recognition following the publication of the ‘Misspent Youth’ document. This multi-agency scheme came together in April 1986, although the principles were in operation earlier. Its policy was that no juvenile should be prosecuted until all the alternatives had been ruled out. A evaluation of the effectiveness of the scheme (Kemp et al 2002) concluded that erring on the side of informality in responding to youth offending both demonstrably reduced reoffending and kept costs down. However the HMIC inspection of Northamptonshire (HMIC 2005) failed to mention the diversion scheme and instead laboured the point that the detection rate for the Force was lower than for other, similar police forces in the area.
Initial indicators (Audit Commission 2004) were that the percentage of young offenders who received a pre-court disposal had been falling since 1996 and continued to do so after the new scheme was introduced in 2000. It also noted that local police practice still varied, and multiple final warnings were being issued. As the NACRO figures shown in chapter one indicate (chart 1.1) this trend reversed in 2003 and the figure for pre-court interventions then rose sharply. In an increasingly managerialist policing culture, it appeared that diversion offered no reward and the pressure was on police to obtain substantive outcomes for behaviours which previously might not have been considered sufficiently serious for the young person to be drawn into the criminal justice system.

There were also indications that the new scheme might damage young people by unnecessarily stigmatising and labelling them (Field 2007). In most forces, the decision to use a pre-court outcome was made in custody and Field’s study indicated that, despite the more elaborate statutory framework, pre-charge decision making for young people remained a discretionary process rooted in personal judgment. Fox et al (2006) noted that, without discretion, the decision-making process had lost elements of compassion and mitigation found within the formal judicial system.

At the time of the research, no officially sanctioned ‘diversionary’ activity was available for use by front line officers in the force where this research was undertaken.

The Crime Recording Standards

As noted above, the police placed responsibility for increases in the number of young people entering the criminal justice system with the government’s Crime Recording Standards.
In 1999, the Home Office had begun to take notice of the British Crime Survey self-reported figures for the incidence of crime, which were much higher than the figures reported by the police. In addition, inspections of police forces by ACPO, the Home Office and HMIC had revealed that forces appeared to be using different criteria for when to record a reported incident as a crime (Simmons et al 2003). In April 2002, therefore, New Labour introduced the National Crime Recording Standard (NCRS) in an effort to improve the consistency of police recording and also to better reflect the demands made on the police by victims of crime. It was also expected that this would make comparisons of levels of crime between forces more accurate.

The National Crime Recording Standard stated that incidents were to be recorded as a notifiable crime if:

- On the balance of probability it was more likely than not that a crime had occurred
- The incident amounted to a notifiable crime known in law\(^3\)
- There was no credible evidence\(^4\) to the contrary.

This was regarded as a more victim-focused approach because if there was a belief on the part of a victim (or a person reasonably assumed to be acting on the victim’s behalf) that a crime had occurred, that was sufficient to justify it being recorded as a crime unless there was evidence to the contrary. An allegation was considered to have been made at the point of first contact, that is the stage at which the victim or a person reasonably assumed to be acting on their behalf first made contact with the police, whether that was by phone or in person. An officer’s belief that a crime had not occurred was not (as it had been previously) evidence to the contrary. If the victim confirmed that the offence had taken place but

\(^3\) The Home Office issues a Notifiable Offence List which defines all crimes which should be recorded by the police and notified to the Home Office.

\(^4\) Credible evidence means evidence from any identifiable and reliable source which clearly shows that the alleged crime did not happen.
declined to support police action, the crime was still to be recorded since ‘an unwillingness to support an investigation or prosecution should not be allowed to negatively influence the [NCRS].’

This change in the rules was greeted with some derision by police officers. For example, the following are anonymous quotes from a police force’s bulletin board:

“It would appear the decision has been removed from the constable to satisfy the bean counters up above. It doesn’t help the officers who end up picking up mountains of rubbish just to satisfy the Home Office who seem to want a skewed picture of crime.”

“Since when has children throwing snowballs been a public order offence?”

“This New Year’s Eve a crime report was created of criminal damage. Damage had been caused to a conservatory roof by a firework rocket set off to celebrate the New Year. What goes up must come down, somewhere, and this was no exception. How on earth is one expected to investigate this? More importantly, has a crime been committed, surely common sense says it is accidental damage.”

It should be noted that in 2006 a National Standard for Incident Recording (NSIR) was also adopted. This was a standard for capturing information about incidents which were not notified as crimes and was intended to capture more accurate data about anti-social behaviour (Audit Commission 2007). Flanagan (2007a) noted “an overall improvement in

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5 Police internal discussion forum, Force where research conducted, collated May 2007
the quality of crime recording with the Audit Commission assessment in Autumn 2007 stating that the police now produce ‘better quality crime data than ever before’,” but went on to note, “the potential unintended consequences of improvements to crime recording is that in some cases, we have lost proportionality.” (p.55)

Also noted by Flanagan was the net-widening effect of government alterations to the notifiable crime list. He drew attention to the fact that additions to the list in 1998 led to around 720,000 new offences being captured in 2006/7, and around half of those were crimes recorded as violent but where the victim had sustained no injury. As late as 2009, however, the Home Office was instructing forces to record intent to cause Grievous Bodily Harm as actual Grievous Bodily Harm. Police Forces were inspected for compliance with NCRS by the Audit Commission.

**Narrowing the Justice Gap**

Taken alone, the National Crime Recording Standard would, as described, lead to an increase in offences recorded, some of which would relate to young people and increase both numbers of young people entering the system and numbers reoffending. However, it was in conjunction with a change in the way detections were treated that this contributed most significantly to the rise in numbers of young offenders during the mid-2000s (Bateman 2010).

This change occurred following the identification by the Home Office of a ‘justice gap’ between the number of crimes recorded by the police and the number which resulted in their perpetrator being brought to justice. ‘Criminal Justice System: Narrowing the Justice Gap’ was published by the Home Office in 2002(c). This document identified that in 2000/1, 5.17 million crimes were recorded, but only 19.8% of them resulted in an offender being ‘brought to justice.’ This was defined as ‘where an offender
has been cautioned\textsuperscript{6}, convicted or had offences taken into consideration by the court.’ Penalty Notices were being trialled at the time and were included where they were being used. This group of outcomes was later referred to as ‘sanction detections’.

This document announced a new Public Service Agreement (PSA) target to bring 1.2 million offences to justice by 2005/6\textsuperscript{7}. This was adjusted in 2004 to 1.25 million by 2007/8. It should be noted that at the same time the police were being required to obtain a ‘sanction’, the Crown Prosecution Service (CPS) had a target to reduce discontinuance or dismissal of cases from court and were increasingly reluctant to prosecute where this might occur, a clear occurrence of contradictory target-setting.

Additionally, less serious offences carried the same detection ‘weight’ as serious offences, and since the requirement was for \textsl{offences} brought to justice rather than \textsl{offenders} it also resulted in some counter-intuitive counting outcomes. For example, Steele writing in the Telegraph on 22\textsuperscript{nd} May 2007 describes a case where a young person collected money for Comic Relief but kept it. Police had spent months gathering statements from 542 people who donated money, and the case was recorded as 542 crimes of obtaining money by deception ‘boosting detection rates even though the youngster only received a warning.’ In the force where the research was carried out, an incident where three young people stole milk bottles from three different doorsteps was counted as nine ‘offences brought to justice’.

\textsuperscript{6} In the case of a juvenile this referred to reprimands and final warnings as the juvenile ‘caution’ had not existed since the 1998 Crime & Disorder Act.

\textsuperscript{7} The full wording of the PSA target is to “improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.2 million by 2005/6; with an improvement in all CJS areas, a greater increase in the worst performing areas and a reduction in the proportion of ineffective trials.” This is a statistically unrigorous target, since the ‘problem’ was expressed as a percentage and the ‘solution’ as an absolute number.
Offences Brought To Justice (OBTJ) was amended in 2008 to give more importance to more serious offences (Home Office 2008a) but Reed (2008) states a belief that the Government had ignored police force complaints about the negative impact of sanction detections.

The PSA for ‘offences brought to justice’ came with a clear message to Chief Constables: they would be held directly responsible by the Home Secretary for the performance of their Force in respect of this; it was a key performance indicator for the police. This resulted in a situation where, if a crime was recorded and the offender was known to police, the option of deciding not to pursue the matter or of issuing an informal warning or diversionary outcome became unpopular, as this would not give them a ‘sanction detection’. Since the group of offenders most likely to be ‘diverted’ were young people, this is the group on whom this change had the greatest impact.

In addition, the lack of ‘weighting’ of offences meant that simple to solve cases would more quickly achieve a ‘sanction’ with lower resource implications than, for example, investigating a robbery.

The combined effect of OBTJ (Sanction Detections) and the Crime Recording standard can be summarised as:

- National Crime Recording Standards – if it was reported, it had to be recorded
- Offences Brought To Justice – if it was recorded, it had to be detected
- It only counted as detected if there was a ‘sanction’
- Diversion activities/informal outcomes did NOT count as ‘sanction detections’
- A higher percentage of recorded crime had to be detected (Narrowing the Justice Gap)
- Chief Constables would be challenged if their detection rate was low. Flanagan (2007a) drew the conclusion that the drive for sanction detections had ‘produced the unintended effect of officers spending time investigating crimes with a view to obtaining a detection, when that is clearly not in the public interest.’ He cited an example of such to be ‘a low-level playground common assault.’ His concern appeared to be the time spent on the ‘offence’, rather than the effect of the outcome of ‘detecting’ that offence on the ‘offender’.

Morgan (2008) observed that the growth of pre-court summary justice was believed to be drawing into the criminal justice system people whose offences were minor in nature, and that this was particularly the case in respect of young people, leading to a ‘classic example of managerially-driven net-widening.’ Morgan noted that in 2006, cautions, warnings and Penalty Notices for Disorder (PNDs) accounted for 40% of all offences brought to justice, and that ‘cautioning’ rates varied widely between police force areas. In a report in 2008, NACRO described this as the police targeting ‘low hanging fruit’; that is, children and young people who were seen to be soft or easy targets.

Berry (2008) states that the emphasis on quantity over quality had resulted in the demise of ‘good common-sense policing’.

The implications of sanction detections for police were noted as early as 2004, when then Chief Constable Charles Pollard was seeking ACPO (Association of Chief Police Officers) support to take a paper to the Home Office. Flanagan (2007a) drew the conclusion that the drive for sanction detections had ‘produced the unintended effect of officers spending time investigating crimes with a view to obtaining a detection, when that is clearly not in the public interest.’ He cited an example of such to be ‘a low-level playground common assault.’ His concern appeared to be the time spent on the ‘offence’, rather than the effect of the outcome of ‘detecting’ that offence on the ‘offender’.

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8 The Police Reform Act 2002 gave the Secretary of State a new power to require police authorities to call on the Chief Constable of their Force to retire or resign “in the interests of efficiency and effectiveness” (Home Office 2002d section 33). The use of this power in 2005 by David Blunkett to suspend and eventually force the early retirement of Chief Constable David Westwood of Humberside Police following the inquiry into the Soham murders (Mail On Line 2005) effectively put Chief Constables on notice that the government would take a tough line with senior officers it saw as failing.
Office on behalf of the YJB and ACPO jointly which drew attention to the potential for perverse outcomes for young people resulting from the government’s insistence that detections were only valid if accompanied by a sanction.\textsuperscript{9} Flanagan (2007b) notes the existence of a ‘risk averse’ culture in policing where professional judgement had been eroded by an increase in unnecessary bureaucracy and inefficient processes, where officers not seen to be ‘servicing the performance indicator culture’ were risking their reputation as a ‘good officer’. Neyroud and Beckley (2001) note that policing by objective and the development of the performance culture questions the status of the independent professional practitioner. The managerialist processes described seemed to require a punitive outcome rather than leaving the decision up to the individual officer based on the circumstances, and young people were disproportionately affected by this.

At the time this research was undertaken, pressure for sanction detections was clearly prevalent within the Force subject of the research. Between 2002 and 2007 there was a five per cent increase in reprimands, final warnings and convictions for juveniles, whilst the overall detection rate for adults and juveniles was the same in 2006-7 as it was in 2002-3. In the same period, there was a decrease in detections for violence against the person from 61\% to 49\%, a reduction in burglary detections from 15\% to 13\% and a reduction in all thefts from 18\% to 15\%. This presents some evidence that the drive for sanction detections had disproportionately affected young people in the force area\textsuperscript{10}. Loveday (2008) described the police performance indicators as being used in conjunction with the Police Standards Unit established by then Home Secretary David Blunkett to ‘quickly intimidate chief officers ... into abject compliance.’

\textsuperscript{9} Paper presented to Youth Justice Board meeting on 10 November 2004, not in the public domain.
\textsuperscript{10} Figures from then Minister of State for Policing Vernon Coaker, in response to question from Laurence Robertson to Parliament, Hansard ref. 212631, dated 11\textsuperscript{th} July 2008.
Early intervention

Goldson (2000) has argued that pre-emptive early intervention had replaced diversion, heralding a significant increase in the intensity and reach of the Youth Justice system. Risk-focused prevention had gained ground in criminology in the 1990s (Armstrong 2004) after findings that there was a correlation between domains of the child’s experience and offending behaviour. The demand for best value from the treasury alongside evaluations of the cost of the criminal justice process (for example, Brand and Price 2000) led New Labour to explore this further. Haines and Case (2008) argue that this enables the government to extend its social control.

The central tenet of early intervention was the identification of risk factors. These then provided the basis for the targeting of interventions. The primary piece of research from which the ‘risk factor paradigm’ was drawn was the Cambridge Study of 411 South London boys, undertaken by David Farrington and Donald West between 1961 and 1985 (Newburn 2002). Although in 1996 the Home Office derived eight key risk factors from this, by the 1997 ‘No More Excuses’ white paper (Home Office 1997b) these had been reduced to three main groupings – parenting, schooling and peers, with the key risk factors identified as being male, poor parental discipline, criminal parents and poor school performance, ignoring other research that indicated that neighbourhood of residence might have as significant an impact on youth crime as the quality of parenting (Pitts 2001).

In the Youth Justice arena, these risk factors were used by New Labour to develop interventions targeting children as young as eight who had not yet offended but who were considered at risk of offending via projects such as Youth Inclusion and Support Panels (Muncie 2004). The risk factor
paradigm was used to develop the flawed ASSET tool (Baker et al 2003) which was used by Youth Offending Teams to predict further offending.

Although risk factors were based on research, and the basic argument that identifying children at risk and addressing issues before the child is drawn into criminal behaviour had ethical resonance, there were numerous arguments against the value of the risk factor paradigm. For example, representing risk factors as statistical correlations fails to distinguish between causes, effects and the interconnections between them (Haines and Case 2008); the gender-specific and small size of the Cambridge Study sample (Muncie 2002); the difficulty of linking particular factors to particular future behaviours (Kemshall 2008); the expectation that human behaviour can be predicted (Hine 2006); the assumption of the ‘rational actor’ (Kemshall 2008); the fact that risk factors may not be additive (Boeck et al 2006); and not least the ethical question of whether it is appropriate to ‘label’ young people as future offenders (Haines and Case 2008). In short, the risk factor paradigm ‘needs work’ (Case 2007).

For the police, there was an expectation that they would refer into these schemes children who they considered to exhibit bad behaviour which might lead to them committing crime in the future – that is, make a judgement about the future behaviour of children who had not yet actually committed an offence. Muncie (2004) argued that this led to welfare and social policy becoming indistinguishable from criminal justice.

2.6 Punitiveness: summary

Before reviewing policy around child welfare under New Labour, it should be noted that all young people receiving a sanction detection in the period under consideration had committed – and, in the case of pre-court outcomes, admitted - offences; however, the earlier options to divert vulnerable young people at this time had been effectively removed. It has
been argued that New Labour’s increasingly punitive approach continued the shift first seen in the 1970s away from a focus on the child in need toward a language of correctionalism (Goldson 2000) and this, coupled with the changes in recording practices and the erosion of officer discretion to divert, led to an increase in the numbers of children and young people being drawn into the criminal justice system.

The legacy of James Bulger was, according to Morgan (2007), seminal to the way in which policy relating to young offenders developed under New Labour.

If the actions of police officers on the street were reflecting this, the research might be expected to find:

- A greater awareness of and focus upon anti-social behaviour evidenced by more time and attention devoted to it
- An increase in the proportion of apprehended young people referred to multi-agency intervention projects/programmes prior to any offence being committed
- Officers placing responsibility for young people’s behaviour with them rather relating it to social issues
- Police officers identifying risk factors said to be associated with offending and shaping their interventions accordingly
- Net-widening evidenced by increased pre-court outcomes
- A more managerialist approach to unacceptable behaviour with officers displaying little or no discretion
- Increased formalisation of police interventions.

2.7 The ‘Every Child Matters’ Programme

Policy in respect of children and young people had been sparse since the Children Act 1989 (Goldthorpe 2004), but in October 2002, in part in response to the death of Victoria Climbié and recommendations in the
Joint Chief Inspectors’ publication ‘Safeguarding Children’, the Prime
Minister announced plans to publish a green paper on children at risk.
The Laming report into Victoria’s death was published in January 2003\textsuperscript{11},
but the green paper did not appear until September of that year, some
months after a cabinet reshuffle had created the post of Minister for
Children.

The ‘Every Child Matters’ green paper offered for consultation a new
framework for children’s services that encompassed not only child safety
but also improvements to all services for children, the role of schools,
families and communities, and a reform of the children’s workforce. The
paper was rapidly followed by a number of consultations, guidance
documents, and legislation for those elements which required it in the
Children Act 2004. The failures of communication which had led to
Victoria’s death were answered not by a strengthening of existing
structures but rather by wholesale system change, at the centre of which
was a split of local authority social services into a children’s directorate
and an adult directorate\textsuperscript{12}. This approach also enshrined a managerialist
approach to social welfare, and the transformational agenda can be
interpreted as reflecting New Labour’s neoliberal modernity (Garrett 2008).

In a failure to obey its own mantra to be ‘joined up’, despite the fact that
the police were to be one of the agencies subject to duties under the Act,
no substantive discussions had been held with any police representatives
as to the level or nature of their engagement with children and young
people. As a result, references to policing in early documentation around

\textsuperscript{11} MarieTherese Kouao and her boyfriend, Carl Manning, were convicted of the murder of
Victoria Adjo Climbié in January 2001. Victoria entered the UK in 1999 aged eight and
died less than a year later. In the nine months she lived in the UK, Victoria was known to
four different local authority social service departments, two hospitals, two police child
protection teams, and a family centre run by the NSPCC; however, when she died she
had 128 separate injuries. Lord Laming chaired the government inquiry into the
involvement of the various public agencies in the case and to make recommendations for
change to ensure that in the future such a death could be avoided.
\textsuperscript{12} These departments had previously been merged in response to the death of Maria
Colwell in 1975.
‘Every Child Matters’ were sparse. It appeared that the police service were seen as peripheral to the whole implementation of the Children Act and therefore there was no national or local detailed evaluation of the role of the police service, or of the resource implications of the ‘Every Child Matters’ programme for the police.

This oversight may demonstrate the danger of involving ostensibly disinterested private sector agencies in complex policy formulation requiring a great deal of detailed knowledge of the field, since the market for children’s services was scoped by PricewaterhouseCoopers who failed to include youth justice, or indeed young people as victims, in its nineteen identified service/functions of children’s services (Pricewaterhouse Coopers 2004).

**Multi-agency working**

Section 10 of the Children Act 2004 introduced a reciprocal duty to promote co-operation to improve the wellbeing of children. This duty was between a children’s services authority (that is, local authority education and children’s social care and other local government services that impact on children, such as housing, play and recreation) and relevant partners, specifically police, probation, the Youth Offending Team, Strategic Health Authority, Primary Care Trust, Connexions and the Learning and Skills Council for England. It was suggested that these partners, together as a Children’s Trust, would commission services for children and could pool budgets to facilitate this activity.

Children’s services authorities were responsible for drawing up a Children and Young People’s Plan for their area, which would replace ‘all’ other plans for children and young people. Children and young people were to be consulted during the preparation of this plan, as well as schools, the voluntary sector, the Local Safeguarding Children Board (a statutory body
which had been created by the same Act to replace non-statutory Area Child Protection Committees) and the children’s services authority. The first plan was to be in place for 1 April 2006 (Payne 2005).

Since both the Local Safeguarding Children’s Boards (LSCBs) and Children’s Trusts spawned immediate sub-groups to focus on aspects of their responsibilities, the number of meetings police were expected to attend in order to ‘co-operate’ was quite high. It was expected that those representing their organisation at these meetings would have sufficient seniority to be able to commit resources and, in the case of LSCBs, hold their parent organisation ‘to account’ for any perceived failures in their safeguarding procedures. For police, those holding sufficiently strategic roles were often unsighted on the day-to-day activity of their force in respect of safeguarding, which was normally managed centrally and separately to frontline policing, or other interactivity with children and young people.

‘Every Child Matters’ introduced a new joint framework inspection of children’s services which was led by Ofsted. Local authorities would undergo an Annual Performance Assessment (APA) which would feed into the three-yearly Joint Area Review (JAR). JARs looked at all children’s services including those provided by partners. As an agency with a duty to co-operate, the police’s engagement with children and young people was included in the inspection (Payne 2005).

Parton (2008) argues that the ‘Every Child Matters’ programme indicated the emergence of a preventive-surveillance state where the role of the state was becoming broader, with greater intervention and regulation.
Early intervention – welfare approach

The concept of intervening early to prevent young people from ‘failing’ was at the core of the ‘Every Child Matters' programme of change. One key element was the Common Assessment Framework. This was originally predicated as a way of addressing a frequent complaint by parents that each time they accessed a new agency they were asked to provide the same basic information. The final tool however was not a method of capturing common information but a lengthy hybrid of the North Lincolnshire common referral tool and some searching questions about a child’s development. The expectation was that the use of this standardised assessment tool would support earlier intervention by bringing together agencies to pool knowledge about the young person’s needs. This CAF form was to be used by all agencies, including those who had not previously assessed the welfare needs of young people. The domains of risk it encompassed were almost identical to those being used in the criminal justice system to identify criminogenic need.

The completion of a CAF assessment would lead to the appointment of a Lead Professional to co-ordinate services across agencies, an approach which was designed to ensure that the child was receiving all the services to which they were entitled. It also reflects the move from analysis of the causes of poverty and unemployment to a focus on the personal inadequacies of individuals (Walker 1999) and is potentially divisive, stigmatising anyone who deviates from normal expectations (Smith 2003).

There were numerous objections which could be brought against this approach, including all those already levelled at assessment in the criminal justice arena – that is, the false positives and negatives (Munro 2007), the possibility of error (ICO 2006), that risks may not be additive, the difficulty of establishing causal links (Feinstein and Sabates 2006), the expectation that behaviour can be predicted, the expectation that the young person is
a rational actor, as well as the potential for labelling the young person – in this case, not only as at risk of becoming an offender, but as at risk of ‘failure’. The Department for Education and Skills (dfes) noted in 2002 that ‘the more risk factors a child experiences, such as being excluded from school and family breakdown, the more likely it is that they will experience further negative outcomes.’ Whilst labelling theory has many opponents (Lilly et al 2002), to identify a child as ‘high risk’ of any sort of failure at a time in their development when they are seeking to shape their own identity and understand their place in the world could become a self-fulfilling prophecy (Merton 1968). Labelling theory notes the power of ‘significant others’ to impose their definition on a child, and although the theory is overly deterministic in nature, Hunter (2004) argues that early interventions could increase the likelihood of punitive outcomes for some young people.

The assumption that the similarity of risk factors between children who offend and other children at risk indicates a direct correlation is also unproven – the two may be parallel rather than intercausal. Some young people simply appear to cope better or negotiate difficulties more easily than others.

There were also concerns that the processes would be used to support the government’s agenda on youth crime rather than on meeting the needs of vulnerable children (0-19 2003).

In addition, this ‘tick box’ approach, where reaching some critical mass of risk factors would lead to the allocation of services, has been argued to be a deprofessionalisation of social work (Garett 2008) and also as doing nothing to address the resource shortages which caused local authorities to set high ‘thresholds’ for accessing limited services (Rogers 2006). The approach ran the risk of resulting in a large rise in the number of problems
being identified without any additional resources being provided to deal with them (Munro 2005).

The wholesale sharing of information required for CAF to be effective was based on a perception that this was in the ‘best interest’ of the child. As noted in the 2005-6 annual report of the Children’s Commissioner (Aynsley-Green 2006), young people had already expressed considerable unease that personal information could be shared without their consent since what others considered to be in their ‘best interest’ depended on how the term was interpreted. Thomas (2005) argued the inherent problems of ‘best interest’ are that what is in a child’s best interest cannot be known incontrovertibly, and that one culture’s version of ‘best interest’ may be different to another’s. He also noted Eekelaar’s argument that there is a need to reconcile the best interest approach with children’s rights. As Whyte (2004) noted, more needed to be done to ensure that risk and need were assessed ethically, so that early intervention was non-stigmatising, non-punitive and did not result in more harm than good.

**Information sharing**

Perhaps to avert such arguments, dfes took the approach that the CAF form was to be a ‘consensual’ form, only normally to be completed with the active engagement of the child and their parent or guardian. This approach assumed that adults would always act in the child’s best interests, whereas in all the most high profile child abuse cases, including that of Victoria Climbié, this had not been the case.

Another tool to assist in the early identification of young people with multiple problems was the Information Sharing Index (later renamed ‘Contactpoint’). This was to include every child under the age of 18 in England and Wales (latterly just England) and the contact details of any professional working with them. Contactpoint never came into full use
before being abolished in 2010 by the incoming Conservative/Liberal coalition government.

At the time of the research, the various local authorities which formed the area policed by the Force subject of the research were at different stages of implementing the Common Assessment Framework. The Force had taken the position that, since officers were not trained to identify, or meet, welfare needs, where a child came to attention who appeared to have unmet welfare needs, they would be referred to social care in the same way that children at risk of harm were referred, in the expectation that the local authorities, all of whom had appointed some form of ‘CAF coordinator' would then assess the need for a CAF and involve the police in the completion when that occurred.

Information sharing was stressed as an element of identification for both criminological and welfare need. The research therefore needed to consider referral as a continuum between agencies focussed on welfare issues and those more focussed on children as future offenders.

The welfare issue

The Children Act 2004 placed a duty on all agencies who worked with children to co-operate, and to consider the safety and wellbeing of children and young people in everything that they did (section 11, Children Act 2004). ‘Wellbeing' was defined as five key outcomes, which dcsf stated had been identified by children and families. These were:

- Being healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution
- Achieving economic wellbeing.
Ereaut (2008) noted the tension between the Department for Children, Schools and Families’ (dcsf) usage of the term ‘wellbeing’ not only as the five key – and potentially measurable - outcomes, but also as a cultural construct which changed over time and was open to dispute. In addition, this definition reflected one dictionary definition of welfare, that is ‘the state of being or doing well; condition of health, happiness and comfort; well-being; prosperity’. This definition of welfare was not the police understanding of the term, which was more directly connected to immediate risk of harm, a difference which makes the question of whether the police were fulfilling their function under Section 11 a difficult one to answer.

‘Every Child Matters’ and youth justice

It was much remarked that the original green paper ‘Every Child Matters’ did not include youth justice, which was covered in a separate, accompanying document ‘Youth Justice – the next steps’ (Home Office 2003a). This was acknowledged in the Home Office summary of consultation responses (Home Office 2004c) with the comment ‘the implication was taken that Government sees young offenders as different from children with other social needs’ without proposing how that apparent divide might be addressed.

‘The Next Steps’ proposed a single main sentencing purpose of preventing offending, along with further development of both pre-court and post-conviction outcomes, a simplification of the range of juvenile sentences, a review of YOT membership and working arrangements, and information packs for offenders\textsuperscript{13}. Of Parenting Orders it observed that they were not used as much as they could be. It also recommended the removal of restraints on the use of custody for twelve to fourteen year olds, which would indicate a continuance of the punitive trend.

\textsuperscript{13} This assumes literacy.
The section headed “Policing, public order and courts” referred only to the enforcement of anti-social behaviour legislation, and the consultation summary (Home Office 2004c) contained no obvious police comment nor any proposals specific to police.

Rogers (2006) noted the tension between the positive image of parents as drivers of constructive change contained with the dfes approach and the problematisation of parents by the Home Office as ‘errant carers of wayward youngsters who have colonised the streets.’

**Children’s Workforce reform**

Part of the ‘Every Child Matters’ programme related to a perceived need to increase the skill, confidence and competence of the workforce (dfes 2005a). Following the ‘Every Child Matters’ green paper, a consultation was undertaken across what had been identified to be the children’s workforce. Responses to the consultation were published (dfes 2005b) and it was noticeable that the largest number of responses came from educational psychologists. In the respondents list, education, social care and health workers predominated, with a small group of ‘other’ respondents ‘including police services’. This was largely because the Association of Chief Police Officers had invited forces to join in with a single, co-ordinated response, which dfes persisted in counting as a single reply, and thereby counted as statistically insignificant.

The government’s response to the consultation (dfes 2006a) additionally acknowledged the need to both recruit new people to the workforce and develop and retain those already within it. The need was highlighted for an integrated qualifications framework for professionals working with children and young people because the existing qualification arrangements were seen as too complicated (dfes 2006b).
The strategy linked together and underpinned the entire ‘Every Child Matters’ programme, and the strategy would be delivered by a complicated, interlinked group of skills agencies linked as the Children’s Workforce Network. Skills for Justice was one organisation included in this broad network, and was tasked with incorporating by 2008 the common core of skills and knowledge published alongside the consultation in 2005 (dfes 2005c) into national occupational standards for the workforce.

The common core of skills had been developed by dfes together with ‘a partnership of service user, employer and worker interests’ (dfes 2005c) which had identified a need for all professionals who worked with children and young people to have at least a basic understanding in six areas of expertise, which were:

- effective communication and engagement
- child and young person development
- safeguarding and promoting the welfare of the child
- supporting transitions
- multi-agency working
- sharing information.

The expectation was that partners, including the police, would utilise this common core in the design of induction packages, as a tool for training needs analysis, and as a tool for workforce planning.

The police were included as part of the children’s workforce by the Section 10 duty to co-operate, but the need for common core training was seen to relate only to specialist officers such as YOT secondee, schools officers and child protection officers who would gain these skills through joint training with other partner agencies in the children’s workforce. This approach excluded front line officers such as those in Neighbourhood
Policing whose time was expected to be predominantly spent working with juveniles. Centrex (later NPIA) who controlled police training did not appear to be engaged in discussion about how these skills might be incorporated for the broader workforce, in particular the newly developing Neighbourhood Policing.

The inclusion of the police was minimal and little consideration seemed to have been given to how police training processes would incorporate the common core skills. Regardless, some of the skills involved were those officers were having to develop. Multi-agency working was becoming increasingly embedded in police activity, and (often contradictory) cross-government guidance on information sharing was being issued on a regular basis, for example the Youth Justice Board (2005), Department for Constitutional Affairs (2006), Department of Health (2008). Police information sharing was governed by the Management of Police Information guidance (MOPI) issued by Centrex in 2006. Chapter six of this document, which focussed on information sharing with partner agencies, implied that the police would always be the lead agency and responsible for maintenance of any information sharing agreement. Nonetheless, the sharing of information with partners in connection with children and young people at risk of ‘failure’ was expected.

Multi-agency working, information sharing, and safeguarding (with the proviso around the word ‘welfare’ already detailed) are clearly areas where the police engage the common core skills. Although the common core had not, as such, been incorporated into police training, in order to fulfil the requirements of the Every Child Matters programme it could be expected that officers and staff would also have an understanding of effective communication and engagement with children and young people, and child and young person development.
The final area, supporting transitions, related to ‘changes such as movement from primary to secondary school or personal transition not necessarily shared or understood by their peers’ (Ten 2005). It also refers to the impact of peer group behaviour and changes in attitudes and behaviour. This is not such an obvious area for police; however, it can be argued that committing an offence and thereby entering the criminal justice system is a ‘transition’.

For the purposes of identifying the impact of Every Child Matters on frontline police officers and staff, their use of common core skills will be utilised.

2.8 Every Child Matters: summary

In order to identify the tensions between New Labour’s punitive approach to young offenders and the ‘Every Child Matters’ programme, it is necessary to first acknowledge the similarities between the two. Both approach change in a managerialist fashion with increased reliance on risk factors. Both appear process-driven. Fergusson (2007) argues that ‘the pursuit of welfarist objectives through managerialist means evokes critical contradictions in the values underpinning means and ends’, and that this approach is contrary to children’s human rights.

Both the punitive approach and ‘Every Child Matters’ relied on early identification and intervention with young people. An interventionist approach to welfare was not new. The 1908 Children Act made the conditions constituting neglect so broad that the government was able to intervene more directly into any element of working-class community and socialization which they deemed immoral or unruly, and it became difficult to separate those attempts to protect children from ‘neglect’ and those designed to control juvenile delinquency (Muncie 1983).
It can further be argued that ‘Every Child Matters’ has a punitive undertone, as there is a clear message that if effort is expended on young people but they continue to ‘fail’, then services will be reduced or even removed. In both cases parents are involved, but in ‘Every Child Matters’ they are an ally to the process of social control whilst in the Youth Justice system they share responsibility for the bad behaviour of their offspring.

The major difference between the two approaches is that young people entering the criminal justice system are seen as culpable and often unwilling to engage, whereas young people who ‘matter’ are seen as having missed out on services to which they are entitled, and a referral is seen as a solution in itself. Underlying this is a more basic question about attitudes – do police officers see young people as victims in need of assistance or offenders in need of punishment?

The historic tension between welfare and justice approaches to young people who offend has been well documented (for example, Goldson 1999; Muncie and Hughes 2002); what New Labour attempted was a synthesis of the two positions, leaving it to people on the ground floor to sort out the contradictions. In addition, Garland (1996) notes a tension between the ‘morally toned desire to punish’ and the ‘administrative, rationalistic, normalizing concern to manage’.

Garrett (2008) argued that a number of New Labour’s policy documents were shallow and self-promotional, lacked detailed evidence to substantiate claims, and used emotive slogans to ‘brand’ initiatives. He further noted the frequency with which ‘reforms’ were triggered before the results of pilot initiatives were known. He argued that the children’s workforce programme could be viewed as an attempt to break up social work as a discrete field of activity by making it more practical and less theoretical. Much of this criticism could similarly be applied to
documentation in the youth justice arena, with youth justice professionals, including the police, being ‘deskilled’ in the interests of managerialism.

2.9 Guidance for police

As has been described, the different priorities of agencies in the increasingly multi-agency landscape created by New Labour were often in tension, with the police sanction detection target at particular apparent odds with the ‘Every Child Matters’ programme. For the police, the key drivers were the National Policing Plan, crime reduction targets set by the Home Office, and the HMIC inspection criteria. None of these included guidance on how these were to be applied in conjunction with the ‘Every Child Matters’ programme of change, neither had the police been consulted when the green paper was prepared. There was reference to ‘Every Child Matters’ in an appendix to the 2004 white paper ‘Building Communities, Beating Crime’ (Home Office 2004a), but this merely referenced the duty to co-operate which would ‘provide a mechanism for partnership working, needs analysis, joint planning and commissioning of services and accountability arrangements that make integrated front-line delivery possible’.

The Crime and Disorder Act preceded the Children Act by five years, and in that time officers’ discretion had been increasingly reduced. This, coupled with New Labour’s focus on punitiveness, had resulted in an increase in the number of young people entering the criminal justice system. ‘Every Child Matters’ placed a duty on police to co-operate with partner agencies in delivering the five outcomes for children and young people, but failed to link in to existing police targets and processes.

Inspections of police forces continued to focus largely around compliance with key performance indicators such as the ‘justice gap’ described in 2.4
above, on citizen focus and localisation, and on the need to respond to terrorist activity.

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The same year as the Every Child Matters green paper, the Association of Chief Police Officers (ACPO) released their first strategy for children and young people. In response to the focus on early intervention, this included an objective to ‘work with partners to identify those children and young people who are at highest risk of becoming involved in anti-social behaviour or criminality’ and to ‘work with partners, families and communities to ... deal effectively (with this group)’. Once young people have been identified as offenders, the focus turns to ensuring decision-makers receive training, to developing robust data sharing arrangements and to providing positive opportunities for rehabilitation. No reference is made to diversion, the expectation being that forces would, with partners, follow guidance issued by the Youth Justice Board.

The proliferation of partnerships at this time was having the effect of creating a strategic landscape which was difficult for agencies to ‘service’. For the police, where middle and senior management were holding increasingly broad portfolios, regular attendance at meetings was difficult to achieve. Additionally, police restructuring to address a broadening role and decreasing resources (Flanagan 2008), and police advancement
criteria, which required a broad portfolio of achievement, resulted in a constant circulation of post-holders between strategic posts. As a result, it was seldom the same person who attended all meetings in a local authority area relevant to children and young people, or indeed any meetings, and the constant churn of post-holders anecdotally frustrated partner agencies where staff turnover tended to be lower.

With no performance indicators or strategic guidance about interaction with children and young people beyond the ACPO strategy, on which Forces were never measured, where Forces had policies relating to this area of work these seldom included measurable targets, nor were they communicated to frontline officers. This lack of leadership resulted in officers on the ground having to make their own decisions about how to proceed. The assumption of this research is that this was the case in the Force subject of the research, and the data collection was undertaken with that in mind.

Whilst the particular contradictions at the heart of this research existed only at the time the research was undertaken, it is nonetheless the case that there is a body of evidence relating to the use of police discretion and its use in decision-making when dealing with young people on the street. This will be covered in more detail in chapter three, which reviews the literature around police practices relating to children and young people.
CHAPTER 3: LITERATURE RELATING TO PRACTICE

3.1 Introduction

As described in chapter two, the erosion of police discretion between 1998 and 2007 led to an increase in children and young people entering the criminal justice system. This chapter will review literature relating to the particular problems police face with the policing of juveniles. It will look at social control and the use of open space, in particular the tension between public perception of young people as troublesome and the contradictory need to keep children safe. It will then move on to look at the particular factors which have been identified as being key to police officer decision making in respect of children and young people.

It should be noted that the researcher was unable to find much literature from the UK in this respect; however there is a body of work from both the United States and Australia.

Much of the available literature concludes that the introduction of a form of community policing should defuse the more confrontational aspects of policing young people. The chapter will therefore close with an overview of Neighbourhood Policing, the community oriented policing variant being introduced in the UK at the time of the research, the practitioners of which were the subjects of the research conducted.

3.2 Social control

As already noted, the police are seen as the gatekeepers of the youth justice system. Brown et al (2009) note that the interaction between police
and juveniles has received considerable academic attention, although Liederbach (2007) states that most of this is set in urban areas and notes the scarcity of research set in rural areas. Brown et al (2009) suggest that young people visible in open spaces are more likely to receive sanctions than adults, all else being equal.

In part, this is due to the visibility of young people (for example, Dwyer 2007). Public space – that is, shared space outside buildings and homes – is where many young people choose to spend their free time. Loader (1996) draws attention to a dichotomous view of young people, firstly as unproductive and unsocialised and as a problem to others; secondly as vulnerable.

“Young people are conceived of as at risk, not from victimisation as such ... but from the constant and varied possibilities of ‘getting up to no good’.” (Loader 1996)

Margo (2008) states that the perception of young people visible in open areas as presenting a problem has increased in recent years in the UK. The British Crime Survey statistics for 2002/3 indicate that the percentage of people perceiving teenagers hanging around as a fairly or very big problem had increased from 20% to 33% in that year alone. According to the BCS, in 2003 more than seven million people believed young people hanging around in public spaces presented a problem more or less all the time in their area. Margo attributes this to a perception that there is a threat of disorder or a lack of social order, even where actual harm is slight or non-existent. Despite apparent evidence of an increase, it should be noted that in 1996 Loader also found that groups of youths hanging around on the streets came high on people’s list of local issues.

McAra and McVie (2005) state that certain forms of clothing such as hooded jackets and baseball caps make young people ‘more suspect than
others’. They suggest that behaviours enacted by young people in public spaces such as the use of obscene language, rowdiness and loitering, have become criminalised and this has been argued to lead to young people being ‘over-policed’. Dywer (2007) states this leads to young people suffering higher levels of being stopped, having their details taken or being searched, and being moved on. She states this occurs whether or not young people are actually seen to be doing anything ‘criminal’, since they are seen as being troublesome, and that police are called upon to ‘clean up the streets’ and render young people invisible so that fear of crime can be alleviated.

Loader (1996) argues that young people make use of public space more than any other social group because they have no private space of their own and are frequently unable to afford whatever leisure activities may be available for them14. He argues that police officers challenge young people not because of the effects of their behaviour on local residents but as a symbolic threat to the police’s capacity to control a neighbourhood. He attributes this approach to a belief by officers that the young people they encounter are occupying public space because of parental neglect, not because they are at risk away from their parents, but because their parents have failed to appreciate that, left alone, young people will be exposed to ‘bad company’. He sees the police role, therefore, as that of a surrogate parent, supervising young people and promoting productive alternatives to congregating on the streets, with the principal aim of producing ‘good’ citizens. Loader observes that officers appear to regard this as a one-way process in which young people are seen as empty vessels into which ‘sound police advice’ can be poured.

Loader does concede that what he has described is not true of all officers. He states that a minority of officers are more tolerant of young people and therefore less interventionist.

14 Loader’s research was based on a study of young people and officers in and around Edinburgh conducted in 1990-1991.
Loader argues that the police response to young people hanging around in open space therefore creates an adversarial experience of over-policing for the young people. He questions how both officers and young people make sense of these contacts and argues that since most encounters generate mutual suspicion and hostility, meaningful dialogue between the two groups is unlikely to occur. Even if the police have an ambivalent attitude towards the young, they are under organisational pressure to do something about the youth presence.

White (1993) argues that in order to understand the dynamics of police-youth contact, it is necessary first to understand the nature of urban space. He sees this as a result of economic polarisation in Australian society. He argues that in an economic downturn, small businesses feel so vulnerable that they will respond to any perceived threat such as young people hanging around with ‘ardent calls for state protection’. If commercial centres attract young people, he argues that what they do there is of prime importance. Since these areas are commercial, their use for non-commercial activity is unwelcome to businesses based there, particularly if their presence is seen as off-putting to potential customers.

White’s argument relates to the activity of what he describes as a large unemployed group, but the antipathy of businesses is likely to extend to any group of young people regularly ‘hanging about’ outside their premises.

He refers to Alder et al (1992) whose research revealed that police officers identified malls and shopping centres as the locations where young people were of particular concern. He argues that this fear extends not only to actual crimes but to what are considered as public nuisance activities such as public drinking and general noise – that is, activities which they see as disturbing the commercial transaction. This can impact heavily on particular groups of people such as the marginalised, the unemployed and
young people. Challenge by the police to these groups can be seen by them as grossly unfair, as unnecessary harassment and as an unwarranted intrusion into their social affairs and interactions. In a 1998 paper, White challenges the use of such powers where ‘no actual wrongdoing or criminal act need have been committed’.

Massey (2008) likewise evidences issues regarding the commercial development of Manchester’s Millennium Quarter. Here, she states that when the area was run down young people were not seen as a problem; but since regeneration of the area was market-driven, young people became excluded because their presence was not seen as legitimate. ‘The right users are ... those who are looking to spend money there.’

The young people Massey describes are those who are too old to use the children’s playground and too young to gain access to pubs and bars. This is a group, she claims, who are in the process of shaping their self-identity and for whom public urban spaces are the only available areas for them to socialise without supervision.

Lansdown (2001) describes how towns and cities are designed without children in mind, leading to children, particularly in groups, being viewed as undesirable in streets and shops. Public spaces are seen to be ‘owned’ by adults, with young people representing an unwanted intrusion.

Sadler (2008) looks at how New Labour’s anti-social behaviour legislation regulates where young people can be and what they can do there. Research undertaken by her on an estate in the UK evidenced how the youth ‘anti-social behaviour’ agenda began to influence the policing of young people on the estate. She notes two underlying themes: that concentration on particular activity (in this case, drug dealing) by young people began to influence the police’s attitude toward all young people, and secondly how the views and experiences of young people’s peer
groups came to shape their ideas about the police. Stories about particular young people’s treatment by the police began to influence the wider group’s notion of police behaviour, which led to an expectation of what would happen to them when they were stopped by the police and ‘increased the already entrenched distrust of the police among local youth.’

Commercial concerns therefore would appear to add to the wider mistrust of young people in the community. It would appear clear that the police view groups of young people as potential offenders rather than potential victims; however there is considerable evidence that young people collect in groups in well-lit places such as shopping malls where they can be clearly seen because they feel safer together. Statistically, children and young people are more likely to be the victims of crime than any other age group (Pitts 2005).

Loader (1996) notes that when considering risk, young people are conceived of as at risk of offending, rather than as vulnerable. From this viewpoint, young people are a problem to be analysed and solved rather than citizens with demands of their own. This experience is mirrored in Northern Ireland, where young people voiced annoyance in a survey that it was always assumed that they were ‘up to no good’ (Hamilton et al 2003).

In summary, public space provides one of the main areas for youth leisure (Muncie 2004), where young people can gather without supervision. This is because leisure activities are often too expensive, and if they remain in the family home they are subject to parental supervision. Community, and particularly commercial, mistrust leads to the police being summoned, and this is seen by young people as disproportionate and unjust.

“Young people are more controlled, more regulated, more surveilled, than at any time in the history of youth ... we now
Policing young people therefore generates a series of moral and practical dilemmas which officers have to resolve on a daily basis (Loader 2006). This chapter will next consider the use of discretion by police where a young person’s behaviour presents the possibility of arrest, the possible influence of police culture, and the factors which have been identified in previous research as key to the decision-making process.

3.3 Officer discretion

When faced with a situation – whether sent in response to a call from the public that something is happening or has happened, or by encountering something when on a patrol – a police officer must make a decision as to how to proceed. In some cases, where there is a complainant and a clear violation of the law (for example, a burglar caught ‘in the act’), the officer’s response is ‘the objective and honest application of a rule or standard of conduct’ (Lustgarten 1986), but in many cases the situation requires the officer to make a decision as to how to proceed (for example, whether to arrest a young person for using offensive language). Crime is not an uncontested social fact: it stems from the legal code, but also from decisions taken by members of the public and the police as to whether to invoke the legal process (Smith and Young 1999). Even where an offence has been committed, formal authority may not be judged by the officer to be the most appropriate outcome.

A study conducted in the US identified that police-juvenile interactions were ‘more likely than not’ to be of a minor nature and frequently the complainant was not present (Myers 2004). Liederbach (2007) notes that it is difficult to assess the frequency of ‘unofficial’ contacts between the
police and members of the public where no arrest is forthcoming, as indeed can be seen from the swearing example used in the preceding paragraph.

This freedom to make decisions was challenged as early as the 1940s (Campbell 2005) but gained prominence in the US in the 1970s (Neyroud and Beckley 2001). Kleinig (1996) argues that once it was realised how great the impact was of discretionary decision-making on outcomes, there were calls for its abolition – or at the very least, that its use be in some fashion controlled.

Kadish (1962) found the existence of unfettered discretion to be a threat to the basic values implicit in notions of due process of law. He suggested that legal procedures and standards should be imposed on the exercise of discretion, although he admitted that doing so would be a formidable task.

Kleinig (1996) suggests that discretion is best understood as a normative condition ‘as a permission, privilege or prerogative to use one’s own judgement about how to make a practical determination’. Police officers use varying degrees of discretion depending on the circumstances, but the public expectation is that the discretion that is used will be fair and just, consistent and predictable. However, as Reiner (1994) notes, this allows considerable room for judgements that are, or may appear to be, arbitrary, inconsistent or unfair. He argues that research has shown that the exercise of discretion has frequently led to discriminatory practices by the police, as some groups are much more likely than others to be ‘at the receiving end’ of the exercise of police powers. As illustrated in section 3.2, young people are one such group. Neyroud and Beckley (2001) note that police officers are required by the Human Rights Act 1998 to uphold and protect positively the rights of all citizens; by over-policing young people they are in breach of this requirement.
Another potential difficulty for the exercise of discretion by the police noted by Kleinig is the need for the public to see the police officer as impartial. Again as previously discussed, the expectations young people may have that they will not receive fair treatment from the police can present a further barrier to communication and exacerbate a simple contact into a confrontation.

Further, Kleinig notes, there is a potential disconnect between officers and the populations they are called upon to police, who may have different value sets as a result of belonging to different cultures or social strata. Officers are called upon to show tolerance and impartiality in contexts where they are dealing with behaviour which differs from that they were raised to believe ‘normal’ or ‘right’. This can again lead to disproportionate treatment for young people who, for example, use frequent swear words as part of their everyday vocabulary, but which an officer might regard as anti-social or offensive.

Approaches to limiting police discretion have tended to focus on tightening the rules to reduce the opportunity for the exercise of discretion. The managerial processes described in chapter two (section 5) had the effect of reducing the opportunity to deal with situations without recourse to obtaining a ‘sanction’. This can be seen as conforming to Lipsky, who argued that appropriate performance measures would make front line officers more accountable (Lipsky 1980) and also as providing a response to the belief that professional discretion was an obstacle to public service reform (Taylor and Kelly 2006). Crossman (2006), however, argues that the multiplicity of new powers given to the police by New Labour actually had the effect of broadening police discretion, as they were sufficiently vague as to lend themselves to different interpretations.

Campbell (2005) notes that despite a variety of policy approaches, achieving consistency and standardisation in the use of discretion by the
police has looked increasingly untenable. She argues that elaborate, legalistic frameworks (such as the final warning scheme) have failed to achieve an end to the use of discretion, arguing that police culture prevents this from occurring.

3.4 Police culture

‘Culture’ refers to norms of behaviour and shared values among a group of people (Kotter 1996). In the police, culture develops through the processes of recruitment, induction, socialisation and training (Neyroud and Beckley 2001).

Police culture has long been an important theme of organisational theory and studies of policing. In the 1950s it was described as monolithic, with officers deriving much of their self-identity from the unpredictability, potential physical danger, and routine exposure to the public’s disappointment (Sklansky 2007). The nature of the job was such that it estranged them from the community – the policeman was seen as ‘other’. It has been suggested by the Association of Chief Police Officers that police culture is extremely powerful and overlooking its importance is frequently the cause of failed attempts at organisational change (ACPO 1994 quoted in Muncie and McLaughlin 2002).

The monolithic view of police culture has been superseded in recent years by a variety of suggested alternative structures, from complex multiple cultures (Kiely and Peek 2002) to an uneven split between management culture and the culture of the street cop (Kleinig 1996). Kiely and Peek (2002) describe a cultural web model used to illustrate elements of organisational culture at the police staff college. Souhami (2007) challenges the notion of clear occupational agendas which are understood by all agency members, including the police. It has been suggested that the diversification of the workforce with the inclusion of increasing
numbers of female officers and officers from minority ethnic backgrounds, as well as the acceptance of gay and transgendered officers, creates further sub-cultures within the cultural ‘web’ (for example, Kingshott, 2009).

Common elements of the original monolithic culture remain in all versions, with officers seen as standing ‘over and against’ rather than ‘with’ the public (Kleinig 1996), resulting in an ‘us versus them’ mentality. There is a sense of cynicism or pragmatism about the world and those they deal with. This view is supported by many including Loader (1996) and Kiely and Peek (2002).

If culture already creates a gap between police and community, the previously described position of young people as unequal to adults in the community widens the gap even further. Young people can be seen not as part of the community being managed but as a threat to it. Loader (1996) notes the fundamental distinction the police make between the people they serve, and the troublemakers they control in the course of providing their service – ‘that is, between the people they do things for and those they do things to’. Under-reporting of victimisation by young people may cause officers to view young people predominantly as offenders rather than victims.

What this view avoids, however, is consideration of the police officer’s duty of care. As has been described, the element of control exercised by the police toward young people includes a paternalistic element where officers see themselves as moral guardians of the young people they encounter (Brown et al 2009). Lee (1998) notes that when confronted with a group of young people facing off against one another, the police can be dealing with young people who are victims, offenders, or both. The welfare role of the police has traditionally, according to Lee, included catching truants,
tracking down missing children, home visits, school liaison, and the ‘supervision of girls drifting into a life of immorality’.

From a managerialist viewpoint, Kiely and Peek (2002) undertook research with officers from which they concluded that there was a conceptual gap between management policy and how it was received by operational officers. Neyroud and Beckley (2001) stress that police culture is a key determinant of how policing is performed and Kiely and Peek (2002) note that overlooking the importance of police culture is frequently the cause of failed attempts at organisational change. Clark (2005) observes that there is evidence to suggest that the volume of policy and procedures to which the police are subject leads to an information overload, as a result of which policing operates ‘on informally designed practice that has its origins in myths generated by the practitioners themselves’. Southgate (1986), however, argued that procedural and organisational constraints can result in an officer paying more attention to process than to questions of community satisfaction.

Kiely and Peek (2002) concluded that the ‘grapevine’ or ‘canteen culture’ is a key element in how officers reach a consensus about their role. One key element in this ‘canteen culture’ is the use of myths or stories to illustrate successful behaviours. Shearing and Ericson (2005) argue that seeing police stories as a key to policing practices elevates understanding of police activity above existence as a book of rules. Officers tell stories and cite aphorisms that describe positive and negative outcomes and establish a ‘criterion of competence’. This ‘vocabulary of precedents’ allows officers to gain practical insight into how to do the job of policing. The guidance provided is open-ended rather than prescriptive and suggests approaches to situations which have proved successful in the past. They conclude that this approach accounts for the different ways in

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15 The police culture has frequently been called a ‘canteen culture’, that is one in which individual moral demands tend to be reconfigured to sit more easily with the demands of group membership (see Wadington 1999).
which officers can respond to apparently similar incidents, since it allows them to shape a response dependent on the circumstances of the situation, rather than trying to apply a single solution. Fielding (1984) argues that expertise is ‘the ability to draw on a sophisticated vocabulary of accounts’.

Sklansky (2007) notes that police can enforce norms of tolerance, or they can reinforce bias and prejudice. Although he was not referring specifically to the policing of young people, the principle remains relevant. As one officer described it to Loader (1996), “The trouble is that most of the kids that we come into contact with are doing something wrong.”

Research by Mcara and McVie (2005) indicates that the police disproportionately target certain groups of children, whom they describe as ‘the usual suspects’. They argue that the police appear to make distinctions about whether young people are respectable or not which result from a combination of gender or class bias in police officer decision making together with poor lifestyle choices by young people. They attribute this to the application by the police of ‘working rules’ relating to both suspiciousness and ‘form’, that is the young person having previously come to their attention. This makes them part of the permanent suspect population, a process Mcara and McVie describe as a ‘cycle of labelling’. Dingwall and Harding (1998) cite research from the United States suggesting that the perceived moral character of a juvenile was seen by officers as of considerable importance in determining whether they should be arrested. This led to a distortion in police perceptions of young people, which in turn resulted in a deviancy amplification spiral. Hancock (1978) also found that young people from an intact home in a good neighbourhood received more lenient outcomes than young people from single-parent homes and deprived neighbourhoods.
Some of the stories officers tell one another have been repeated many times and thereby refined to illustrate whether particular approaches lead to success or failure. This results in a culture which is a social construct (Berger and Luckman 1967). They argue that police culture is the product of a dialectic process based on frameworks of meaning handed down as officers accrue service.

How adults view young people depends on their own life experiences. Perceptions are shaped by memories of their own childhood, their own experience of interacting with children and young people, whether their own or encountered through work or in other settings. But as noted above, many of the encounters the police have with young people are either negative or perceived to be so. The stories that officers tell one another about young offenders may influence the way in which they are policed.

To these two elements – the erosion of discretion, possibly tempered by the existence of an intransigent police culture based on myth – can be added a third factor: the prevalence at the time of this research of a strong inclination toward risk aversion in society in general and the police in particular (Flanagan 2007a) which, he argued, could dilute, or even remove, discretion or professional judgement. According to Beck (1992) we live in a 'risk society', one in which the possibility of taking successful risks (taking a risk to achieve a positive outcome) is overwhelmed by risk perceived as a threat, hazard, harm or danger.

When asked to undertake a risk assessment, a youth justice professional will consider the risk of harm to the young offender, or the risk that young offender might pose to society. A police officer when asked to undertake the same activity will think first of the risk to themselves that the young person might afford. Hence they will endeavour to take the action which is least likely to cause harm to themselves, before they consider the safety of
the offender. A further clear risk to an operational officer in a hierarchical organisation is the risk that a decision they have taken will be challenged by a senior officer (Neyroud and Beckley 2001; Kleinig 1996).

The combined effects of culture, risk aversion and the level of discretion officers believe that they have and believe that they use therefore form a relevant question for this research. The distinction must be drawn between the action the officer would have wished to take and the action they felt constrained to take, that is whether they are guided primarily by organisational directives and a ‘safe’, sanctioned, punitive approach in which the young person is seen as a problem, not a citizen, or by individual interpretation allowing for the welfare of the young person to be given full consideration.

3.5 Decision making

Previous research into the decisions made by officers about how they deal with the children and young people who come to their attention have focussed on three elements. Firstly, the characteristics of the officer; secondly, the characteristics and in particular the attitude of the young people; and thirdly, the severity of the behaviour.

Officer characteristics

Characteristics considered have included the age of the officer, how long they have been an officer, their socio-economic background, their gender, and even their height (Mendias and Kehoe 2006). It has been argued, for example, that officers with longer service are more likely to use their discretion and respond in a more lenient fashion to the young people with whom they come into contact (for example, Finn & Stalans 2002, Brown 2003).
Research conducted by Mendias and Kehoe (2006) failed to identify that any of these factors could predict how an officer made decisions about young people. They did, however, identify a divide between officers more inclined to enforce the law and those more inclined to keep the peace. In both groups, the commonality was adherence to procedure. This was combined with the officer’s judgement to reach a decision – that is, an officer’s personal leaning toward either a punitive outcome or a more forgiving attitude toward the young person seemed to be a matter of personal choice by the officer rather than to relate to any other factor.

It has been suggested that female officers may have a less coercive operational style than their male counterparts because they are more likely to attempt to defuse a situation by the use of mediation than to resort to force (Sherman 1975; Lonsway 2000; Langworthy and Travis 2003). Officer gender in the past has also led to officers exhibiting chivalry towards young female offenders – this will be covered in more detail in section 3.6.

**Characteristics of the young person**

The tendency for officers to be more punitive toward young people from poor socio-economic backgrounds has already been discussed. Another strong determinant of outcome identified in previous research is the young person’s attitude.

Brown (2003) notes an ‘overwhelming body of research’ found that officers are more likely to apply punitive outcomes if a citizen exhibited a poor or hostile demeanour (Brown 1988; Brown 2003; Black 1980; Mastrofski et al 2000). Shafer (2004) concurred, finding that citizens who express ‘contempt of cop’ were more likely to receive a punitive outcome. He also noted a tendency for officers to stereotype the behaviour of students, since the officers who took part in his research only came into contact with
students who were behaving badly and failed to appreciate that these were actually only a small percentage of the whole population of students. Sherman (2003) notes that the police create a risk factor for crime by using bad manners. He suggests that the less respectful the police are towards suspects and citizens, the less people will comply with the law.

Liederbach (2007) notes that the tension between police and juveniles is increased if the juvenile exhibits a negative attitude. He cites ‘considerable evidence’ suggesting that citizen demeanour, social class, sex and race exert an influence on the officer’s decision, but his research indicated that this was less prevalent in rural areas\textsuperscript{16}.

Research has indicated two reasons why juvenile attitudes towards the police can be poor. The first is social background and subcultural preference (Leiber et al 1998), the second is previous negative contact and poor communication skills.

Previous negative contact can have been personally experienced by the young person (Carr et al 2007; Hinds 2007; Lyon et al 2000) or result from stories the young person has heard about other young people’s poor experiences of the police (Victim Support 2007), in particular the experiences of their friends or families. Just as police officers talk about their experience of young people, so do young people talk about their experience of the police. As Loader notes (1996) much of the raw material from young people’s stories of bad policing derives from the regulation of their use of public space, where, as previously discussed, they tend to be over policed.

Recent research has found that young people’s attitudes towards the police can be positively influenced if the police exhibit clear and unambiguous decision-making (Hinds 2007).

\textsuperscript{16} His research was conducted in South Western Ohio, USA.
Drury (2003) suggested that a lack of understanding by adults in authority (including the police) of adolescent communication skills may result in mutual antagonism feeding their interaction. Adult understanding of behaviour and motivations can be very different to that of children and young people. He argues that authority figures, and in particular the police, see adolescents as problematic and in need of control, and as a result they view communication as a one-way street, from officer to young person. Despite this tendency, police view young people’s unwillingness to communicate as something inherent in the young person rather than a possible response to the way in which they have been approached. Research with young people indicates that their primary concern is with the way in which they are approached by the police. Loader (1996) also noted that young people seldom initiate conversation with the police as they don’t expect to be listened to. If young people expect the police to be hostile and disrespectful, Drury argues, this could lead to an initial lack of co-operation, incorrectly identified by the police as a ‘bad attitude’.

Research by Black and Reiss (1970), however, indicated that the probability of arrest was higher not only for young people who were unusually disrespectful, but also for those who were unusually respectful.

Loader (1996) found that the possibility of striking up a dialogue was central to what made an officer acceptable to young people. A good officer ‘sets out to neutralise asymmetrical power relationships between young people and the police by personalising them’.

Just as the police expect young people to respect their authority, so too do young people want to be treated with respect and to be taken seriously (Lyon et al 2000).
Severity of behaviour

The severity of the offender’s behaviour is the most consistent predictor of officer behaviour (Piliavin and Briar 1964), including towards young people.

Black and Riess (1970) note that the majority of encounters between police and juveniles are with beat officers rather than youth specialist officers. In their study, 72% of the encounters with juveniles were as the result of a phone call from the public, with 28% initiated by officers on patrol. 60% of the behaviour reported was ‘juvenile rowdiness or mischievous behaviour’ (this supports New Labour’s claims that 60% of anti-social behaviour is committed by young people). In Black and Riess’ study, officers made proportionately more arrests when the incident was relatively serious. However, they note that officers were more inclined to arrest if a victim was present and engaged in the process. No officer arrested a juvenile in their study where the victim ‘lobbied for leniency’. Officers were, Black and Riess claim, abdicating their discretionary power to the complainant. It would seem likely that an effect of New Labour’s curtailment of police discretion would be for more arrests to occur, even when the victim was inclined to be lenient.

Alder et al (1992) found that 97% of officers regarded the severity of the offence as important or crucial to their decision-making. Young people’s co-operativeness and attitude also scored highly (86% and 89%). Nearly half their sample believed that young people had no respect for the law, and they suggest that officers’ observations were ‘probably influenced by their experiences of youth attitudes and behaviour towards them as individuals’, although they cite no evidence to support this contention. They note that ‘virtually all’ the officers in their sample had reported being verbally harassed by young people and just over half reported having been physically assaulted. They attribute this to ‘the inadequacy of police
education and training relating specifically to their interaction with young people'.

Conclusion

Researchers have identified that police officers making decisions with regard to young people consistently rank the severity of the offence as the most important factor, with the young person’s attitude and the victim’s opinion also having considerable influence. Previous research is inconclusive as to whether characteristics about the officer make a difference, although there is some evidence that female officers may have a less coercive operational style.

3.6 Gender

There is, as previously noted, some indication that female officers may have a less coercive operational style than their male counterparts. The increase in the number of female officers over time might therefore have been shown to result in fewer girls entering the criminal justice system.

There is considerable evidence that this is not the case. NACRO (2008) produced statistical evidence that there was a ‘dramatic’ increase in the number of girls processed by the youth justice system in England and Wales between 2003 and 2006. Although there was an increase in detected offending for both genders, the increase for girls was disproportionately higher than the increase for boys. The YJB (2009) agreed there was an increase, which related particularly to reprimands. They placed this increase firmly with the police, resulting either from an increase in the effectiveness of the police to identify female offenders, or an increased willingness on the part of the police to apply a sanction. Fox et al (2006) note that historically young women have suffered more from net widening and increased social regulation than boys.
Zahn et al (2008) observed a similar increase in the proportion of girls arrested in the United States, and also suggested that this represents a shift in the official response to girls’ behaviour rather than indicating that girls are becoming more violent relative to boys.

There is some evidence (Taylor et al 2001) that historically officers were seen by girls as being more lenient towards them than boys. Hamilton et al (2003) report that girls in Belfast were not stereotyped by the police as ‘trouble’ to the same extent as boys. Visher (1983) found evidence that officers were inclined to be chivalrous toward girls, particularly those who displayed ‘appropriate’ gender behaviours and characteristics. His findings indicated that girls who deviated from ‘stereotypical’ gender expectations were treated less leniently. Lee (1998) notes that those who operate in the criminal justice system generally hold conventional gender expectations.

The level of diversity training undertaken by police officers in England has expanded greatly in recent years, fuelled by, for example, the Stephen Lawrence inquiry. This training aims to challenge any stereotyping by officers, and may have had the unintended consequence of increasing the number of girls entering the criminal justice system. Girls’ behaviour is no worse, but officers now treat them in the same manner as boys rather than allowing them some leniency due to their gender.

There is, however, some evidence that changes in the behaviour of girls over time can also be seen to be affecting the number entering the criminal justice system. Under the banner ‘Are our girls getting more violent?’ BBC News (21st May 2008) drew attention to research on anti-social behaviour by Doctor Ann Hagell, who suggested that changing behaviour by teenagers led to more opportunities for girls to become involved in crime. Fifty years previously, girls would not socialise in the same way and temptation was less often available for them to offend.
Three months later, under the heading ‘Crimes by girls rise by a quarter’, the BBC suggested there was a link to teenage drinking, and quoted Professor Susan Batchelor of the Scottish Centre for Crime and Justice Research as saying that traditionally young women were much more informally controlled by society than young men (BBC 9th August 2008).

Opinions would therefore seem to differ as to whether the increase in the number of girls entering the criminal justice system is as a result of changing behaviour by police officers, or a worsening of behaviour by girls.

This section has shown that changes in the behaviour of both officers and girls may impact on the increase in the number of girls entering the criminal justice system. The gender of both officer and young person may impact on officer behaviour, and because of this, evidence relating to gender, although not a central theme of this research, will be discussed.

3.7 Victims

The attitude and opinion of the victim has been demonstrated to be a major consideration for police officers when dealing with a young offender. Where the victim was present and was inclined to leniency, officers were less inclined to take formal action (Flynn and McDonough 2004). As has been noted, however, some victims tend to be taken more seriously than others. Young people hanging around in groups tend to be viewed as ‘trouble’ rather than as potential victims of crime (Lee 1998; Furlong and Cartmel 1997).

Home Office research has shown that personal crime victimisation among ten to twenty five year olds is considerably above that for twenty six to sixty five year olds (Wood 2005). Anderson et al (1994) noted that young people experience far more serious problems as victims than they cause as offenders, but frequently fail to report this to the police, preferring to
manage risks themselves. Young people do not feel protected outside the home, but do not believe the police take their problems seriously (YJB 2007; Phillips 2006; Lee 1998). Young people are more likely than adults to be victims, but less likely to report the fact to the police.

The structure of police forces generally leads to a separation between officers who deal with young people who offend and those who deal with child safety; this reflects the structure of the Association of Chief Police Officers (ACPO), who have a separate national lead for each. This separation into offenders and victims overlooks the body of research which has demonstrated that young people can be either or both (for example, Victim Support 2007), and indeed that there is evidence for a genuine causal link between victimisation and offending (Smith 2004).

Pitts (2005) notes that with evidence of a close relationship between being a victim and being an offender, it might have been expected that Crime and Disorder Partnerships tasked with reducing offending would be targeting young people’s heightened vulnerability to victimisation. Many, however, who stated that they were working toward increased safety for children and young people were aiming first and foremost to combat youth crime rather than youth victimisation – that is, prevent them from becoming offenders, rather than from becoming victims.

As has been noted, the routine contact that police officers have with young people tends to be responding to complaints that young people are creating a nuisance or offending rather than that they are the victims of other young people or indeed adult offenders. This ‘significantly colours’ how they view young people’s victimisation (Loader 1996); they are, in his words, over-controlled and under-protected.
3.8 The potential impact of Neighbourhood Policing

As has been shown, the relationship between police and juveniles is key to minimising conflict. Much of the available research looks at reactive policing, that is, the response of officers to an incident in progress. Officers despatched to an incident in progress normally have little or no knowledge of the individuals involved in the incident, nor will they have any knowledge of local community issues.

Piliavin and Briar (1964) found that officers used wide discretion when dealing with young offenders, that the relationship was characterised by tension and antagonism, and that the youth’s demeanour was a major criterion for determining what disposition he would be given by officers. Bazemore and Senjo (1997) revisited this paper, arguing that the significant changes in policing style necessitated by the introduction of ‘Community Oriented Policing’ should improve the relationship between young people and police. The non-adversarial context of engagement with citizens as ‘customers’ would, they argued, lead to an improvement in the relationship.

The Community Oriented Policing approach locates officers in specific, defined areas and encourages them to place increased emphasis on solving underlying problems believed to cause crime, resulting in more opportunities for them to participate in community life than is the case under the ‘professional model’ of policing, which focuses on crime control.

Bazemore and Senjo’s research was originally intended to cover all age groups, but focussed on young people because, ‘we began to take note of the high proportion of time and energy being devoted to encounters with young people.’ They found that, for the most part, Community Oriented Police Officers adopted a less aggressive style of enforcement activity based on a ‘different view of each resident and each suspect that appears
to be grounded in an intimate knowledge of that individual and his/her family’.

They were unable, however, to conclude that this softer approach would lead to fewer arrests and suggested that over time it could in fact lead to an increase as officers developed better knowledge of an individual’s circumstances and behaviour patterns. They also had concerns that if officers were encouraged to follow strict processes rather than being incentivised to use more creative diversionary tactics, Community Oriented Policing could result in more young people being challenged as an order maintenance tactic. In addition, Parker et al (2004) noted that one of the blockages to diversion by police is that ‘police work attracts people with a bias for reactive action’.

On a more positive note, Myers (2004) suggests that officers will identify more with the supportive dimension of their role as community policing ideals penetrate police departments more thoroughly, and Mastrofani, Warden and Snipes (1995) found that officers with a positive attitude towards community policing made fewer arrests than officers with a negative attitude.

Neighbourhood Policing

At the time this research was undertaken, a version of Community Oriented Policing entitled Neighbourhood Policing was being introduced by police forces across England. This resulted from indications that although crime rates in England and Wales had been falling since the mid-1990s, the public perception remained that crime was rising. This was perceived to result from a decline in confidence in the police (Millie and Herrington 2005).
The issue had been noted as early as 1999 by the Audit Commission, who noted a fall in recorded crime between 1995 and 1997 of 14%, but that ‘fewer than one person in ten was aware that crime had decreased over this period’. They believed the cause was an increase in intolerance towards less serious problems such as disorder and neighbourhood nuisance (Audit Commission 1999). This had been dubbed by ACPO the ‘reassurance gap’ (ACPO 2001) and had become an issue about public confidence in the police (FitzGerald et al 2002). The focus on police performance, ACPO believed, would not address this problem.

“[5.3] The current over-focus on crime figures as a substitute measure for police performance will not lead to greater public confidence. The public is convinced that the UK is a high-crime society. A reassurance strategy will provide an opportunity to shift people’s perception and begin to change the embedded culture of fear of crime.” (ACPO 2001).

This localised approach was seen as a key focus on police reform and was included in the Police Reform Act (HMSO 2002) and the National Policing Plan 2003-6 (Home Office 2002b).

To address this ‘reassurance gap’, the Home Office piloted the Neighbourhood Policing approach in a number of police force areas under the title of Reassurance Policing. The key elements of the approach were community consultation (finding out what local people thought were the issues in their areas), environmental auditing (looking at issues in the physical environment), and visible policing (Povey 2001). The presence of young people ‘hanging around’ in public areas was very likely to be identified by this approach as an issue to be addressed.

The outcome of the pilot (Tuffin et al, 2006) found that the programme “delivered positive changes in key outcome indicators, such as crime,
perceptions of anti-social behaviour, feelings of safety after dark and public confidence in the police.’ As a result, the Neighbourhood Policing programme was launched in April 2005 following the government’s commitment in the green paper ‘Building Communities, Beating Crime: A Better Police Service for the 21st Century’ (Home Office 2004a) and the 2004-8 Strategy Plan (Home Office 2004b) that every neighbourhood in England and Wales would have a Neighbourhood Policing team by 2008. This was seen as a key component of the police reform programme.

The primary focus of Neighbourhood Policing was to tackle low-level crime and anti-social behaviour “which may be a persistent issue or concern that exists in the local community” (Home Office 2008b). As previously noted, the use by young people of public space tends to lead to concerns from adults that they are ‘up to no good’. There was a potential for Neighbourhood Policing to increase the surveillance of young people and lead to an increase in numbers entering the criminal justice system.

The guiding themes for Neighbourhood Policing were dedicated and accountable resources with geographical ownership; intelligence-led targeting of the issues that mattered most to the public; and joint action by the police, partner agencies and the public. The first step for police forces, therefore, was to divide their territory into ‘neighbourhoods’. Decisions on boundaries were at best pragmatic, based both on areas that could be clearly defined and available manpower. Some ‘neighbourhoods’ in the force in which this research was carried out covered small urban areas; others quite large rural areas with a number of small villages. It might be expected that these different types of neighbourhoods would identify different priorities for the police to address.

Once neighbourhoods were identified, Neighbourhood Policing teams were allocated to each of them. These teams comprised both officers and Police Community Support Officers (PCSOs). PCSOs had been
introduced by the Police Reform Act 2002 with the primary role of undertaking visible street patrols, thereby enhancing public reassurance (HMIC 2001). PCSOs are uniformed staff employed by the police authority for each force, who work under the direction and control of the chief officer and possess limited powers (Johnston 2006). Unlike police officers, PCSOs do not have a duty to act, but must make a discretionary decision in each situation. They only have powers when they are on duty and in uniform, and their powers are limited to their force’s boundaries (Guardian 2002). The presence on the streets of non-warrant card carrying police staff with no power of arrest might offset the potential for increased criminalisation of young people noted above, since they would have to work with young people in a less punitive fashion.

In addition, it was likely that PCSOs, as police staff appointees, would remain in their job and become well known in the community. Officers assigned to neighbourhoods were ‘expected’ to remain in post for two years (Flanagan 2007a); however, the police promotion process, which requires that officers demonstrate ability in a number of different specialisations, results in those seeking promotion being unwilling to remain in any post for a long period, and the movement of those officers seeking promotion has the effect of requiring the movement of other officers, whether they are seeking promotion or not. Unless this process was changed, it could not help but interfere with continuity in neighbourhoods. As a Neighbourhood Policing specialist in the sponsor force commented, “there is a mismatch between the public ‘idea’ of what a police constable does and the reality – created by years of ‘Dixon’ style policing – of officers staying in one place and one role for long periods, which no longer happens. Not just because of promotion, but also due to the desire to try our different specialisations.” Flanagan (2007a) notes that this also creates problems for partner agencies, who find this a significant barrier to developing close working relationships – a key element of Neighbourhood Policing. Because PCSOs were appointed to specific
locations, this allowed for forces to have a ‘familiar face’ in
neighbourhoods. According to the Home Office, the criteria for the
success of PCSOs were for them to be seen to be visible, act as a
deterrent and reduce crime and anti-social behaviour, provide
reassurance, be approachable, solve problems and talk to young people
(Home Office 2008a).

An early evaluation (Cooper et al 2006) indicated that they did ‘spend a lot
of their time dealing with anti-social behaviour and with youths’. This
report also noted that some PCSOs felt intimidated by young people,
particularly when they were in a large group. The report found that the
PCSO role was developed too fast and without an adequate training
regimen being put into place. It also noted a lack of understanding by
supervisory officers of what PCSOs could, and could not, do.

In the force where the research was conducted, PCSOs were initially given
five weeks of training developed by the force followed by five weeks of
patrol ‘in tandem’ with another officer or more experienced PCSO before
being allowed to patrol alone. There was little material in the training
relating to how PCSOs should engage with or communicate with young
people. A modular national training package for neighbourhood policing
officers was made available by the National Police Improvement Agency
(NPIA) in 2008; this also failed specifically to address working with children
and young people.

Hayes (1999) notes that officers based in neighbourhoods are likely to
develop a ‘bond’ with young people which might result in them behaving
differently towards them than the way they would react if they were rapid
response officers; however, consistent contact with young people who
were offending might lead to a distorted perception about the propensity of
all youth towards offending. Loader (1996) noted the opinion of young
people with whom he conducted research that bringing officers in from
outside the area who did not know the residents led to innocent but suspicious-looking young people being targeted. Neighbourhood officers, being familiar with the young people in their area, might adopt a less confrontational style.

Neighbourhood Action Groups

As noted above, activity within neighbourhoods was expected to target issues that mattered most to the public, and this activity was expected to be joint action by the police, partner agencies and the public. In order to achieve this, each neighbourhood was expected to bring together a team of relevant professionals and members of the community. In the force where the research was conducted, this group was known as a ‘Neighbourhood Action Group’ (NAG).

NAGs normally comprised personnel from the statutory and voluntary sectors, business representatives and local residents. Each NAG determined its own membership, but the guidance stated that it should comprise those people who could actively participate in the process. Examples given were council members, housing managers, head teachers, licensees, neighbourhood watch co-ordinators, police, representatives of the community, and young people. Guidance suggested that young people should be encouraged to join or ‘feed in’ to these teams. Areas where Crime and Disorder Reduction Partnerships had established youth forums, or locations which included active youth workers, found this more achievable than those where there was no organised activity for young people. Flanagan (2008) suggests that if police contact with members of communities was positive, this should foster more effective and broader communications between the different groups. The arbitrary nature of the neighbourhoods identified by police tended to suggest that there would be little or no pre-existing ‘community’ spirit on which to build. Collins (2005) quotes Leslie Mcara as observing
that communities defined by geographical space are often highly fragmented and diverse because they are ‘bundled together by an accident of location’. Youth inclusion might not occur if young people were not engaged with the process or prepared to become members of the NAG.

In addition, where young people were encouraged to attend, it was unclear whether their views would be taken as seriously as issues identified by adults. Zender (2002) notes that older people feel disproportionately vulnerable to crime, and the media’s representations of young people as disorderly, anti-social or criminal can also have an impact on the views of other groups and their understanding of what young people are actually like (Muncie 2004). Adult over-sensitivity and the misunderstanding between generations, coupled with the potential for imbalance of representation, indicates that those issues prioritised by NAGs might not be those which young people would believe important to them.

Effectively, the community was expected to identify those issues which it considered to be the most pressing, and these would then be addressed by members of the NAG. The capacity of a young person to deliver a community safety outcome would seem smaller than that of a local authority, and therefore their inclusion in a NAG might not be seen as important. Although 23% of the population of the country is under 18, it is doubtful whether 23% of NAG activity would be directed at issues identified by nominal youth representatives.

Statistics in 2004-5 indicate that almost one in three adults reported that teenagers hanging around on street corners was a very, or fairly, big problem in their locality (Bhimjiyani and Allen 2005). The 2006 Neighbourhood Policing partnership guide lists ‘a group of youths perceived to be causing disturbance’ at the top of the list of likely neighbourhood problems, as might be expected from the previously
discussed visibility of young people in public spaces. In the force where
the research was conducted, the top three neighbourhood priorities in mid-
2008 were anti-social behaviour, speeding, and parking. The House of
Commons Home Affairs Committee into policing (2008 para 252) quotes a
Chief Superintendent as saying, “by far the most current issue is anti-
social behaviour. Seventeen of our priorities are in relation to anti-social
behaviour.”

The involvement of the community, both in prioritising issues and problem-
solving them, had the potential for considerable variation in engagement.
The issue of inflated community expectations of police is well known
(Fleming and Rhodes 2005), as is the principle that ‘in a democratic
society, the community has collectively assigned its peace-keeping role to
the police’ (Connors and Webster 2001) so that the community might
reasonably argue that it has no role to play, since ‘community policing ...
assumes a degree of citizen willingness to solve problems with the police
and other agencies’. In addition, Loader (1996) notes that policing by
consent can lead to the police responding to the claims of some social
groups rather than others, and that criminological research often
demonstrates that ‘the weight of adversarial policing falls
disproportionately on the young, especially black, male, and working-class
youth’.

The increase in media reports of bad behaviour by young people has been
noted widely (Cohen 2002; Muncie 2004). The MORI survey (2005) notes
that 71% of media stories about young people are negative, and a third of
articles about young people are about crime. Fear of crime in the
community, therefore, can often lead to fear of young people. With this in
mind, improving community opinion of young people would appear to
present an opportunity for the police to improve community fear of crime;
however, if nuisance behaviour by young people was identified as an
issue by NAGs, it would appear likely that the targeting of young people as
potential offenders would increase, and young people would be seen as the problem rather than as presenting a potential solution to issues.

Neighbourhood Policing teams were expected to utilise the problem-oriented policing methodology developed by Herman Goldstein in the United States to address issues identified (Goldstein 1979). Where this has been used before, it has widened the police focus from the effects of crime and disorder to encompass their underlying causes (Waddington 1999). The multi-agency aspects of Neighbourhood Policing had the potential to lead to greater referral of both young people and adults with welfare issues which were not being met. NAGs, however, were not expected to include representatives from social care services, and this might lead to neighbourhood officers giving less consideration to the Section 11 (Children Act) duty to consider the safety and wellbeing of children and young people.

Connors and Webster (2001) note that ‘problem solving and partnership building require new skills and abilities and commensurate rewards for using them’. There is an obvious tension here with the police drive for sanction detections, sometimes over the wishes of the victim and the public at large. Unless new measures were identified to reward success where there was no ‘sanction’, there was a likelihood that officers would continue to value arrests over other, more creative and diversionary, outcomes.

Problem solving solutions also take longer than punitive responses. Early indications in the force where the research was undertaken was that neighbourhood teams were being seen as the panacea for all ills, expected to fulfil an ever-increasing catalogue of expectations. Kleinig (1996) notes that in order for community policing to be successful, it must have the support of both management and front line officers, and officers should not be expected to ‘overnight become community organizers and
empowerers’. As an increasing burden of process-driven activity such as visits to all victims on the area was introduced, it was possible again that there would be insufficient time to address in non-punitive ways issues such as the visibility of young people, or to take the time to identify welfare issues.

3.9 Summary

This chapter has reviewed previous research on the particular problems faced by the police relating to the policing of young people. It has looked at how the visibility of young people in open or public spaces has made them vulnerable to overpolicing. It has considered the use of and constraints on officer discretion when dealing with young people exhibiting challenging behaviour, and the effects of the social constructs embedded in police culture as the result of (largely negative) experience, together with the ethos of risk aversion prevalent at the time the research was undertaken.

Factors affecting officer decision-making which have been identified in previous research were considered, in particular officer characteristics including age, gender and length of service; characteristics of the offence committed and the offender’s behaviour; and the influence of the victim’s opinion. It also noted that under-reporting of victimisation by young people could result in officers seeing them primarily as offenders rather than potential, or actual, victims.

Since much of the available literature concluded that the introduction of a form of community policing should defuse the more confrontational aspects of policing young people, an overview of the community-oriented policing variant being introduced in England at the time of the research and within which the research was conducted was described.
It was noted that the distinction must be drawn between the action officers would have wished to take and the action they felt constrained to take by the managerialist processes described in chapter two, that is, whether they were guided primarily by organisational directives, by a ‘safe’, sanctioned, punitive approach to young people, or by an approach which allowed for the welfare of the young person to be given primacy.

The previous research on the particular problems police face when policing juveniles therefore provides a baseline against which to measure what the research detailed in chapter five of this thesis identified to be happening at the time it was conducted, that is, how officers operationalised the conflicting imperatives relating to children and young people upon which they were expected to act.

The tension in New Labour policy between the increasingly punitive Criminal Justice approach and the more welfare driven ‘Every Child Matters’ programme can be seen to be a culmination of the dichotomy identified by previous research between public perception that young people are troublesome and should be controlled by the police – exacerbated by the death of James Bulger at the hands of two young people - and the contradictory need for the police to keep children and young people safe from harm, as highlighted by the tragic death of Victoria Climbie.
CHAPTER FOUR: METHODOLOGY

4.1 Introduction

Chapters two and three identified factors to be considered when designing the methodology to address the central research question, that is how officers operationalise the conflicting policy imperatives relating to children and young people upon which they are supposed to act. This chapter identifies four competing, but not mutually exclusive, hypotheses, detailed in section 4.2, and describes how those hypotheses will be utilised to address the research question.

An introduction to the methodology used was provided in section 1.4 of chapter one. This chapter aims to build on that introduction and to provide assurance that appropriate procedures were followed. It explains the content of the research and outlines the research design and development. Ethical considerations arising from the research are explored, and the limitations of the research are considered.

4.2 The research question and the hypotheses to be tested

The aim of the research is to establish how officers operationalise the tensions between the punitive and ‘Every Child Matters’ approaches identified in chapter two. Based on the findings of the literature review in chapter three, a number of competing hypotheses can be identified to facilitate identification of the influence of the different factors. These are:

1. Officers will be more responsive to the ‘Every Child Matters’ policy imperatives;
2. Officers will be more responsive to the criminal justice imperatives;

3. Managerialism will trump both sets of policy imperatives because it is in the officer’s interests to respond to the demands of management;

4. Both sets of policy imperatives and managerialism notwithstanding, officers will resort to ‘common sense’ responses informed by their own lay criminologies, scales of values, police culture, and police ‘practice wisdom’.

The underlying assumption of hypothesis four is that in the face of conflicting policy imperatives, officers continued to do what they had always done, and in fact no significant differences could be identified.

It should be noted that there is a correspondence between the hypotheses identified and debate about the extent and exact nature of the police mandate. Neyroud and Beckley (2001) note that when the Metropolitan Police were founded in 1829, Sir Robert Peel stressed that their role was the prevention of crime. This model broadened to a more interventionist model that included the provision of emergency services and ‘social services’, as identified by the 1962 Royal Commission. More recently, Bayley and Shearing (1996) have argued that policing systems are fragmenting, although this fragmentation is disputed by Jones and Newburn (2002). The latter argue that, rather than being divisive, the changes in the policing mandate are part of a long-term process of formalisation of social control.

The relationship between the four hypotheses tested by this research is likely to be complex, since it reflects the complexity of a policing mandate which must balance the maintenance of law and order with the need for transparency and the duty to treat all people with fairness, integrity, diligence and impartiality. Just as these aspects are not mutually exclusive, so the outcome of this research is likely to reflect that.
4.3 Location where the research was conducted

The research was conducted in a single large, southern police force that covers both urban and rural areas which include a mix of affluent communities and areas subject to deprivation. Although the selection of the force was constrained by the study sponsorship, the nature of the force concerned allowed the research to look at a spread of officer type and interaction with young people, and the kinds of situations with which most police forces would characteristically deal.

In addition, the ongoing development of the ‘neighbourhood policing’ approach Nationally meant that different forces were at very different stages in adopting it. Concentration on a single force therefore allowed for a more consistent data set.

4.4 With whom the research was conducted

In order to investigate the question, the first stage was to decide on the study population. There were three options available to the researcher: patrol officers, officers with a specialist role relating to children and young people, and neighbourhood policing officers.

Patrol officer are those officers despatched by the force’s control centres to deal with reported incidents which require an immediate response – for example, a burglary in progress, or a fight outside a nightclub. These officers were not included in the sample. This decision was taken because officers on these duties would be responding to incidents where, on the balance of probabilities, the offence committed would be of a more serious nature, and they were less likely to be familiar with the area or the young people involved. Inclusion of this group would, therefore, have weakened the data set.
There are a number of officers with a specialist role relating to children and young people, both as victims and witnesses. Firstly, child protection officers deal with children and young people, mostly as the victims of child abuse. Secondly, officers seconded to Youth Offending Teams deal largely with young people who have already entered the criminal justice system. Neither of these groups was included in the survey.

The study population selected for the research comprised police constables and police community support officers (PCSOs) assigned to Neighbourhood Policing functions. This group was chosen because the constraints on abstraction allowed the majority of the officers’ and PCSOs’ time to be spent on front-line policing, as opposed to specialist or bureaucratic functions. This group was also selected because preliminary enquiries with line managers indicated that these were the people most likely to be dealing with children and young people on a regular basis without being in a specialist role. Firstly, their patrol pattern (based on community intelligence) should be placing them where incidents were most likely to occur. Secondly, the force ‘control room’ would allocate to them any local incidents where an immediate response was not required. Finally, because they were based within neighbourhoods, these officers were the most likely to be drawn into multi-agency discussions of particular young people believed to be displaying problem behaviour or who had unmet welfare needs, or welfare needs that were not being fully met. This group of people seemed ideally placed to comment on early interaction with young people.

The decision to include PCSOs was taken because this would allow a comparison between people working in identical situations, where one group (the police officers) had the power of arrest and to issue Penalty

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17 Officers assigned to Neighbourhood Policing comprise Neighbourhood Specialist Officers (NSOs) and Neighbourhood Officers (NOs); the difference between these two roles is largely that the NSOs have supervisory responsibility for PCSOs.
Notices for Disorder, whilst the other (the PCSOs) in the force concerned did not have either of these powers. It was hoped this would give some indication as to whether attitudes and approaches were influenced by the force’s performance targets for ‘sanction detections’ since officers’ performance was measured by this and PCSOs’ performance was not.

It should be noted that one specialist group was included in the survey, specifically officers working in schools, who were at the time inextricably linked with Neighbourhood Policing teams with responsibility for the majority of schools resting with the broader Neighbourhood team under the guidance of the specialist officer. The force in question operated a ‘Safer Schools Partnership’ approach to working in schools\(^\text{18}\), using a broad range of restorative tools to work with children exhibiting challenging or unacceptable behaviour. Schools are the only location where the stringent Home Office counting rules for the recording of offences detailed in chapter two do not always apply - Annex E to the Home Office counting rules for recorded crime states:

“When police have reported to them an incident which took place on school premises, including those witnessed by, or reported directly to, officers working in the school, which they would normally record as a notifiable offence, will, in the first instance, invite the victim or the person acting on their behalf to report the matter to the head teacher to be dealt with under normal school discipline procedures.” (Home Office 2009)

Whilst the Force had only thirty dedicated Safer Schools officers, other neighbourhood policing officers and PCSOs were being tasked as part of

\(^{18}\) Safer Schools Partnerships are focused on schools in areas of high victimisation. They build on the police role in schools to reduce crime, create a safe environment, provide a full-time education for young people who offend, and tackle problems through whole school approaches (Marlow 2005).
their duties with visiting schools. Since officers completing the questionnaire were given the option of remaining anonymous, it was impossible to remove officers or PCSOs who operated either full or part time in the school environment. The result of this decision may have had the effect of slightly reducing the level of importance given to sanction detections in the questionnaire responses.

4.5 Designing the research

Before starting the research, a number of approaches were considered, with the demographic characteristics of the study population playing an important role in the final selection.

Observation was considered, since this would allow the researcher to witness the interactions between police officers and young people first hand. This approach was rejected for two reasons. Firstly, the behaviour of both the officer and the young people was likely to be affected by the presence of an additional person (the Hawthorne Effect\(^{19}\)). Secondly, both unstructured and systematic observation are difficult to record (Wellington and Szczerbinski 2007). Finally, and practically, the sample would be limited by the amount of time the researcher was able to commit to observation.

Secondly, focus groups, with or without vignettes to focus discussion, were also considered. This approach was rejected because it was felt that the outcome of discussion was likely to be a consensus rather than clearly

\(^{19}\) The Hawthorne Effect was first reported following an extensive research programme investigating methods of increasing productivity in the Western Electrical Company's Hawthorne Works in Chicago during the 1920s and 30s. The finding was that no matter what change was introduced to working conditions, the result was increased productivity. For example, improving or reducing the lighting in the production areas under test produced similar effects. It has been defined as "an increase in worker productivity produced by the psychological stimulus of being singled out and made to feel important". Subsequently the definition has been broadened." The Hawthorne Effect: A randomised, controlled trial – McCarney, R, Warner, J., Iliffe, S., van Haselen, R, Griffin, M, and Fisher, P (2007) available online at: [http://www.biomedcentral.com/1471-2288/7/30](http://www.biomedcentral.com/1471-2288/7/30)
identifying difference of opinion. Secondly, it was considered likely that police culture would impact negatively on officers' willingness to talk openly about their opinions in front of their peers (Melrose 2007) and that there would be a closing of ranks against the 'other', the interviewer. Finally, increasing constraints on funding in the sponsor organisation were likely to prevent sufficient officers and staff being brought together at one time to facilitate effective groups. Police officer time is expensive, with the standard charge in the sponsor force in July 2007 for a police constable being over £26 per hour. It was established that the research was likely to be opposed if the abstraction of officers from front-line duty became excessive.

It was decided to adopt a combined strategy, since both qualitative and quantitative approaches have strengths and weaknesses, advantages and disadvantages, but ‘neither one is markedly superior to the other in all respects’ (Ackroyd and Hughes 1992). First, data would be collected from the sample population in the form of a self-reported postal questionnaire. These data would be largely quantitative and would provide information about where, when and what factors were most likely to create the situations in which officers took punitive action or referred welfare issues. A number of semi-structured interviews would then be conducted with selected respondees to draw out opinion, elaborate upon identified themes, and add a qualitative and descriptive element to the research, leading to a better understanding of the complexities of officers’ behaviour, attitudes and beliefs. Probes and prompts would be used as a basis for these interviews. The interview questions were designed after the initial analysis of the survey response, since it was felt that emergent theories would best direct the secondary data collection process (Suttons 2004).

The advantages to using a self-reported postal survey were that it would be less expensive and it would offer greater anonymity so that there was a greater likelihood of obtaining accurate information (Kumar 2005). It would
also allow for the collection of information from a survey population which
was geographically dispersed due to the size of the force. The
disadvantages to using a survey were that the response rate might be low,
that the sample would be self-selecting and might not be fully
representative of the sampled population, and that responses would be
considered rather than spontaneous. In addition, it would be possible for
the respondees to have consulted others. It was felt that on the whole the
advantages to using this methodology outweighed the disadvantages.

A telephone survey was considered but rejected due to the time
implications for the researcher and the difficulty in establishing a suitable
time for the contact, as well as the potential for researcher error in
recording information given verbally. It was felt likely that there would be a
high refusal rate if a ‘cold calling’ approach was adopted.

The advantages of interviews are that questions can be clarified, they are
more appropriate to obtain information about complex situations, and more
in-depth information can be obtained. If a good rapport can be established
and the ‘otherness’ of the interviewer overcome, interviewees are more
likely to respond openly and honestly. The disadvantages are that the
quality of the data depends on the quality of the interaction between the
interviewer and their subject, that the researcher may introduce their own
bias, and that they can be time-consuming and expensive. Since a
smaller number of interviews were to be conducted, however, the time
commitment was assessed as achievable. In addition, since the
interviewer would themselves transcribe the interviews, this would assuage
the possibility of poor quality transcripts.

As well as satisfying the needs of the research, this combined strategy
also fitted best with the time and resources available, and the researcher’s
level of access to the study population.
4.6 Constraints on the scope of the research

The inclusion of questions relating to the ethnicity of young people was considered. It was decided not to include these questions because there were considerable differences in the ethnic composition of different parts of the force under consideration, and the imbalance between the areas was likely to result in non-comparable data. It is, however, acknowledged that differential treatment by ethnic origin remains an important issue within policing, which undoubtedly impacts on police interventions and police-community relations in some areas.

A further option which was considered was to review the arrest statistics for officers who responded to the questionnaire. This was rejected because it would not indicate what non-arrest activity officers had undertaken, and also because the questionnaire could be returned anonymously.

4.7 The sampling strategy

As has been stated, due to the incremental development of Neighbourhood Policing at the time of the research, the survey population was subject to considerable change in the periods before, during, and into the foreseeable future after the research was completed. The requirement to ‘staff’ Neighbourhood Policing without sufficient increase in police numbers was leading to shortfalls in other parts of the force. Officers taking up the posts were expected to complete at least two years as Neighbourhood Policing officers, which made the posts less appealing to officers with ambition. Not all police community support officer posts had been filled, although a vigorous recruitment campaign was ongoing. The force personnel allocation system was seldom up to date and any attempt to draw up an accurate list of officers assigned to neighbourhoods on a particular date was deemed extremely difficult, although it was possible to
obtain numbers if not names. Under the circumstances, the decision was taken to distribute the questionnaires by e-mail via the local 'lead officers' for Neighbourhood Policing, who were better placed to allocate it accurately. By adopting this strategy, the survey tool was more likely to reach the officers and staff for whom it was intended.

It was hoped that in this way a high percentage of the sampling population would be provided with a copy of the questionnaire. The sample size comprised those who chose to complete and return the survey tool.

4.8 Phase one: designing the data collection instrument

This phase of the research was designed to establish the demographics of officers and PCSOs and to explore their attitudes and perceptions of the children and young people with whom they came into contact.

When using the questionnaire as a research tool, care has to be taken, especially in selection of question types, question writing, the design, piloting, distribution and return of the completed questionnaires (Bell 1993).

In order to obtain a good response to the self-reporting questionnaire, it was important to ensure that the recipients found the questions interesting. A variety of question styles was therefore selected, with structured, semi-structured and open questions. Some of the questions related to matters of fact whilst others invited respondents to select from a menu of options. Where relevant, respondents were invited to nominate other options not included in selection lists. Finally, two questions were left open and invited respondents to offer opinions.

The final version (included at Appendix A) opened with an introductory section explaining that the purpose of the questionnaire was twofold.
Firstly, it would clarify the Force’s picture of officer interaction with young people and inform the Youth Strategy; secondly, that the collated data would be used for research purposes.

It was then clearly explained that respondents did not have to give their names and that if they chose not to do so no attempt would be made to identify them from the answers given. This will be further discussed in the section on ethics later in this chapter.

It should be noted that the option to give a name and contact number was included on a separate sheet at the end of the questionnaire. This was to facilitate making contact with those respondents who were selected to take part in phase two of the research, the interviews.

The introduction concluded with details about how to return completed questionnaires.

The questions were then divided into three main sections. The first section, ‘About you’, asked some basic questions about the respondent. In the first part the respondent was asked to state age, job title, rank and years of service. In the second part, they were asked whether they had any children under nineteen and, if so, their age, and also whether the respondent was engaged in any activities outside of policing that involved young people. The intention here was both to check whether officers with young children would be more included to consider welfare, and likewise whether working with children and young people in a different setting would incline officers towards a welfare approach.

These questions also served the purpose of ‘setting the scene’ by indicating that the researcher was interested in all aspects of children and young people, not just those who committed offences.
The next section was headed ‘how you work with young people’. Again, a variety of question styles was used. Questions in this section were designed to collect information relating to the three ways in which the police have contact with young people, that is, engagement with them as members of the public, as witnesses to and victims of crime, and as offenders.

The section opened with a question about how frequently respondents canvassed the views of young people when consulting with the public; this question offered a three-point scale for responses. Respondents were next asked to give an opinion as to what percentage of victims they dealt with were under eighteen, and then what percentage of offenders were under eighteen.

The next two questions related to when and where contact most commonly occurred. A five-point scale was provided for time of day, and a multiple choice option for locations, with the provision that more than one could be indicated. An ‘other’ option was included in this question to capture locations which fell outside those offered.

To address the key question of the relative importance given to factors indicated by the literature review as influencing police response (see chapter three), respondents were then asked to grade a set of factors from most important to least important. When collated, the ‘scores’ for each factor were expected to provide key data to indicate whether the response was more or less punitive, compared to how much consideration was being given to the welfare of the child, that is, how much the child ‘mattered’.

The next two questions offered three-point scale response options as to the level of discretion respondents felt that they had in dealing with young people exhibiting problem behaviours, and how much they used. This
question was expected to give data showing the extent to which respondents felt they were expected to or able to make decisions.

Three questions followed relating to perceived relationships between police and young people. Three point attitudinal scales were provided as to whether the respondent felt young people difficult to deal with, then a simple yes/no question as to whether the respondent had suffered harassment or assault by a young person within the last twelve months, followed by a multiple choice question as to the nature of the assault with an ‘other’ option to capture any further assault methods. Finally in this sub-set of questions, a Likert scale was provided for answers relating to the respondent’s opinion of the amount of respect the young people that they dealt with had for authority, and in particular for the police.

Turning to multi-agency working, two questions were asked relating to whether respondents contacted other agencies about particular children and young people, and if so which agencies these were. The latter question was an open question which it was expected would provide an indication of whether referrals tended to be to agencies engaged with young people in a punitive fashion (for example, anti-social behaviour teams) or welfare providers (for example, children’s services).

The final two questions in this section were both open questions. The first asked what issues the respondent thought needed addressing relating to young people who offended, and the second asked who they thought needed to address these. These questions were intended to give respondents an opportunity to give their views and opinions in a free fashion, and the collated responses were expected to illustrate the level of punitive or welfare responses.

The final section of the questionnaire was entitled ‘what you know about working with children and young people’. This section included seven
questions. The first four related to the training respondents felt they had received relating to young people both in conflict with the law and at risk of harm, and whether they thought they would benefit from further training in these areas.

The next question asked respondents to give an opinion on a five-point scale as to how many of the young people they came into contact with knew their legal rights.

The penultimate question was an open question enquiring into what impact respondents felt the National Crime Recording Standard had on their practice. This question was included because at the time of the research there had been considerable debate on the Force discussion forum about this, and it was expected that officer frustration about the intransigence of the system would provide an insight when compared with levels of perceived discretion.

The final question took the form of a small quiz asking what particular abbreviations related to. One of these related specifically to an approach seen as punitive (ASBO), one to multi-agency working (YOT), and one to the welfare approach (CAF).

In summary, the questionnaire asked about:
1. Demographics of the respondent
2. Engagement with young people
3. Children as victims
4. Children as offenders
5. The factors considered when dealing with young people
6. What officers thought caused young people to offend
7. Who respondents thought should be dealing with this
8. The impact of the National Crime Recording Standard
9. Officer and PCSO training relating to young people
4.9 Piloting the questionnaire

To check the functionality of the questionnaire, a small pilot was conducted with six officers. In particular, the pilot looked for:

- A large number of ‘don’t know’ or ‘other’ responses
- A large number of questions left unanswered
- Misinterpretation of open-ended questions
- Any other difficulty in comprehension
- Any problems with the order in which the questions were asked
- Respondent interest and attention span
- Any comments relating to content

As a result, several questions were identified as being unclear. For example, one question asked whether there were any shifts where officers and PCSOs were more likely to encounter young people, and it was suggested that ‘times of day’ would offer a more accurate picture as shift times were variable. Children’s homes were noted as an omission and added to the list of possible locations where officers and PCSOs might encounter young people. Finally, ‘sports club’ was qualified to ‘sports and leisure clubs’.

4.10 Response to the questionnaire

The questionnaire was e-mailed to the Neighbourhood Policing leads in each of the force areas for dissemination on 1st September 2007, and respondents were asked to submit their completed forms either by e-mail or post by 31st October 2007, a period of six weeks. This period was chosen to give implementation managers sufficient time to distribute the questionnaire, and for the recipients to have time to complete and return it. Completed questionnaires began to arrive within days, and the vast majority were returned in the first three weeks. As expected, some were
returned electronically, whilst others arrived through the internal mail system. Returns then ‘tailed off’ until in the last weeks only a few were received.

Questionnaires were returned from all areas of the Force. Altogether, 206 completed questionnaires were received. Forms which were received electronically were printed and the e-mails moved to a secure archive. The forms were individually numbered and, where the officer or PCSO had given their personal details to allow for the possibility of taking part in a follow-up interview, this part of the form was removed and stored separately.

The completed questionnaires were then checked, and eight were disqualified. This was because they had been returned by officers who were not engaged in Neighbourhood Policing, specifically:

- Five questionnaires returned by officers serving in Child Abuse Investigation Units
- One anti-social behaviour co-ordinator
- One member of staff from a domestic violence unit
- One MAPPA (Multi-agency Public Protection Arrangements) co-ordinator

Whilst all these officers worked with children and young people, their contact was in specialist roles specifically excluded from the sample group.

The total number in the sample was therefore 198.

An enquiry to the Force’s Neighbourhood Policing Implementation Team leader provided the number of sergeants, police constables and PCSOs fully engaged in neighbourhood policing at the time the questionnaire was distributed. From this, the overall return rate could be calculated. Table
4.1 shows the results. The questionnaire returned by a special constable and the one on which the role was omitted were not excluded for the purposes of calculating the overall return rate. Other issues with the accuracy of the data are noted in the table.

<table>
<thead>
<tr>
<th>Rank</th>
<th>No. in sample population</th>
<th>No. questionnaires received</th>
<th>% return for rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspector*</td>
<td>44</td>
<td>4</td>
<td>9.09%</td>
</tr>
<tr>
<td>Sergeant#</td>
<td>79</td>
<td>15</td>
<td>18.99%</td>
</tr>
<tr>
<td>Constable#</td>
<td>330</td>
<td>95</td>
<td>28.8%</td>
</tr>
<tr>
<td>PCSO</td>
<td>316</td>
<td>82</td>
<td>25.95%</td>
</tr>
<tr>
<td>Overall response</td>
<td>196</td>
<td></td>
<td>25.5%</td>
</tr>
<tr>
<td>Special Constable</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Neighbourhood Policing formed part only of Inspectors’ portfolios
# A number of posts/roles overlap with Neighbourhood Policing, for example schools officers, and these may not have been included in the count in a consistent fashion

A return rate of 25.5% is a good response rate in comparison with other police staff surveys.

4.11 Data cleaning

All data from the 198 accepted questionnaires was entered onto an Excel spreadsheet. This was undertaken in order to facilitate analysis. All data entry was double-checked for accuracy at least 24 hours after being initially entered, and any anomalies in the data were considered at this stage. The Excel spreadsheet was kept in a password-locked directory whilst work on the data was undertaken. Respondents were identified on the spreadsheet only with a number.

Inevitably questions were occasionally interpreted or answers offered in an unexpected fashion. A number of decisions were therefore made regarding the data to ensure consistency and accuracy.
• Where fields were left blank, they were left blank on the spreadsheet unless the answer was given elsewhere, for example form 146 where ‘do you have any children under 18?’ had been left blank, but an age group then selected; or form 42, where the age group 0-4 had been amended to read ‘1’.

• Two questions required a percentage as an answer (percentage of offenders dealt with who were under 18, and percentage of victims dealt with who were under 18). Some respondents gave answers which were less specific than an actual percentage, for example ‘over half’. A number of decisions were made so that ‘over half’ became 60%, etc. As a result, the totals obtained for these two questions should be treated with caution. However, since the intention was to identify how officers saw the young people to whom they responded, the questions were not intended to indicate exact figures and the decisions taken as to how this data would be entered onto the spreadsheet were recorded and consistent.

• Where it was very obvious that completely the wrong word had been used in an answer regarding bad behaviour by young people (form 101), the word ‘gestations’ was amended to ‘gestures’.

One particular question caused the greatest problems from the point of view of data entry. This was the question which required respondents to ‘rank’ a set of factors from 1 to 10 with 1 being the most important (high) and 10 being the least important (low). From the answers given, it was very obvious that a number of people had misinterpreted this and had scored 1 as (low) and 10 a (high) instead of the other way around.

This potential for misinterpretation unfortunately did not appear during the pilot of the survey tool, although it did occur when the same exercise was conducted with a ‘control’ group of youth justice workers at a NACRO conference later that year.
The anomaly was clear because ‘the gender of the young person’ was generally marked very low and ‘protecting the public’ and/or ‘victim’s wishes’ (a clear statement of the police role), and ‘seriousness of offence’ and/or ‘victim’s wishes’ were marked very high on the majority of forms. It was unlikely that respondents would believe the gender of the young person to be of primary importance when dealing with them, or protection of the public to be the least important. It became apparent that the instructions for the ranking had not been made sufficiently clear. The decision was therefore taken that where it was obvious that the question had been misinterpreted, the ranking of the responses would be reversed. The following table shows the records which were amended.

<table>
<thead>
<tr>
<th>Record No.</th>
<th>Ranking of indicator responses</th>
<th>Action taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Gender = 1; protecting the public = 10</td>
<td>Reversed</td>
</tr>
<tr>
<td>182</td>
<td>Gender = 1; victim’s wishes/protecting the public = 10</td>
<td>Reversed</td>
</tr>
<tr>
<td>89</td>
<td>Gender = 0; victim’s wishes = 10</td>
<td>Reversed</td>
</tr>
<tr>
<td>147</td>
<td>Seriousness of offence/protecting the public = 10</td>
<td>Reversed</td>
</tr>
<tr>
<td>195</td>
<td>Gender = 1; victim/protecting the public = 8</td>
<td>Reversed</td>
</tr>
<tr>
<td>27</td>
<td>Gender = 1; protecting the public = 8</td>
<td>Reversed</td>
</tr>
<tr>
<td>152</td>
<td>Gender = 1; victim/protecting public/seriousness = 10</td>
<td>Reversed</td>
</tr>
<tr>
<td>161</td>
<td>Gender = 0; seriousness = 10</td>
<td>Reversed</td>
</tr>
<tr>
<td>9</td>
<td>Gender = 1; victim/protecting public/seriousness = 10</td>
<td>Reversed</td>
</tr>
<tr>
<td>126</td>
<td>Gender = 1; seriousness = 10</td>
<td>Reversed</td>
</tr>
</tbody>
</table>

Several respondents had also chosen to use a limited set of numbers to respond. Record 5 showed everything as 1 (high) except gender, which was scored 10 (low). This was entered onto the Excel spreadsheet as given. Several respondents had marked some of the answers with an X rather than a number and left the remainder blank; for these, X was entered onto the database as 1 (high) and blank spaces as 10 (low). One
respondent did not answer this question, and this section of the spreadsheet was left blank.

With the exceptions noted above, data quality was considered to be good.

4.12 Data analysis

Analysis of the data from the questionnaires was undertaken in three stages. The initial analysis largely comprised frequency counts, that is the number of times each possible answer was given in those questions which were structured. For the purposes of this analysis, data from police officers were separated from data from PCSOs to facilitate comparisons.

Where doing so would clarify or add value to the analysis, cross-referencing was undertaken. This was undertaken using extracts from the Excel worksheet. Anomalies in the data were noted and patterns and tendencies identified. Any exceptions were considered. This approach was chosen because the dataset was sufficiently small to allow for manual analysis.

In the second part of the analysis, consideration was given to what the quantitative data indicated about the primary research questions. Information from the two ‘open’ questions was considered at this stage. At the conclusion of stage two of the data analysis, a list of themes and areas for further investigation was drawn up and used to formulate the questions for the follow-up interviews.

The third analysis stage was conducted after the interviews and will be described later in this chapter.
4.13 Designing the interview questions

As has been stated, at the completion of the initial analysis of the completed questionnaires, consideration was given to the design of the questions to be used in interviews.

At this stage, the design of the intended interviews was given further consideration. In particular, the possible use of vignettes was revisited. This would allow for comparable data on how officers and PCSOs might deal with particular incidents. This would not, however, enable the researcher to draw out responses relating to hypothetical links among concepts. In addition, time and resource constraints meant that the number of interviews would not allow for a sufficiently broad sample. Finally, only a limited number of vignettes could be used, which would fail to cover the broad range of situations officers and PCSOs might encounter when dealing with children and young people.

It was concluded that semi-structured interviews using probes and prompts still represented the most appropriate methodology. Since the purpose of conducting the interviews was to seek opinions and perceptions, it was decided to prepare a list of open-ended guiding questions which could be expanded upon during the course of the interviews, allowing further questions to arise as a result of the discussion. This flexibility, it was felt, would allow people to participate on their own terms. It was acknowledged that content analysis would be required to draw themes from the resulting transcripts and to give an account of the different opinions those interviewed had about the identified themes.

The wording of the questions was kept simple. A set of questions was drawn up which was used with only minor changes for the PCSOs and the officers; changes between the two groups were purely to take account of their different roles and powers. The questions used can be seen at
Appendix B. Care was taken to avoid leading questions. Some questions took the form of requests for information, particularly in the early part of the interview. Later, an exploratory diagnostic approach was adopted, in particular ‘tell me about ....’ questions which could be expanded upon during the interview as ‘how do you feel’ or ‘why do you think this happened?’ or with requests for more information such as ‘what did you do then?’

The main areas explored were:

- Opening questions about the neighbourhood being policed
- Young people as victims – types of crime reported, issues for young people reporting crime
- Young people as offenders – how subject gets involved with young people, how they are dealt with
- Multi-agency working
- Young people’s behaviour, in particular that of younger children and girls
- Subject’s opinions of why young people offend
- Sanction detections
- Training

The final questions used as interview prompts are included as Appendix B.

4.14 Selection criteria

The research design and timescales allowed for 12 interviews. Candidates for interview were selected from those who had expressed an interest when completing the questionnaire. The selection process took into account the age, gender, length of service and attitudes of the volunteers in order to obtain as broad as possible a cross-section of the survey population. A selection of candidates was identified for each category (that is, several who had short service, several who had long
service etc.), an initial ‘set’ was identified and this set was contacted to establish whether they were still prepared to take part.

This proved a difficult stage of the process. The time which had passed since the survey was conducted meant that many of those who had originally volunteered were no longer interested in taking part in interviews, or they had moved on into roles which no longer made them suitable or willing to take part in the research. The search for a suitable set of candidates extended into the time expected to be used to conduct the interviews; however the twelve candidates who agreed to take part still represented a fair cross-section of the survey population.

Unfortunately four of the final selection were unable, in the event, to attend the arranged interviews. Two candidates were unable to attend due to operational constraints. A third suffered an unexpected bereavement. A fourth was taken ill. Although fewer interviews had been conducted by the end of the scheduled time than had originally been planned, it was decided not to extend the interview period since ongoing changes within the force structure and in national guidance would begin to impact negatively on the internal consistency of the research.

The interviews were conducted between 24th April and early June 2008, and the final number of interviews used in this research was eight.

### 4.15 Introducing the interview candidates

The names of all candidates have been changed to preserve their anonymity. The ‘neighbourhoods’ they police are also not named.

Candidate one: Ann is a 43-year-old Police Community Support Officer with two years’ service. She polices a growing rural village with around 7,000-8,000 population, of which 2,000 are children and young people.
Candidate two: Adam is a 40-year-old Police Community Support Officer with two years’ service. He polices a mainly rural area with fourteen parishes and one town of around 13,000 people. There are several schools in the area, including a very large secondary school.

Candidate three: Beatrice is a 36-year-old Police Community Support Officer with eight months’ service. There are a high number of primary schools in the area she polices, in which one quarter of the population is under 18.

Candidate four: Camilla is a 29-year-old police constable who has just joined CID after a period on a core reactive shift. She has six years’ service.

Candidate five: Barry is a 52-year-old Schools Officer with 28 years’ service. He is based within a Neighbourhood Policing team and works across two secondary schools and their primary school ‘feeders’.

Candidate six: Colin is a 42-year-old police constable with eight years’ service. The neighbourhood he polices is part of a large town with an ethnic minority population which is higher than average for the police force area.

Candidate seven: Donald is a 42-year-old police constable with 21 years’ service. He polices a town centre.

Candidate eight: Eddie is a male police officer with nine years’ service, partially in another force. He polices a neighbourhood comprising eight villages of around 2,000 population each and a large business park.
4.16 Conducting the interviews

As has been stated, the interviews were conducted between 24th April and early June 2008. This allowed for transcripts to be completed within a reasonable time of each interview and ensured the researcher’s memory of the interview was fresh, assisting accurate transcription.

When preparing for the interviews, care was taken to ensure that the candidates’ anonymity would be preserved. The researcher did not write down the location of interviews or identity of interviewees, and was careful to ensure her supervisors were aware of the need for confidentiality.

All interviews were conducted in the same fashion. Each candidate was permitted to select the location of the interview, and all chose to meet the researcher at their place of work. This meant the candidate was able to control the commitment required of them in relation to time given, and had the option of withdrawing if the interview became uncomfortable for them. This also assisted in balancing out the perceived power differential between the interviewer’s role and the candidates’ position within the organisation, although as Carrick, Mitchell and Lloyd (2001) note, ‘the power dynamic between researcher and participant is different for each participant according to their own sense of power and how they view the researcher’.

Once both parties were seated, permission was sought by the researcher to tape record the interview, and the question of confidentiality was discussed. One candidate at this stage requested additional proof of the researcher’s identity.

Each interview was scheduled for one hour, and this allowed sufficient time for all questions to be put to the candidates.
At the start of the interviews, there was a noticeable tension in all the candidates. Alder et al (1992) note the defensiveness of many police officers in relation to ‘outsiders’ asking them questions. In this case, the candidates knew that the researcher came from ‘headquarters’ and was a manager. The interviewer was regarded as ‘other’. However, because the interviewer had considerable experience of working with police officers and staff, she was able to establish an early rapport. There was a noticeable moment in all interviews where the subject relaxed and began to answer more openly. Alder et al (1992) note that notoriously wary police officers are still desirous of, “An opportunity to provide their side of the story, to indicate their problems and dilemmas, and to express their ideas on what could be done to improve the present situation.” The difficulty for the researcher was to ensure that the rapport did not lead to the subject being ‘led’.

The interviews were semi-structured in that the interviewer had a list of ‘prompts’ which covered a range of topics; however, if the subject addressed a relevant subject, the interviewer allowed them to continue, with the question order being changed accordingly. New questions were also allowed to arise as a result of the discussion. The process was a relatively informal, relaxed discussion based around the topic of how the subject worked with young people and what they thought about the young people with whom they came into contact.

The interviews all opened with the respondent asked to describe the area they policed and the issues identified in their neighbourhoods. Their views were then explored in depth on how often young people reported crime and whether they might have any difficulties in doing so. They were then asked about how they became involved with young people and the kinds of risks they assessed. In particular, the researcher looked for the subject’s views about the young people they dealt with, whether they felt there were conflicting imperatives operating, and how they responded to
them. Their knowledge of and views about young people were investigated, and their thoughts about the causes of youth offending explored. The interviews concluded with some questions about the training they had received in order to work with children and young people.

It should be noted that the researcher was careful not to give false expectations to the interview candidates, for example by implying that any suggestions they might make during the survey stages of the research would be guaranteed to be adopted by the sponsor organisation. This was particularly relevant because of the researcher’s role within the organisation, which might have been perceived as having the power to implement change, which was not in fact the case. This was in keeping with ethical considerations.

The researcher’s experience of conducting these interviews was similar to that of conducting a ‘restorative justice conference’. Once the candidate ‘opened up’, they became quite effusive and when the interview concluded, in all cases it was necessary for the researcher to take the time to talk the candidate ‘down’.

The analytic process evolved during the data collection as data gathered shaped ongoing data collection, for example when issues dealing with groups was raised in an early interview the subject was touched on again by the researcher in later interviews (Miles and Humberman 1984). This is almost inevitable in qualitative research where a single researcher undertakes all the interviews (Pope et al 2000).

Upon completion of the interview, the tapes were removed from the machine and given a unique interview identifier which did not include the name of the interviewee or the location in which the interview had been conducted. These tapes were stored in a secure location at the researcher’s home address.
4.17 Coding and analysing the interview data

Once each interview was concluded, the tape was transcribed by the researcher, with each transcript being numbered in accordance with the tape. The average length of the transcripts was 13.25 pages, single line spaced, with the longest being seventeen pages and the shortest nine pages.

After each transcript was completed it was checked for accuracy, the tapes were wiped clean and the transcripts stored in a secure location at the researcher’s home address.

Technical issues with the tape recording equipment meant that not all responses by interviewees could be clearly transcribed. Where this occurred, no attempt was made to ‘guess’ at the inaudible section or sections of the tape. This ensured the transcription process was rigorous.

The transcripts were then colour-coded so that individual subjects could be identified. The transcripts were read and re-read to identify regularities and themes (Rubin and Rubin 1995). Patterns within the data and links between concept became apparent as the analysis progressed. Individual topics were isolated and filed alphabetically to enable cross-referencing. Consideration was given to using a computer package such as SPSS to analyse the data; however initial text analysis demonstrated a marked lack of common words, although similar phrases were noted. A paper system was therefore utilised, enabling the researcher to become well acquainted with the data (Pope et al 2000) and to pursue emerging avenues of inquiry in more detail, holding the subject of the research in mind at all times. At this stage the researcher also looked not only for examples that supported the hypothesis but also where what the interviewee said appeared contradictory to the response the researcher expected.
Once the interview data were coded, the third stage of analysis was undertaken. Topics identified were cross-referenced to the appropriate part of the thematic framework from the questionnaire analysis, with descriptive evidence being used to further evidence findings. This also served to define concepts and find associations between themes to support or provide explanations for the findings (Pope et al 2000). Consideration was given to plausible alternative explanations for the findings. The researcher in particular looked for what was corroborative, what was contradictory, and any noticeable relationship. Finally, ideas were grouped together.

To address the main research questions, that is how officers operationalise the conflicting policy imperatives relating to children and young people upon which they are supposed to act, the data were analysed to identify approaches and attitudes which would indicate officers and PCSOs responding in a punitive fashion to the young people they were dealing with, with or without the impetus of sanction detection targets, or alternatively how frequently they adopted approaches more akin to the ‘Every Child Matters’ ethos. Each of the hypotheses listed in section 4.2 were tested in turn.

Despite strategic implementation of the ‘Every Child Matters’ guidance, enquiries made with front-line officers during the time the questionnaire was in preparation indicated that the specific language of ‘Every Child Matters’ had not registered with officers. It was, however, the impact of the ethos of ‘Every Child Matters’ which was under consideration. In order to identify ‘Every Child Matters’ approaches without leading the subjects, the researcher opted to look for occasions on which the common core skills for working with children and young people were used. This skill set was originally proposed in the ‘Every Child Matters’ green paper as ‘a common core of training for those who work solely with children and families and those who have wider roles [such as GPs and the police]’
(dfes 2003). Following consultation, the final version was published by the Children’s Workforce Development Council (CWDC) in 2005. It was decided to focus on these skills since ‘all will need to understand at least the most important aspects of each of the six areas of expertise in a way that is relevant to the context in which they work’. (CWDC 2005)

The six areas included in the Common Core of Skills are:

- Effective communication and engagement with children and young people
- Child and young person development
- Safeguarding and promoting the welfare of the child
- Supporting transitions
- Multi-agency working
- Sharing information

There was an underlying assumption here that officers and PCSOs would incline towards one or the other approach, whilst at the same time it was acknowledged that these were not two mutually exclusive positions.

### 4.18 Issues with the analysis

As has been noted above, only eight interviews were completed as part of this research, and not all the interviewees addressed the same subjects. While the number of interviews was small, however, each contained a wide variety of information about the practice of officers and PCSOs when working with children and young people. Kvale (1996) notes that consistent and recurring patterns can be identified even in a small sample. The researcher acknowledges, however, that people do not always respond in the same way, and examples given in an interview present only a small subset of officer activity.
Further, as Geertz (1990) noted, ethnographic research has difficulty getting at an adequate description of objective reality, since people tell researchers what they believe to be their motivations, but their actions may contradict their statements. In addition, analysis of stories is not a neutral activity. The activity of the researcher imposes order. As Loader (1996) notes, ‘the option of presuppositionless interpretation is not open to us ... the process of reconstructing meaning is always also dependent upon the particular concerns and starting point of the reader’.

In addition, both sets of data originate with individuals and the researcher acknowledges the difficulties inherent in extrapolating from individuals to groups. Extracts from the interviews have therefore been used largely for illustrative purposes rather than as an indication of the extent of particular phenomena.

The self-selection of the respondents to the questionnaire should also be noted. The question must be asked as to whether relationships and differences drawn from the data are a result of sampling variability. Conclusions therefore should be treated as indicative of attitudes in the particular population rather than in the wider population of police officers and staff.

4.19 Ethical considerations

Throughout the conduct of the research, the researcher bore in mind at all times the ethical guidelines of the Social Research Association (2003), the core principles of which outline the researcher’s obligations to society, to funders and employers, to colleagues, and to the research subjects.

The researcher’s obligations to society relate to their integrity and conduct. Since the subjects of the research were officers of the law, it was possible that the survey, or the subsequent interviews, might uncover bad – or even
illegal – practice. Considering the role of the research population, there was potential for conflict between the guarantee of confidentiality versus the researcher’s common law duty to inform should any public protection issues be uncovered.

Prior to undertaking the research, the question was considered at length and the decision was taken that such occurrences could only be dealt with on a case-by-case basis, balancing the dignity of the research subject with the degree of misconduct. In the case of minor infringements, for example the use of bad (but not actually illegal) practice, it was decided that should this occur, words of guidance could be issued to the whole survey population at the conclusion of the research without identifying a particular individual. It was deemed unlikely that the questionnaire would elicit responses indicating more serious infractions, and concluded that if an individual in interview revealed a situation whereby they or any other person was in breach of the law they were employed to preserve, then that infraction would have to be challenged at the time it was made, the interview halted and the individual advised that action would have to be taken by reference of the matter to the sponsor organisation’s professional standards department.

It should be made clear that no such serious infractions were uncovered. A minor issue was revealed where guidance on the issue of Penalty Notices for Disorder (PNDs) was being infringed; this was dealt with by the issue of a reminder to all officers and staff of the standard operating procedure for PNDs.

Turning to the researcher’s obligations to their employer/funder (the same body), it was important that the researcher maintained professional integrity and avoided bias. The researcher’s relationship and commitment to the sponsor organisation had to be clear and balanced. In the event, the sponsor organisation, after providing part funding for the research, did
not interfere in any way in the planning or conduct of the research. They had no involvement in deciding the nature or extent of the research conducted, and expressed no desire to view the final report prior to its submission, although they did require that a copy be submitted to the Force library.

As an employee, however, the researcher was subject to a clear code of conduct and conditions of employment. The nature of the research undertaken did not impinge upon either of these in any way, and the researcher has made every attempt to avoid adopting a biased viewpoint with a view to providing information rather than advocacy.

Turning to the researcher’s obligation to colleagues, consideration was given at an early stage in the development of the research to maximising the validity of the data collection and analysis processes, and to ensuring that analysis of both quantitative and qualitative data was rigorous and systematic. Within the constraints of preserving the anonymity of the research subjects, every effort has been made to clearly indicate the methodology utilised to undertake the research project, and to provide sufficient information to allow assessment. To that end, wherever relevant, the researcher has indicated details of any perceived issues or shortfalls in the collection of or analysis of the data collected.

Lastly, throughout the research every effort has been made to ensure that obligations to the research subjects were met. As noted in section 4.10, taking part in the survey was the choice of the sample population. It was therefore important to ensure that the respondents clearly understood the purpose and relevance of the study (Kumar 2005). This is particularly important when using a questionnaire because the respondents have limited opportunity to seek clarification of any points. For this reason, the questionnaire, as described in section 4.8 above, opened with a clear statement as to why the information was being sought, and the purposes
to which the replies would be put. It also confirmed that the questionnaire could be returned anonymously, and that the researcher would ensure that no specific officer could be identified in the pages of this thesis.

No rewards or incentives were offered for completing and returning the questionnaire.

To preserve anonymity and the security of the data, questionnaires returned electronically were kept securely in a password-locked directory and later copied to a data storage device which was kept locked away. Copies were printed, numbered, and, where the respondent had completed the section giving their name, this section was printed and kept separately from the rest of the questionnaire. Likewise, copies submitted via the post were numbered, separated, and the main section kept in a separate location from the final sheet with details of the respondent.

Data from the questionnaire was transferred to an Excel spreadsheet, which again was kept in a password-locked directory whilst work on the data was undertaken. Respondents were identified on that spreadsheet only with a number.

Likewise, as has been described, each of the eight interviews conducted opened with the researcher ensuring that the subject was fully aware of what was expected of them, how the interview would progress and the use to which the interview transcript would be put. They were assured that the tapes and transcripts would be kept securely. They were reminded that every effort would be taken to ensure they could not be identified from any final reports drawn from the data collected. They were also reminded that taking part in the research was voluntary and that they could stop the interview at any point if they so wished.
In conclusion, every effort was made to preserve the anonymity of the research subjects and to keep secure the data provided by them.

4.20 Limits of the research

This section summarises and discusses the research limitations. As was noted in 4.3, the research was conducted in only one force and it cannot be automatically assumed that the findings would have been replicated in other parts of the country. However, the researcher is not aware of any other similar research conducted at the same time, and the study therefore represents some guidance as to the impact of the New Labour approach.

Secondly, as noted in 4.10, the sample for the survey was self-selected, as were the interview subjects. Every attempt was made by the researcher to ensure that an even spread of opinion was represented, but in doing so it is possible that the research was unintentionally skewed in the interests of ensuring all opinions were represented equally. In addition, as noted in 4.11, a key question which required respondents to grade factors affecting their decision-making was badly worded and open to misinterpretation. The researcher’s attempts to address this in the data cleaning process again may have inadvertently smoothed over genuine differences of opinion.

Thirdly, the researcher misjudged the time it would take to analyse the data from the survey and progress to the interview stage. This led to difficulties in identifying sufficient respondents to take part. The final group identified was then further reduced by circumstances, as described in 4.14, and this led to less qualitative data being collected than had been planned for. As a result these data have been used only as illustrative rather than evidential. Further, the research was conducted at a time when approaches within the force and by the government were changing and evolving very rapidly, and some of the challenges for police revealed
by the research were already being addressed towards the end of the research period.

Fourthly, much of the comparison data discussed in chapter three is from studies conducted in countries outside the United Kingdom and therefore from different cultural, political and socio-demographic contexts. The general principles of protecting the public and the use of public space by young people, however, can be seen as universal.

The issue of extrapolating from individuals to groups has been noted. It should be emphasised that the data collected are about individuals and interpretation at a different level can lead to cross-level inference problems (Dasereau and Markham 1997).

Finally, the position of the researcher within the force where the research took place must lead to questions as to whether it was possible for them to maintain an objective and unbiased approach. They can only state that every effort was made to maintain a neutral approach to the personnel in the study and the data obtained.

The next chapter will describe the findings from the research.
CHAPTER FIVE – THE RESEARCH

5.1 Introduction

This chapter will show the findings of the research described in chapter four. The purpose of the research was to test a number of hypotheses relating to the research question, namely:

1. Officers will be more responsive to the ‘Every Child Matters’ policy imperatives;

2. Officers will be more responsive to the criminal justice imperatives;

3. Managerialism will trump both sets of policy imperatives because it is in the officers' interests to respond to the demands of management;

4. Both sets of policy imperatives and managerialism notwithstanding, officers will resort to ‘common sense’ responses informed by their own lay criminologies, scales of values, police culture, and police ‘practice wisdom’.

The overall aim of the research is to establish how officers operationalise the tensions between the punitive and ‘Every Child Matters’ approaches identified in chapter two.

The findings are presented by theme. Each section will include data from the questionnaire, supported and illustrated where relevant by quotes from the interviews.
The first section presents the characteristics of the study population. This section outlines the age and length of service of officers and Police Community Support Officers included in the sample. It includes data and comments relating to the level of training officers felt they had received in order to work with children and young people.

The next section explores where, when and how officers encounter children and young people. It also considers evidence that the numbers of young people gathering together has increased.

Section 5.4 will present findings relating to the factors affecting officer decision-making. It should be noted that evidence from the National Crime Recording Standard question in the survey tool and from interviews will indicate that the impact of managerialism was higher than it was graded. Discretion will also be considered in this section.

The penultimate section will present findings about how officers and PCSOs view the young people with whom they come into contact. It will include their views on young people’s offending behaviour, the level of victimisation of young people, and the frequency with which young people are consulted in neighbourhood audits.

The final section will draw together evidence for and against each hypothesis listed above, and conclude that officers hold a wide variety of attitudes and apply these within the constraints of managerialism.

The findings will then be further discussed in chapter six.

5.2 Characteristics of the study population

As previously stated, the sample comprised eighty two Police Community Support Officers (PCSOs) and one hundred and sixteen Police Officers.
The majority of the officers were police constables whilst 3% were inspectors (four officers) and 16% were sergeants (nineteen).

Officer age ranged from 23 to 58, with the majority between 25 and 45. 74% of officers (eighty six officers) were male. PCSO age ranged from 16 to 59, with the majority between 20 and 54, a slightly younger profile than for the officers. 51% of PCSOs (forty two PCSOs) were male, a much lower percentage than officers. Comparison of age is shown in chart 5.1.

![Chart 5.1 Age of respondents](image)

Length of service for officers ranged from under one year to twenty nine years, with a relatively even spread. PCSOs were created by the Police Reform Act 2002, and the maximum length of service therefore possible for them at the time of the research was five years. The majority of PCSOs in the study population had under three years’ service.

The survey tool contained a question asking whether respondents had children under the age of eighteen. When the survey tool was designed, it was thought that respondents with children might show a more lenient
attitude towards young people they encountered as part of their roles. On analysis of the data no noticeable differences emerged. One PCSO offered an observation about this:

“I was worried about engaging with large groups on my own when I was to go independent – I don’t know if I can say it’s because I haven’t got any children of my own, I don’t think it’s that, I’ve had this conversation with officers that have got children and they say that doesn’t really matter, whether you’ve got children or you don’t, it’s how you approach them, what you say, what you do that basically affects the reaction that you get ...” (Ann).

Respondents were also asked whether they engaged in any activities outside of work that involved children and young people. 26% of officers and 28% of PCSOs answered yes to this question. Types of activity were broad, with organised activity (Army Cadets, Boys Brigade, Scouts etc) and sport (hockey, football, rugby, etc) forming the largest groups. Several PCSOs listed ‘school governor’ under this heading.

Training

All respondents were asked whether they had received training to work with children and young people at risk of becoming offenders, and those at risk of harm. The results are shown in chart 5.2. The low level of training reported by officers and PCSOs relating to young people as offenders was not unexpected; however the low level of knowledge relating to young people at risk of harm was unexpected and worrying. Of those who reported having had training, most had received this either in previous employment or because they had served as part of a specialist child protection unit during the course of their career.
Whilst at the time the research was conducted all newly appointed officers and PCSOs were receiving some input relating to children under the age of eighteen both as offenders and victims as part of their basic training, that came as part of an extensive curriculum and it would appear was not remembered.

This lack of training resulted in follow-up questions being included in the interviews to enable the subject to be further explored. One officer with over twenty-five years’ service reminisced about the ways in which officer training had changed during his time with the Force:

“... the training, where the new recruits are trained, has changed vastly. I mean I probably wouldn’t even be able to tell you how they’re trained ... 27 years ago when I joined it was ten weeks at training establishment, ten weeks there, then back onto your area, then so many weeks back at another one.” (Barry)
One constant of the various schemes, he went on to say, was that constables were always ‘paired’ with more experienced officers. This, however, brought its own problems:

“I think as the years have gone on, the tutor constables have got less and less service, and so they’ve got less and less experience, so – some of them, at some point, were hardly out of their two years themselves ... my idea of a tutor constable is that they’re a police officer that’s got ten years or more service ... I think sometimes there was a little bit of lack of experience teaching new people that are coming in, so the training’s falling down.” (Barry)

No officer interviewed had any positive response when asked about training to deal with children and young people.

“I think there is a gap.” (Donald)

“I don’t think I really had any training.” (Camilla)

“None whatsoever.” (Colin)

“Training? What training?” (Barry)

One officer questioned whether it was possible to be trained on how to communicate with young people:

“I don’t think training can help you ... you can’t train on how to engage with kids. You can’t train people to go and talk to people.” (Colin)
PCSOs were also concerned about the quality of training they received, in particular issues relating to the content and the lack of apparent understanding by officers on what PCSOs could and could not do.

“Out of my five week classroom-based training, three weeks of it was what I couldn’t do ... it didn’t give us enough depth, which tended to leave you a bit out of it – a bit out on a limb when you came on Area. You tended to learn most of it from your tutor PCSO, which is OK if they’re any good ... some of my neighbourhood officers don’t know what I can and can't do.” (Adam)

“We would have in great detail explained to us what you would do in this situation if you were a PC and then they would say at the end of it but you are not going to do this because you’re not expected to arrest people.” (Beatrice)

This lack of depth extended into training about children and young people. Although PCSOs expected to spend a large percentage of their time dealing with children and young people (see section 5.5 below), their training failed to reflect this.

“As far as I remember there was no training specifically dealing with young victims, there was no programme that would say right, you’re dealing with a 14-year-old victim ... there was no structure in place to say look, you will be dealing with kids and this is what you need to do. Our role primarily involves a lot of kids and yet ... we’re sort of given our powers and told there’s your powers, go and apply them ... and that’s effectively it.” (Adam)
“We haven’t had any training regarding dealing with children as offenders.” (Ann)

Beatrice felt, like Andy, that communication was not a skill that could be taught.

“I think the ability to manage other people’s reactions – and that is quite a big thing of policing young people anyway – I think that is a thing that comes with experience and practice, and your confidence developing.”

All three of the PCSOs interviewed exhibited a lack of knowledge about the youth justice system.

“You’d just get a caution and that would be it, wouldn’t you?” (Ann)

“When you got magistrates court you got in brackets juvenile court.” (Adam)

“If the person was under 18 the chances are it would be thrown out anyway.” Beatrice.

The opinions of the PCSOs regarding their training can be summed up by Adam:

“Somebody needs to take a good, hard look at the initial training for PCSOs, probably kick some of it into touch and structure it more toward what we do on a day-to-day basis.”

96% of PCSOs stated that they would like more training on young people both at risk of becoming offenders and at risk of harm. 69% of officers
wanted more training on young people at risk of becoming offenders, and 79% on those at risk of harm.

“I think it would be helpful to have some training regarding youth behaviour, child behaviour – not necessarily how to engage, because I can do that – I think we need to have more training on how to work with them, what we do, what advice to give them, how to encourage them to do something different with their lives – it’s more sort of like training in child awareness, I think, and sort of how to be there for them without being smothering.” (Ann)

Asked about preferences in how they would like to be trained, both PCs and PCSOs were dismissive of e-learning:

“I don’t think we learn much from those things.” (Donald)

“I just whizz through it as quick as I can, get to the answers at the end and hope I get a pass mark.” (Camilla)

“You might learn a little bit but I wouldn’t say you remember too much – to me, I have to read something several times for it to sort of, shall we say, stick.” (Barry)

“I think the e-learning packages are pretty difficult to remember.” (Adam)

“For the PCSO role a lot of them aren’t directly relevant.” (Beatrice)

“I do think that these learning packages, you sit down and spend an hour and a half doing them and you get your mark, and it’s like, yeah, tick in the box, all done.” (Ann)
Where a preference for training approaches was stated, face-to-face training by experienced peers was the preferred method.

“It should be done by a trainer ... you can’t ask a computer a question.” (Colin)

“If I’ve got someone standing up in front of me telling me from their own experience, and a colleague to chat with afterwards, it stays in my mind.” (Camilla)

“I think briefings are a good way to do it because ... you can have a little bit of conversation back and forwards about it and then you might pick up on that and think oh, he’d be a good person to ask, because obviously he knows what he’s doing ...” (Barry)

Two officers suggested multi-agency training would be beneficial.

Opinions differed on aides memoires such as laminated cards, with some finding them helpful and others less so.

“I’ve got loads of them, they’re all stuffed in a drawer.” (Barry)

In summary, both officers and PCSOs in the sample came from a broad range of ages and, in the case of officers, length of service varied considerably. Many had children of their own, and a number engaged actively with young people outside the work environment. However, officer and PCSO training was found to be weak. This indicates strongly that both officers and PCSOs were bringing to their involvement with children and young people their own experience and attitudes, and this would be illustrated by inconsistent behaviour when dealing with them.
5.3 When, where and how officers encounter children and young people

This section presents findings relating to the locations at which officers and PCSOs most frequently encounter young people, the time of day at which that occurs, and the method by which the encounter occurs. It gives consideration to the impact of the visibility of young people and presents findings relating to the size of groups of young people encountered and perceptions as to whether young people gather in larger groups than they have done in the past.

Time of day of contact

The survey tool asked respondents to indicate the time of day when they were most likely to have contact with young people. Many officers and PCSOs indicated more than one time; the chart therefore shows the number of ‘votes’ for each time of day.

![Chart 5.3 Time of Day](chart.png)
Most contact with young people is in the evening/night time. The least likely time to have contact with young people is in the morning. This could result from fewer calls to the police regarding young people’s behaviour when they are, or are perceived to be, en route to school, or because fewer officers are rostered for early ‘shifts’ as crime and anti-social behaviour calls are more frequent in the evenings. Additionally, officers may be inclined to ‘clear’ email boxes and deal with paperwork in the morning before going out on patrol in the afternoon and evenings, when more crime and anti-social behaviour is expected to occur.

**Location of contact**

The survey tool offered a ‘menu’ of options for the location where young people were most frequently seen; there was also an option for respondents to indicate and name other locations where they expected to encounter young people. Again, respondents voted for more than one option, and the results are therefore given as ‘votes’ for locations. The locations in the second section of the table are those included under the ‘other’ category.

Noticeably, no respondent referred to seeing young people in their homes; the majority of locations indicated are exterior locations. This supports the findings of previous research described in chapter 3.2 relating to the visibility of young people in open/public spaces (for example Loader 1996; Dwyer 2007).

The types of locations indicated by both officers and PCSOs are similar; more officers see young people in shopping centres, whilst more PCSOs indicated sports/leisure clubs, but these are minor variations.
**Table 5.1: Location(s) where young people are seen**

<table>
<thead>
<tr>
<th>Location</th>
<th>PCs</th>
<th>PCSOs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks/recreation grounds</td>
<td>95</td>
<td>72</td>
</tr>
<tr>
<td>Local shops</td>
<td>81</td>
<td>53</td>
</tr>
<tr>
<td>Housing estate</td>
<td>71</td>
<td>55</td>
</tr>
<tr>
<td>Town centres</td>
<td>36</td>
<td>32</td>
</tr>
<tr>
<td>Shopping centres</td>
<td>33</td>
<td>13</td>
</tr>
<tr>
<td>Schools</td>
<td>32</td>
<td>31</td>
</tr>
<tr>
<td>Children's homes</td>
<td>17</td>
<td>2</td>
</tr>
<tr>
<td>Sports/leisure clubs</td>
<td>16</td>
<td>21</td>
</tr>
<tr>
<td>Pubs</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>None</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Loitering in the street</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Open spaces</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Car parks</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Village halls/churches</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Woodland/fields</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Building sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>YMCA</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>McDonalds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital A&amp;E</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Churchyards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus shelters/concealed places</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Biking on the road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alleyways</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Table 5.2: Location(s) where young people are seen (control sample)**

<table>
<thead>
<tr>
<th>Location</th>
<th>Group 1</th>
<th>Group 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shops</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Parks/open spaces</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Outside schools/youth clubs</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Large public spaces</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Arcades/beach (seaside) *</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Anywhere well lit</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Stairwells in estate blocks</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Bus stops</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Disused private spaces/alleyways</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>On the street</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Outside off licences</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Parish halls/community centres</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Sports facilities</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>In the street (on garden walls)</td>
<td></td>
<td>Yes</td>
</tr>
</tbody>
</table>

* There are no seaside locations in the Force where the research was undertaken, so this response would not appear.
In order to establish whether this reflected the view of other professionals engaged in working with children and young people, two workshop groups at the NACRO conference in April 2008 comprising youth justice professionals were asked the same question about where they thought police were most likely to see young people. The response (see table 5.2), although from a small sample, indicated similar expectations about where young people were most likely to be encountered. Here respondents were not asked to indicate against a list but were asked to ‘shout out’ locations.

**How young people are encountered**

Both officers and PCSOs were asked in interview how they were most likely to encounter young people. Officers stated that the majority of incidents they attended were at the direction of the control room, that is they resulted from calls from members of the public. PCSOs, who were expected to patrol regularly on foot, referred also to encountering young people in the course of such patrols.

“It’s a bit of both, really ... I’m directed by the control room, or I’ll get told by the shopkeepers, or I’m normally there ... I do sort of have an idea what’s going on, who’s causing the trouble as well.” (Colin)

“There’s a very large secondary/sixth form school, I tend to see youngsters of various denominations almost every day, typically ... there’s not a lot of teenagers that appear to hang around.” (Adam)

Eddie commented on receiving numerous calls regarding young people playing football.
“I think that sometimes we’re too quick to maybe jump on the adult’s information that kids might be doing wrong, that we jump at the kids and threaten to move them on, a prime example is (a call reporting) a whole lot of kids outside my house ... and you go to look at it, generally the kid’s outside the terraced houses, the kid lives on the end terrace and he’s been like, you know, playing football, and they call that anti-social behaviour.”

The concern expressed by Eddie that members of the public were calling to report young people who were not doing anything wrong was echoed by others.

“You’d go and speak to a group of kids and tell them to keep the noise down, they would keep the noise down, and then you’d get calls from a resident still sort of – oh, they’re still there, and you’d think well, you can’t have it both ways, you know. You didn’t like them shouting, they’re not shouting now, they’re just sitting there, and you still want them to move on, so I think that they do sometimes get a rough deal.” (Camilla)

“I think they’re getting a bit mixed up between anti-social behaviour and kids just hanging around in groups. There’s a bit of a difference ... people perceive that as – groups of kids as anti-social behaviour.” (Barry)

**Groups of young people**

References to groups of young people occurred regularly in the interviews, with mentions of young people being seen in sometimes quite large
groups. Interviewees discussed whether young people gathered in larger groups than they had in the past, and if so what they thought might be causing that to happen.

“Generally the groups are usually five or six or seven, but then you get to the weekend and you can get anywhere 20, 30, because the weekend – well, it’s the weekend, they all meet up to do, you know, and you’re talking underage drinking and things like that, there’s no doubt it goes on.” (Barry)

“The people who’ve talked about groups of youths loitering as a concern, when you’ve asked them to describe what sort of things particularly they don’t like about that, they find the actual numbers themselves intimidating, even if they aren’t particularly doing anything.” (Beatrice)

“You get more groups – you get groups of like 10-12 kids together, and I know people do find that quite intimidating. Yeah, the groups are getting bigger, perhaps because there are more youths – that’s why people are more scared as well, you know, they wear hoods and they wear baseball caps and because they can’t see their faces they don’t like it – yes, groups are getting bigger, and that’s where the fear comes.” (Colin)

Adam offered a theory as to why groups were growing in size. He believes there has been a shift in behaviour.

“I think the culture’s changed … now it’s really sort of a big gathering group culture, whereas I think 10-15 years ago or
more a couple of kids would just sort of sit on a wall somewhere or they’d sort of go around their mates’.

When asked by the researcher why he thought they were congregating there at particular times, Adam suggested that this was the result of modern technology.

“I think generally they have a pretty effective mobile phone network ... they seem to be able to congregate in an area very quickly, and then if we appear they can disperse and recongregate somewhere equally quickly ... I mean I have seen on a number of occasions I’ve spoken to a couple of kids who were walking about, there’s been no problem, they’ve gone off, I’ve started walking down the road behind them, one of them’s getting a phone call and an hour later I’ll see them as part of a larger group somewhere.”

In summary, PCs and PCSOs saw young people most frequently in open/public places during the evening or night. They were directed to young people exhibiting behaviour seen as challenging by members of the public both by the police control room and by their own observation as they patrolled. Young people were often encountered in groups. These groups were perceived as having grown larger in recent times. One PCSO suggested that this was the result of young people being able to communicate more effectively than they had in the past by using mobile phones.

Researcher: “Do you get calls about groups of four to nine adults, ever?”
Beatrice: “No, interestingly enough, no!”
5.4 Factors taken into consideration in decision-making

This section will present the responses to questions about the relative importance of factors when deciding how to proceed with children and young people.

The level of importance given to the factors will be presented, and then each factor will be considered in turn along with emergent themes.

The section will conclude by summarising how each factor relates to the research question.

Grading of factors

Tables 5.3, 5.4 and 5.5 show the collated responses given by PCs, PCSOs, and the small control group from the NACRO conference in 2008 (see section 5.2). These are ordered from most important (1) to least important (10). ‘Sanction detections’ is not included in the PCSO table because, since they are unable to make arrests, more than half either gave no score at all, scored it as 10 (least important) or marked it as not applicable.

These data should be treated with caution, as there were inconsistencies in the way respondents answered this question. Some graded 1-10 as intended, others used a smaller sub-set of numbers or marks to respond to the question. This is described in more detail in chapter 4, section 11 (data cleaning).

The tables show the comparative totals for each factor. Variations in responses will be considered in more detail below.
### Table 5.3 – Order of importance for Police Officers

<table>
<thead>
<tr>
<th>Factor</th>
<th>Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>The seriousness of the activity</td>
<td>1</td>
</tr>
<tr>
<td>Protecting the public</td>
<td>2</td>
</tr>
<tr>
<td>The victim’s wishes</td>
<td>3</td>
</tr>
<tr>
<td>The young person’s best interest</td>
<td>4</td>
</tr>
<tr>
<td>The age of the young person</td>
<td>5</td>
</tr>
<tr>
<td>The young person’s attitude</td>
<td>6</td>
</tr>
<tr>
<td>Whether the young person is co-operative</td>
<td>7</td>
</tr>
<tr>
<td>The number of young people involved</td>
<td>8</td>
</tr>
<tr>
<td>Obtaining a sanction detection</td>
<td>9</td>
</tr>
<tr>
<td>The gender of the young person</td>
<td>10</td>
</tr>
</tbody>
</table>

### Table 5.4 – Order of importance for PCSOs

<table>
<thead>
<tr>
<th>Factor</th>
<th>Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>The seriousness of the activity</td>
<td>1</td>
</tr>
<tr>
<td>Protecting the public</td>
<td>2</td>
</tr>
<tr>
<td>The victim’s wishes</td>
<td>3</td>
</tr>
<tr>
<td>The young person’s best interest</td>
<td>4</td>
</tr>
<tr>
<td>The young person’s attitude</td>
<td>5</td>
</tr>
<tr>
<td>Whether the young person is co-operative</td>
<td>6</td>
</tr>
<tr>
<td>The age of the young person</td>
<td>7</td>
</tr>
<tr>
<td>The number of young people involved</td>
<td>8</td>
</tr>
<tr>
<td>The gender of the young person</td>
<td>9</td>
</tr>
</tbody>
</table>

The outcome for PCs and PCSOs is very similar, with the seriousness of the activity, protecting the public and the victim’s wishes being considered most important.

The best interests of the young person, their attitude and whether they are co-operative group together in the centre of both tables. Police officers
place the age of the young person higher than PCSOs. The number of young people and the gender of the young person are in the last three for both. Officers placed obtaining a sanction detection very low on the table.

As noted in chapter 3, previous evidence clearly identified the severity of the offence as the most important factor for officers (for example Piliavin and Briar 1964; Alder et al 1992). Contrary to previous research, however, the attitude or co-operativeness of the young person comes lower in the table than might be expected. This could be in part because ‘protecting the public’ was not identified in previous research as a significant factor; this may be because it features more prominently in British policing than in that of the other countries from which the larger part of the research originated.

Interestingly, the results for officers and PCSOs both identify ‘the young person’s best interest’ as more important than their attitude or co-operativeness. This suggests that the young person’s welfare is taken into consideration.

<table>
<thead>
<tr>
<th>Table 5.5 – Order of importance for control group</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Factor</strong></td>
</tr>
<tr>
<td>The seriousness of the activity</td>
</tr>
<tr>
<td>Protecting the public</td>
</tr>
<tr>
<td>The young person’s best interest</td>
</tr>
<tr>
<td>The victim’s wishes</td>
</tr>
<tr>
<td>The age of the young person</td>
</tr>
<tr>
<td>The young person’s attitude</td>
</tr>
<tr>
<td>Whether the young person is co-operative</td>
</tr>
<tr>
<td>The number of young people involved</td>
</tr>
<tr>
<td>Obtaining a sanction detection</td>
</tr>
<tr>
<td>The gender of the young person</td>
</tr>
</tbody>
</table>
The findings for both officers and PCSOs show the victim’s wishes as of considerable importance. This concurs with the findings of previous research (for example Myers 2004). Whether officers perceive young people as victims will be covered in section 5.5.

In the control sample (see table 5.5), a similar pattern can be seen, with the seriousness of the activity, protecting the public and the victim’s wishes scoring high. They do, however, place the young person’s best interest above that of the victim. The control group gender of young person as least important, with sanction detections just above it, exactly as the police officers scored it.

The range of responses is shown in more detail in tables 5.6 and 5.7.

Again, these data should be treated with caution, as both PCs and PCSOs used inconsistent methods for grading the factors. In the case of PCSOs, around 20% scored most factors as ‘1’ and ‘10’ only, or used a small subset of numbers.

| TABLE 5.6: Range of responses to factor questions for officers |
|-----------------|---|---|---|---|---|---|---|---|---|---|
|                 | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| Victim wishes   | 42 | 20 | 27 | 12 | 4  | 1  | 1  | 3  | 0  | 4  |
| Protect public  | 46 | 29 | 18 | 5  | 3  | 2  | 3  | 2  | 0  | 6  |
| Gender          | 1  | 0  | 1  | 2  | 3  | 1  | 4  | 9  | 16 | 77 |
| Attitude        | 7  | 8  | 10 | 8  | 14 | 21 | 13 | 12 | 9  | 12 |
| Seriousness of activity | 47 | 28 | 22 | 6  | 4  | 0  | 2  | 1  | 1  | 3  |
| Number of YP    | 4  | 5  | 6  | 8  | 17 | 12 | 21 | 18 | 14 | 9  |
| Age of YP       | 11 | 6  | 11 | 18 | 17 | 12 | 16 | 7  | 7  | 8  |
| Best interest   | 11 | 9  | 10 | 19 | 27 | 15 | 4  | 7  | 5  | 7  |
| Co-operative    | 7  | 5  | 9  | 7  | 18 | 16 | 8  | 23 | 13 | 8  |
| Sanction detection | 7  | 4  | 7  | 3  | 16 | 2  | 10 | 8  | 12 | 45 |
Each factor will now be considered in more detail, with additional data from both the survey and the interviews considered.

**Seriousness of activity**

As noted earlier in this section, previous research identified the seriousness of the offence to be the most significant factor for officers when deciding on the outcome for an offender; data from this research concurs with this finding. Both officers and PCSOs most frequently selected the seriousness of the activity as the most important factor when dealing with a young person. 41% of officers graded seriousness as the most important factor, and 85% placed it in the top three. Those who scored it lower were those who used a smaller sub-set of available grades.

In the case of PCSOs, 56% identified seriousness as the most important factor, and 89% graded it in the top three. There was only one PCSO who scored this as not important, and that respondent was one who only used ‘1’ and ‘10’ to respond to this question.
Colin, with fewer than ten years’ service, is clear that if an offence has been committed, it should be dealt with.

“... if they cross that line then I will nick them ... once they’re over the line I’ll deal with them ... if the offence is there, you can’t say no, you’re getting away with it mate, sorry, at the end of the day it needs to be dealt with.”

It should be noted that the same officer stated in his questionnaire response that sanction detections were alienating young people.

This theme of ‘drawing the line’ or ‘crossing a boundary’ was repeated in six of the eight interviews.

“So it’s a combination of ... growing up and not being taught where the line is that you cannot cross, and then becoming disenchanted because you’re not being controlled in any way, and therefore you keep going further and further to see where you do reach that line, by which time unfortunately you end up in an ASBO or an ABC or something like that.” (Donald)

“They know that if they step out of line I have to deal with them ... it’s letting the kids understand what will happen if they do do something wrong, if they do overstep the mark and do have to be dealt with then this is how you’re going to be dealt with and this is what’s going to happen, and this is what could happen.” (Barry)

In view of the lack of training for officers and PCSOs on young people who offend, this ‘drawing of lines’ highlights the level of individualisation of approach officers and PCSOs may have toward young people, since
where each of them ‘draws the line’ is based on their own perception of what is, or is not, acceptable behaviour.

“So I don’t think that people are put into the criminal justice system unnecessarily, I think they’re put into the system because of their behaviour, and I think if that’s how they’re going to behave, then that’s the appropriate penalty, if you like – then they have to be responsible for their own actions.”

(Ann)

**The public, the victim and the young person’s best interest**

40% of officers graded protecting the public as the most important factor, and 78% placed it in the top three. For PCSOs, 62% placed this first, and 85% placed it in the top three.

37% of officers graded the victim’s wishes as the most important factor, and again 78% placed this in the top three. For PCSOs, 36% placed this first, and 78% placed it in the top three, which would indicate that they treated the victim’s wishes as of slightly less importance.

23% of officers graded the best interest of the child as of fourth highest importance. Only 10% of officers graded this as of the highest importance, whilst 26% placed it in the top three. There was a wider variation of responses from PCSOs, with 30% placing as of the highest importance and 45% placing it in the top three. Again, this should be treated with caution, as PCSOs were more inclined to use a sub-set of marks to grade factors.
The current police oath explicitly states the need to ‘accord equal respect to all people’. Neyroud and Beckley (2001 p.8) note John Alderson’s work on the theory of community policing in which he saw the police role as ‘one of balancing competing rights’. As can be seen, both PCs and PCSOs tended to score public interest and the victim’s wishes above the best interest of the young person.

The placing of public interest and the victim’s interest above those of young people implies that officers and PCSOs may be failing to balance the rights of the two groups by according more weight to the needs of adults than those of young people.

In interview, Barry explained how lack of understanding of the system could draw young people into the criminal justice system:

“I think some of them don’t realise what can happen ... some of them do seem a bit surprised that you can get arrested for certain things ... if you start throwing litter around on the floor, and the police officer comes along and asks you what your name is and you say Mickey Mouse, I’m from Disneyland, you’ll get yourself arrested ... they seem surprised at that type of thing.”

The questionnaire asked officers how many of the young people with whom they came into contact, in the respondent’s opinion, knew their legal rights. Table 5.8 shows the results for that question.

---

20 The following oath is sworn by all warrant-card carrying police officers. “I, ... do solemnly and sincerely declare and affirm that I will well and truly serve the Queen in the office of constable, with fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people; and that I will, to the best of my power, cause the peace to be kept and preserved and prevent all offences against people and property; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law.” Police Reform Act, 2002.
Table 5.8 – Young people’s knowledge of their rights

<table>
<thead>
<tr>
<th>Option</th>
<th>Police Officers</th>
<th>PCSOs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very few</td>
<td>21</td>
<td>6</td>
</tr>
<tr>
<td>A few</td>
<td>42</td>
<td>23</td>
</tr>
<tr>
<td>Almost half</td>
<td>33</td>
<td>31</td>
</tr>
<tr>
<td>Most</td>
<td>17</td>
<td>16</td>
</tr>
<tr>
<td>Nearly all</td>
<td>3</td>
<td>5</td>
</tr>
</tbody>
</table>

Very few officers or PCSOs were confident that young people were aware of their rights; if the officers are also unclear about the young person’s rights or are according them less importance, then a more punitive outcome for the young person would result.

However, it should be noted that despite the importance given to the victim’s wishes in these factors, one officer indicated that the managerialist process can sometimes override the victim’s desires:

Researcher: Are there occasions when you think that – not necessarily you but generally speaking people are getting arrested when even the victim doesn’t think it’s appropriate?
Colin: “Quite a lot, yeah. I went to a job with my colleague, last week some time, the people didn’t phone it in themselves, it was phoned in by five different people, we had to arrest both parties and that’s it. Yeah, it does happen.”

The age of the young person

The majority of officers (65%) graded this factor between 4 and 7, that is that it was of some importance. The scores for PCSOs show more variation, with 21% scoring this as most important, whilst 14% scored it at 8 (of little importance). Those who scored it most important were predominantly those who scored a number of factors as equal first.
One officer, in interview, discussed the variation in age of the people with whom he regularly dealt:

“I deal with some at that young age, 10, 12, 13 – I deal with a cross-section of age groups. A lot of the time is spent dealing with youths like 18 and under. Mainly it’s like 13, 14 and upwards.” (Colin)

The NACRO research described in chapter one showed a sharp increase in the number of younger children entering the criminal justice system. The age of the young people coming to their attention might, therefore, have been expected to be raised in interview. In fact, the subject never arose. This will be discussed further in chapter six.

**Attitude and co-operativeness**

These two factors are closely related, but the scores for them are quite broad and show some differences.

In the case of attitude, 42% of officers scored this between 5 and 7 in importance; in the case of PCSOs 21% scored this as of most importance – but again, this result should be treated with some caution due to the percentage of PCSOs who graded a number of outcomes with the same level of importance.

For co-operation, 20% of officers scored this at 8, but 16% scored it at 5 and there were variations from most to least important. The most common response for PCSOs was 5th (17%) but 46% placed it higher – again, this should be treated with caution.
On average, attitude scored higher than co-operativeness, indicating that a non-compliant attitude was regarded as slightly preferable to an antagonistic response from young people.

As previously stated, the priority given to attitude and co-operativeness by the sample was less high than was found in the previous research detailed in chapter 3 (such as Brown 2003; Liederbach 2007).

The connection between attitude and outcome was, however, referenced in interview.

“You’re led by their response to you ... if I approach someone and they’re swearing at me then, you know, they get what they’re going to get.” (Camilla)

“If someone’s being particularly hostile and aggressive, then yes ... it’s necessary for officers to arrest because that will automatically defuse the situation.” (Ann)

“As long as people are civil with me, then I’ll be civil to them.” (Camilla)

| Table 5.9 – Do young people respect authority/police? |
|-----------------------------------------------|------|------|
| Option                  | Police Officers | PCSOs |
| Very few                | 21 (18%)       | 18 (22%) |
| A few                   | 28 (24%)       | 17 (21%) |
| Almost half             | 38 (33%)       | 24 (29%) |
| Most                    | 27 (23%)       | 22 (26%) |
| Nearly all              | 1 (1%)         | 1 (1%)  |

A further question in the survey asked officers and PCSOs their opinion as to how many of the young people they dealt with had respect for authority,
and for the police in particular. The responses were varied and are covered in table 5.9.

The importance of young people showing respect was mentioned in a number of the interviews.

“I respect people and I expect them to respect me back, because that’s really how I deal with kids – I will show them respect when they deserve it, and I expect them to be respectful back to me.” (Barry)

“We have to be seen to do that (issue Penalty Notices for Disorder) because if we don’t they’re going to think that they can talk to us, take the Mickey out of us, and treat us disrespectfully throughout the whole of time.” (Ann)

“I think that’s just a little learning experience that you don’t push it with the police.” (Donald)

There was some correlation between the length of service of officers and whether they felt they were likely to feel respected, as shown in chart 5.4, below.

Officers with less service were more likely to believe young people had no respect for authority, whilst those with longer service were more likely to feel respected.

The question of officer age may have a part to play here, as noted by one PCSO in interview.

“I mean, I’m 36 and there’s some youths that I speak to think that I’m obviously completely ancient and couldn’t possibly
know what it’s like to have been that age – but at the same time I think it’s probably better that you’re a bit older in that perhaps you carry a little more authority. You’ve just got to be very aware of not sounding like somebody’s mum!”

(Beatrice)

A further question in the survey tool asked officers and PCSOs whether they found young people difficult to deal with.

76% of officers said that they were sometimes difficult; 5% said that they were often difficult, and 19% stated that they were never difficult. The PCs who responded ‘often’ were more likely to be in the first five years of service (4 of 6); however in response to the question as to whether they had been assaulted by young people in the last twelve months, no correlation between ‘difficult’ and whether they had been assaulted occurred. It would appear that they do not think they are assaulted because they are having difficulty dealing with young people, that is they place the responsibility for the action with the young person.
For PCSOs, nine stated that they often found young people difficult. Four of those had less than one year’s service, four had between one and three years’ service and one gave no answer. The numbers are too low for statistical significance, but show that it is possible that PCSOs find young people harder to deal with when they (the PCSO) have less experience. Again, there was no correlation between whether they found young people difficult to deal with and whether they had ever been assaulted.

Fifty officers (43%) stated that they had been assaulted by a young person on one or more occasions. The majority of these assaults comprised verbal abuse, but ten officers reported having been kicked, eight reported having been punched and two had been assaulted with a weapon.

A higher percentage of PCSOs in the sample (61%) reported having been assaulted; however only three of them reported suffering physical assault (one had been punched, a second had been pushed, and a third had been slapped). The high percentage of PCSOs subjected to verbal abuse (taunts, swearing and being shouted at) may be a reflection of the public’s low opinion of PCSOs.

As has been noted in the literature review, young people’s opinion of the police can cause them to present a negative aspect and exacerbate a situation (Liederbach 2007). The difficulties presented by young people’s preconceptions were referenced in the interviews.

“... sometimes you’re dealing with people who might have had parents who – or other family members who’ve been in trouble with the law, and you are working against their preconceptions of what we’re there to do ... it’s very difficult when you’re dealing with someone who’s already got a lot of previous to get them to listen to you.” (Beatrice)
Barry notes that even where young people don’t have personal knowledge of the police, they may have formed an opinion based purely on dramatisation:

“The only impression they get of the police is what they see on the telly, you know, bashing doors in ... it’s a very sort of overbearing figure, shall we say?”

Officer opinion about the young people with whom they come into contact will be covered in more detail in section 5.5.

**Number of young people involved**

Officer and PCSO opinions about the prevalence of groups of young people and the perceived increase in group size has already been described (see section 5.2). It might be expected that officers would consider the number of young people involved therefore to be significant. The majority of officers, however, scored this as of middling or low importance, with only four listing it as of primary importance. The four officers who marked this as of highest importance were all officers who used a smaller sub-set of responses, as already described.

The spread of responses for PCSOs was wider, but again these data should be treated with caution as many PCSOs used a smaller sub-set of responses to answer this question. One PCSO, an older female with two years’ experience, marked this as of primary importance alongside ‘protecting the public’.

Although the number of young people was not scored highly, the subject of risk assessment was raised by officers and PCSOs in interview. Both officers and PCSOs described how they ‘risk assess’ each situation with which they deal.
“I’ve never felt sort of scared or threatened really, a little bit intimidated maybe, a little bit vulnerable, but never scared or threatened – never scared that oh, they’re going to attack me or beat me up or kick my head in, I’ve never felt like that, ever. When we get into a situation which is becoming hostile ... then you have to back off – you have to know when to step back. I risk assess continually, day and night, whenever I’m out I’m risk assessing.” (Ann)

On the subject of feeling threatened by groups, officers interviewed were slightly less likely to feel intimidated:

“It would depend on how old they are, if they’re sort of like fifteen, sixteen, I’d probably still go and talk to them – then if I can see any problems, I can just walk away and get another mate to come up with me ... if you’re always fair, you know, I don’t think you’re at risk ... once again it depends on what age range you’re talking about, you know, if they’re fifteen or sixteen year olds it’s going to be different to if they’re older youths.” (Colin)

“It’s normally at night when I see them, and they’re all hanging around, sitting on the floor, swearing, and each one’s trying to go one better than the other, sort of the boys, and the girls can be quite a handful ... but the risks ... I don’t suppose there are many risks for us, I don’t think there are.” (Donald)

In summary, whilst some officers and PCSOs expressed concern about dealing with larger groups, particularly of older children, this factor was scored as being of middling or low importance by the majority of respondents.
Sanction detections

PCSOS are unable to arrest and their response to this question in the survey tool will therefore not be dealt with in detail; however, evidence given by them in interviews will be presented later in this section.

39% of Police Constables rated sanction detections as of the lowest importance; seven officers (6%) marked it as of the highest importance, usually in combination with the seriousness of the offence.

The sanction detection process described in chapter 2 would imply that officers had little or no discretion. As previously noted, a distinction must be drawn between the action the officer would have wished to take and the action they felt constrained to take, that is, whether they were guided primarily by organisational directives and a ‘safe’, sanctioned, punitive approach, or by a more open approach which investigated and took into consideration welfare issues for the young person concerned.

The questions on the survey tool relating to the use of discretion gave officers and PCSOs a choice of three responses, ‘lots’, ‘some’ and ‘none’. The responses to the two questions are summarised in table 5.10.

<table>
<thead>
<tr>
<th>Table 5.10 – Discretion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Discretion available</td>
</tr>
<tr>
<td>Discretion used</td>
</tr>
</tbody>
</table>

Fourteen officers felt they had no discretion, and thirty two officers felt they didn’t use any. Likewise, twenty six felt they had lot of discretion but only five officers used lots. Of the fourteen officers who felt they had no discretion, only two reported using some. Of the twenty six officers who
felt they had lots of discretion, only five used lots and indeed four used none at all.

For PCSOs, only one felt they had lots of discretion, but none used lots. The one who felt they had lots of discretion, who had three months’ service, only used ‘some’ of the discretion they felt they had. Thirty six PCSOs felt they had no discretion and forty three used none.

This indicates confusion about the availability and use of discretion by both officers and PCSOs.

Evidence from the literature review (Finn & Stalans 2002; Brown 2003) indicated that officers with longer service would be more inclined to use discretion; this was not supported by the findings from this research. Of the five officers who both believed they had lots of discretion and used lots, three had under five years’ service, one had 25 years’ service, and one had not stated their length of service.

Hancock (1978) notes that decisions based on legalistic process are in tension with considerations relating to welfare. The impact of a process which requires officers to achieve a sanctioned outcome can only reduce or negate non-legalistic considerations. Examination of the data from the survey reveals no pattern relating to whether officers who felt they used more discretion made more or fewer referrals to other agencies.

**National Crime Recording Standard**

As noted in section 4.8, a question was included in the survey tool enquiring what impact respondents felt the National Crime Recording Standard (NCRS) had had on their practice. It was expected that officer frustration about the intransigence of the system would provide an insight when compared with levels of perceived discretion, and it elicited a very
high level of response. The field was ‘free text’ and a large number of officers took the opportunity to express opinions. PCSOs either had little idea what NCRS was, or felt they were too new in service to have an opinion as to whether changes to it had affected processes.

Coding response gave the results shown in table 11.

<table>
<thead>
<tr>
<th>Table 5.11 - Impact of National Crime Recording Standard</th>
<th>PCs</th>
<th>PCSOs</th>
</tr>
</thead>
<tbody>
<tr>
<td>No answer given, or ‘don’t know’</td>
<td>12</td>
<td>56</td>
</tr>
<tr>
<td>It has made no difference</td>
<td>16</td>
<td>18</td>
</tr>
<tr>
<td>It has reduced the use of discretion</td>
<td>41</td>
<td>0</td>
</tr>
<tr>
<td>It has increased bureaucracy</td>
<td>16</td>
<td>0</td>
</tr>
<tr>
<td>It has resulted in net widening, inability to divert, and/or alienated young people</td>
<td>27</td>
<td>3</td>
</tr>
<tr>
<td>It has provided better measurement of performance</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>It’s good for victims</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>It’s bad for victims</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>

Some answers made reference to more than one of the coding categories. To best answer the research question, when constructing this table ‘net widening’ was given primacy with ‘reduce the use of discretion’ next most important and ‘increased bureaucracy’ least important. Even with this caveat, it is clear that a majority of officers believe that their discretion has been eroded by the introduction of the National Crime Recording Standard and the ‘sanction detection’.

The following are a selection of the responses relating to performance measures:

- “It forces officers to chase sanction detections.”
“It is alienating youth from the police as they know that we are driven by detections and performance.”

“I feel now that the incident has been crimed and the increased pressure on officers to gain sanction detections, officers of younger service will just arrest as all they see is that they will get a sanction detection rather than look at all the circumstances.”

“Our focus now has to be totally based on obtaining sanction based detections rather than getting the 'right result' for the victim. Having to deal with a 9 year old victim who got a scratch on his face over a dispute over 'who was going to be in goal' with an 11 year old as an ABH (Actual Bodily Harm) was something of a joke!”

The following are a selection of the responses relating to the erosion of discretion:

- “Knocked discretion on the head. Means we spend time investigating crime that patently is not and then struggle to get rid of it. Increase detection rate (a good thing) but means we target easy offenders and nick kids who are only growing up and exploring boundaries.”

- “Removed discretion as an option, requiring all offenders to be arrested and criminalised instead of using problem-solving solutions”

The following are a selection of the responses relating primarily to increased bureaucracy:

- “Getting rid of DNPs (Do Not Proceeds) was wrong, we are far too figure-driven and have forgotten how to police morally and effectively.”

- “It has created a bureaucratic nightmare for the police. The discretion to deal with offenders and offences has pretty much been removed in a clamour to fulfil target-driven policing. This is no way takes account of the circumstances of the offence and merely makes it statistical. I wholeheartedly agree that we are accountable and should be able to justify to the public what we do and why we do it. However, for officers on the ground to feel their sole reason for policing is to achieve a
specified detection rate in no way takes into account the often complex and diverse work carried out by today's police and more importantly doesn't take any account of the quality of work undertaken."

The following are a selection of the responses relating primarily to net widening:

- “Young people are receiving reprimands for really petty things when it is totally inappropriate.”
- “It has lowered the threshold for what is recorded as crime, that has historically been dealt with outside of the police systems. Inevitably young people are being cautioned and getting a record for trivial matters (insults via MSN, playground spats etc) that one feels are in the remit of parents, schools and others to take responsibility for.”
- “If a detection is available I have to get it, regardless of if it is in the offender/victim's best interest. We are basically criminalising a whole section of today’s young that could be better dealt with staying out of the criminal justice system.”
- “I am personally certain that in some cases the finding of guilt associated with the formalisation of this process may have caused individual young people to actually turn toward crime.”

New Labour’s rhetoric implied that improving the NCRS would provide a better picture of crime and satisfy victims. However one officer noted that the NCRS, “has prevented offences being dealt with in a manner that the aggrieved wishes.” Another noted, “I think a lot of incidents get crimed these days that people don’t really wish to crime but just want a record, they do not wish to pursue a complaint.”

Because they are unable to arrest offenders, PCSOs had little to say about the National Crime Recording Standard; however, one who did express an opinion felt it was good for victims because “it has made (them) feel
more attended to by the police and makes it easier for us to refer back to an incident if charges are to be made at a later date.”

The high level of frustration expressed in response to this question indicates that the existence of the sanction detection process impacts on officer decision-making to a greater extent than the factor grading exercise would indicate. Officers are clearly aware of the erosion of their discretion, and some are aware of the net-widening and other negative outcomes for young people. Opinions are divided, however, as to whether the lack of consideration given to the child’s best interest or to the victim’s best interest is the key factor, and for some the frustration is more about the additional bureaucracy incurred by dealing with minor offences by way of a sanction outcome.

The exclusion from the NCRS for offences committed in schools, as described in chapter two, is not always effective, as schools officer Barry stated in interview:

“Nowadays what happens is somebody phones up, they’re immediately put through to PECs, as soon as they mention certain things it’s a crime and you can’t get rid of that. It’s there. It’s a crime, it’s recorded as a crime, you can’t ‘no crime’ it because a crime has been committed. Whether the victim wants you to do anything about it or not ... even in the school environment, if the victim wants to pursue it then we still have to, there’s no doubt about that ... the officer doesn’t have the opportunity to speak to the victim in person and say look, you know, what’s your feelings on this ... we don’t have to crime this, we can deal with it sort of in a mediation type way.”
Donald, who is not a schools officer, admitted in interview that he had only just learned of the exclusion from NCRS relating to incidents occurring in schools and professed himself, “amazed, absolutely amazed.”

In interview, officers also voiced strong opinions about the sanction detection process.

“We’re under such pressure now to get the sanction detections in that we just don’t care if they’re ethical or not, we don’t care if it’s the best thing for the victim or the aggrieved ... I just think that as a force we’ve completely missed the point, you know, we’re so driven by figures that we don’t care how we get them, and that’s really dangerous.” (Camilla)

“Bane of our life – we’re driven by detections – where before you may go out and say look, don’t do it again, now you’ve got to get the sanction detection.” (Colin)

“You did have discretion, years ago ... but that’s not the case in the last few years. Officers’ minds are changed towards detections, definitely, or the way officers go and get detections, especially for children, young kids, you know.” (Eddie)

When encouraged to explore this theme further, some examples of outcomes the officers considered to be inappropriate or unnecessary were given.

“Kids, you know, they arm themselves, they’ve got like a knife – but they don’t know it’s wrong to have it – I mean, yes, they’ve committed the offence, they just need a bit of
advice ... a verbal warning first, like you can’t go around carrying knives ... I just think it can be dealt with more sensibly ... a lot of police officers here don’t know the law when it comes to this low-level stuff, so how can a 16 year old be expected to?” (Camilla)

“A lot of the minor stuff, like minor spits and spats with your mates, you know – I hit him, I hit him – it’s time consuming and it doesn’t achieve anything at the end of the day ... I think it’s bringing more and more juveniles into the system and there must be a better way of dealing with things.” (Colin)

“Little Joey who’s 12 years old who throws an apple and smashes next door neighbour’s window, you know, next door neighbour phones up ... bang, it’s a crime report. Little Joey’s been nicked, been interviewed, admitted it, and the bloke says oh, I didn’t really want all this – I just wanted him spoken to. In that case it isn’t a crime, we should be going by what their wishes are.” (Eddie)

In this example, Eddie continues to say that it’s clear an offence had been committed and had been correctly recorded; his frustration lay in the need for the sanction.

“I think it should be recorded, because it shows that that person’s been the victim of a crime ... (but) I don’t think we should go against the victim’s wishes.”

Barry is clear that diversion should be an option.
“I’ve heard of things … playground fights where two kids, you know, have a go at each other, it’s been crimed and they’ve both been dealt with and they’ve both been put on record. Why do we do that? A playground fight, this happens every day. You know it will happen, and let’s try and sort of keep them out of the system, you know, unless we can show they really need to go into it … we still have to deal with crime, people still have to be dealt with … but I think sometimes there are different ways of dealing with it which would be more amenable to everybody concerned.” (Barry)

Colin is in favour of restoring the ‘do not proceed’ option.

“We should go back to using DNP, especially for some of the juveniles, some of the children that we deal with, doesn’t require bringing people in to achieve the (force) aim to get a detection.”

As previously noted, PCSOs are unable to arrest and therefore the relevance of sanction detections is minimal to them. This did not prevent them from having opinions. Ann didn’t believe they had made any difference whilst Adam stated, “I think probably the sanction detection method of recording does make officers want to arrest for the small things when they didn’t have to do it. I’ve heard of such things taking place.”

Beatrice, however, saw the issue with minor offences from a different perspective.

“I get a lot of complaints from the public about fairly low-level offences from youths … things like minor criminal damage, banging on doors, throwing things at moving vehicles, bits of graffiti, things like that – but it’s the cumulative effect that it
has over a period of time ... and so what I’m trying to identify
when I’m talking to people who’ve been affected by these
things ... is to show that there’s been a pattern of behaviour
and that it needs something like perhaps an Acceptable
Behaviour Contract to try and curb the behaviour.”

In summary, evidence from the National Crime Recording Standard
question in the survey tool and the interviews would appear to contradict
the low grading given to the effect of sanction detections on decision-
making. A significant number of officers feel they have no discretion to
deal with minor offences in an appropriate manner, and some state that
this is drawing young people into the criminal justice system when an
alternative outcome might be preferable. Reasons given for this are
mixed, but include a sanction not being in the best interest of the child, or
not being what the victim wants. Officers identified that they were
frustrated by the constraints and frameworks which accompanied an
increasingly target-driven culture.

**Gender**

The young person’s gender was considered by an overwhelming majority
of both officers and PCSOs to be the least important factor taken into
consideration when they dealt with a young person.

As noted in the literature review, increasing levels of diversity training in
recent years may have had the unintended consequence of increasing the
number of girls entering the criminal justice system, as girls who would
have been ‘let off’ in the past were no longer viewed as more vulnerable
than boys, that is officers have become ‘gender desensitised’. It is further
possible that by actively treating girls as equal to boys, officers have
become oversensitised.
The survey data failed to indicate any reasons for the increase in substantive outcomes for girls; a question was therefore asked in the interviews as to whether officers perceived girls’ behaviour as having got worse in recent years. The sample of eight was too small for statistical significance; however all four of the male police officers did believe girls’ behaviour was worse.

“The girls are now coming and seeing the boys doing it and joining the bandwagon and going even further, I think ... Saturday night in the city centre, I’ve been there and I’ve seen more girls than I have blokes doing section 5 public order sort of stuff. It’s girls more than boys, worse than boys. It’s usually the girls screaming and shouting rather than the boys.” (Colin)

The sole female police constable interviewed did not express an opinion either way, merely noting that she had not come into contact with the police when she was younger.

Three of the four male officers who believed that girls’ behaviour was worse laid the blame for this on increased levels of alcohol consumption by girls.

“I’d say in the last couple of years I’ve probably dealt with more drunken females than males. They come up to you and want you to give them a lift home ... have I got taxi written on the side of my police car?” (Eddie)

“I think that’s gone with the drinking ... I work in the city on the Friday, Saturday nights on occasion ... they walk around in little, I don’t know, it looks like a tee cloth wrapped around them, you know, they don’t wear anything, and they do get
pissed, they’re just utterly, utterly pissed, they can’t even walk, they’re on these massive great high heels, they do look ... they can’t even walk in them when they’re sober, let alone when they’ve drunk too much ... the culture has changed, I think, like, with ‘girl power’ – I suppose as you get more equality then what do you expect?” (Donald)

Donald’s description of young women can be seen to contain an element of ‘moral outrage’ about young women. Barry, the schools officer, stated a clear opinion that equality considerations were involved.

“I think it’s probably becoming more noticeable because of the sort of equality issues, things like that, I think you say well if a boy can’t do it then a girl can’t. You know, if a boy can’t pester somebody then a girl can’t, and I think that’s probably where we’re coming from. I’ve dealt with girls on girls’ things, they’re harder to deal with than the boys, the boys basically go behind the shed, have a little ding at each other and it’s over and done with. The girls, they have a disagreement and it goes on and on and they start name calling, they’ll pester each other, they’ll just shove each other in the corridor as they go past, and that’s how girls will carry on. They don’t let go.”

He also notes an increasing issue with girls using modern technology (MSM messaging and text) to harass their perceived rivals.

All three PCSOs interviewed felt that girls’ behaviour was worse. Beatrice and Adam agreed with the three PCs that alcohol consumption was at the root of this.
“A fair percentage of the behaviour or welfare incidents I visit are female, a lot are alcohol-related.” (Beatrice)

“Whether they drink more or whether they have had limited access to alcohol before and they’re not as used to it as the boys, I don’t know. I tend to find that the girls I come across – if anybody’s going to have alcohol it’s the girls, as opposed to the boys – quite often the boys have – they’ve got a can of coke. It’ll be the girls that’ve got the bottle of Bacardi. So alcohol does appear more of an issue with girls for some strange reason, and I think some of it is that they want the attention because they want to feel part of the crowd.” (Adam)

Evidence from the literature review was that girls who displayed what officers perceived as ‘appropriate gender behaviours and characteristics’ were likely to be treated more leniently than those who deviated. Lee (1998) noted that criminal justice personnel generally held conventional gender stereotypes. This may contextualise the moral outrage expressed by Donald, above, and by PCSO Ann.

“This one girl’s behaviour was unbelievable – I was shocked. She was behaving ten times worse than the lads were, and I think the lads were getting a little bit sheepish and embarrassed, because she was shouting and swearing in the street. I was surprised that a girl could behave like that – I was quite shocked, I suppose, really.”

In summary, although gender is not considered an important factor for officer decision-making, there is some evidence that girls’ behaviour is perceived by officers as having grown worse, perhaps fuelled by an increased consumption of alcohol.
Decision-making factors summary

Both officers and PCSOs considered the seriousness of the activity as the most important factor when making decisions about children and young people’s behaviour, followed by protecting the public and the victim’s wishes. These factors are indicative of a criminal justice approach; however, the young person’s best interest and age scored above their attitude and co-operativeness, which would indicate that welfare considerations are taken into account by both officers and PCSOs. Evidence from interviews indicated that officers and PCSOs would prefer to use less punitive responses to young people until they ‘cross the line’, although whether that line is consistently drawn is unclear. Although the young person’s attitude did not score highly, there is some evidence that officers and PCSOs look less favourably upon young people who exhibit behaviour the officer or PCSO finds disrespectful.

Some officers and PCSOs found young people difficult to deal with, and fifty percent of officers stated that they had been verbally or physically abused by young people. This percentage was higher for PCSOs. There was, however, no correlation between having been assaulted and length of service. Both officers and PCSOs appeared to place responsibility for assault with the young person, although verbal assault in particular might be seen as a response by the young person to the officer’s difficulty in communicating with them.

Although obtaining a sanction detection scored very low, evidence from the question about the impact of the National Crime Recording Standard and from the interviews reveals a high level of frustration with the constraints of a system seen as performance-driven and managerialist.

The next section will consider how officers and PCSOs view the young people they police and relate the findings to the research question.
5.5 PC and PCSO opinions about young people

This section will present data relating to how officers and PCSOs view the young people with whom they come into contact. It will first compare officer and PCSO views about the percentages of victims and offenders with whom they deal who are under eighteen. It will then consider whether officers and PCSOs believe young people find it difficult to report crime. It will summarise evidence from the interviews as to what action officers and PCSOs take when they identify a young person who has apparent unmet welfare needs.

The second section will present data relating to what officers and PCSOs have to say about the young people who offend. It will look at what they believe causes those young people to offend, what they consider needs to be addressed to prevent young people from offending, and who they consider should be addressing the issues. It will also review the extent to which young people are referred, and the type of agency to whom they are referred, that is whether they are more inclined to refer to criminal justice agencies or welfare agencies.

Thirdly, this section will look at whether and to what extent officers and PCSOs view juveniles as citizens and the extent to which they consult with them when auditing their neighbourhoods and setting local targets.

The section will conclude with a summary of how the evidence from this section relates to the research question.

Victims and offenders

The survey tool asked respondents what percentage of the victims they dealt with were under eighteen. It also asked what percentage of
offenders they dealt with were under eighteen. Charts 5.5 and 5.6 show the range of views expressed in response to this question.

It is evident from chart 5.5 that there was a wide range of opinion, with some officers believing they dealt with few or no victims under the age of eighteen, whilst others identified as much as 100% of the victims they dealt with as being under eighteen.

The range of opinions for the percentage of offenders dealt with under the age of 18 is equally broad, ranging from 10% to 100%.

For PCSOs, the range for victims was from no victims to 90% of victims. For offenders the range was from 5% to 100%, but the majority identifying over 50% of the offenders they dealt with as juveniles.

When averaged out, Police Officers identified 27% of the victims they dealt with as being under eighteen, but identified 46% of offenders as juveniles.
The difference was greater for PCSOs, who saw 32% of all victims they dealt with as juveniles and 66% of all offenders.

Considering that under 18s form 23% of the population, the figure for victims is only slightly higher. The percentage of offenders under eighteen, however, is significantly high compared to the population. This supports previous research relating to the over-policing of young people in public space due to their visibility (eg Dwyer 2007).

![Chart 5.6 - percentage of victims and offenders under 18 dealt with by PCSOs](chart.png)

In addition, the figure for victims may be affected by whether young people report being the victims or witnesses to crime. A question was therefore asked in the interviews as to whether they thought young people found it difficult to report being the victim of an offence. The responses varied, with some feeling that modern technology made it easy for young people.

“They’ve got mobile phones these days.” (Eddie)

“I think they know 999.” (Camilla)
Donald, Adam and Beatrice all felt young people would find a police station an intimidating environment to report a crime.

“They probably haven’t got the training or anything to do that, or the understanding of what goes on.” (Donald)

“I find that the Force isn’t particularly child-friendly, either in respect of them coming to us or even us talking to them ... they tend to assume that we’re only there when there’s trouble.” (Adam)

“The fact that when you walk into the SDO (station duty office) you’ve got the glass screen in front of you, the waiting area, you’ve got sort of hard chairs and ... it’s like sitting in a corridor, basically, and it can – obviously due to staffing constraints it’s not open 24/7.” (Beatrice)

As previously noted, schools officer Barry also thought young people would be intimidated by the police.

“Because ... the only impression they get of the police is what they seen on the telly, you know, bashing doors in, doing this, doing that, and they think – it’s a very sort of overbearing figure shall we say.”

As well as feeling intimidated, Beatrice thought some young people would be reluctant to be seen to be ‘grassing up’ their peers.

“I think we’re trying to combat this sort of culture within school and within peer groups that they have growing up of not wanting to be seen to be a grass, and particularly if
you’re male, I think it’s seen as a sign of weakness if you can’t sort the problem out yourself.”

Donald was of the opinion that “they’ll think that most officers probably wouldn’t listen (to them) in the street,” but also that they would be frightened of something happening, “you know, that child being given detention or whatever they do.”

Colin agreed that boys might be too embarrassed to report being victimised.

“I think to the boys possibly it’s the old bravado sort of thing – not scared of repercussions rather than they’ve been assaulted or they have been mugged with a telephone and stuff, scared to report as such because ... it’s the old brave face, you know? And nine times out of ten I think, in the sort of areas that I work ... they’re going to do it their own way. I don’t know so much about the girls ...”

Colin concludes with the view that most young people would be more likely to report being a victim to their parents than to the police, and their parents would then make the phone call to report the incident. Camilla, however, expressed doubt that parents “on some of the estates where there was perhaps less money” would call the police, or would prefer to take things into their own hands:

“Young people would be particularly guided by their parents and their parents’ views – if the parents were like, well, you know, we’ll sort it out, we’ll go and beat them up later, you know, we’ll sort it out our own way, they would inherit that, whereas on some of the nicer estates with parents who sort of supported them and, you know, yeah, we’ll see this
through, and if you go to court then yeah, we’ll support you
... they were more sort of prepared to put their trust in the
justice system. I mean that’s very broad, but, you know, that
was sort of my main experience of what parents did, or the
impact that parents had on what the children would do.”

PCSO Adam indicates some rapport with young people in the area where
he works, and indicates how he deals with minor matters.

“So there are some youngsters on area who have on
occasion spoken to me while I’ve been on patrol ... coming
to complain about other kids, if you like, you know, they’re
chucking stones or whatever, this sort of thing, so there’s an
element of people coming to me, however, generally
speaking it’s generally child between child and it’s usually
something out of nothing, walk into the park and have a quiet
word with them.”

PCSO Ann thinks some young people will report and some won’t, but tells
a story about her own experience.

“I work ... in a police office, and it’s like – you go in, you’ve
got like a little counter, a couple of desks ... I’d been really
sort of trying to engage and build my sort of like relationship
with the youths recently and in particular there’s one youth
that I met years ago, he was – he just didn’t want to speak to
me, hated police, hated the whole thing, and over the years
I’d kept talking to him and talking to him and he started to
sort of – we started to get on all right. Anyway I was sat
there in my office and the door opened and it was him and
his mate, and they was like, can I talk to you? And I was,
yeah of course you can, and so they’d actually made an
effort to come to the police office and chat to me on a one-to-one, and that happened with him, it’s happened with a couple of other youths ... it really has taken a long while to build these relationships with the youths.”

Ann’s experience would indicate that the long-term presence of a familiar face in the form of a Police Community Support Officer may encourage young people to report being the victim or witness to offences. Police officers may understand that young people are less likely to report being the victims of crime, but do not see it as their role to encourage them to do so.

It is a concern that officers who believe that a very high percentage of the offenders they deal with are young people also believe they have had little or no training in dealing specifically with this age group, as previously indicated.

**Referrals**

As seen in section 5.2, evidence from the survey tool showed a lack of training in child protection for both PCs and PCSOs. If young people were seen as having unmet needs then an ‘Every Child Matters’ approach would result in their referral to an appropriate support agency.

The survey tool asked whether respondents ever made contact with another agency about a child or young person, and, if the response was affirmative, to list any relevant agencies. This question was open so as not to lead the responses; it was thought that had a list been provided, respondents would simply tick those to whom they thought they ought to be making referrals. This approach encouraged them to list those they used regularly.
Fourteen officers (12%) and 32 PCSOs (39%) stated that they never referred a young person anywhere. This lack of referral by PCSOs was of concern, since they had previously indicated a high level of interaction with young people. In interview, however, it became apparent that they were expected to – and did – report concerns to their line manager (usually a sergeant), although there was some indication that often this was their only involvement and they would not receive feedback as to what action, if any, had been taken.

“I would speak to my supervisor and say something like I’ve come across such-and-such, I’m really concerned, give them all the details, and then I would take my actions from advice given by my supervisor.” (Ann)

“I would probably initially seek advice from my chief inspector (or duty sergeant) – simply because a slight drawback with PCSOs is that we’re not ... automatically part of some of the protocols. One particular girl whose mother is into drugs, and she often goes missing, and there has been at least one occasion when I felt sufficiently concerned for her to speak to the duty sergeant and of my own concern report what she had done. As far as I know, it did go further, what actually practically took place I do not know, but my understanding was from my sergeant that he did put a report forward to the department, so it did go somewhere. My understanding is that social services have since become involved.” (Adam)

“One of the things I do find a bit frustrating about a PCSO is once I’ve had some input in something like this, it’s just a matter of putting in (an intelligence report) or having a telephone conversation with the welfare department at
school or what have you, I don’t very often get kept in the 
loop about what happens.” (Beatrice)

The majority of officers and PCSOs who did refer referred to one or two 
agencies (usually social care, the school, the local authority and/or the 
Youth Offending Team). Table 5.12 breaks down referrals by type. Some 
assumptions have been made about the data in this table. The first three 
categories taken together predominantly relate to criminal justice process 
responses. Referrals to housing associations, Crime and Disorder 
Reduction Partnerships (CDRPs), local wardens, and the fire service are 
assumed to relate to anti-social behaviour procedures. These three 
groups together total 31% of referrals made by police officers, and 35% for 
PCSOs. PCSOs were more likely to refer to anti-social behaviour 
procedures than police officers.

<table>
<thead>
<tr>
<th>Table 5.12 – referrals</th>
<th>PCs</th>
<th>PCSOs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-social behaviour team or agency</td>
<td>12 (4%)</td>
<td>12 (10%)</td>
</tr>
<tr>
<td>Criminal Justice agency: YOT/YISP/ ISSP, CDRP, fire service, local warden, Visor, Probation, Prison, Courts</td>
<td>51 (19%)</td>
<td>21 (17%)</td>
</tr>
<tr>
<td>Housing Association</td>
<td>23 (8%)</td>
<td>10 (8%)</td>
</tr>
<tr>
<td>Local Authority*</td>
<td>18 (7%)</td>
<td>12 (10%)</td>
</tr>
<tr>
<td>Social/children’s services, children’s home</td>
<td>81 (30%)</td>
<td>24 (20%)</td>
</tr>
<tr>
<td>School/education, GP/health/hospital/school nurse, mental health</td>
<td>51 (19%)</td>
<td>20 (16%)</td>
</tr>
<tr>
<td>Charity, mentoring, church, victim services, youth club/services/worker, community centre, YMCA, Connexions</td>
<td>31 (11%)</td>
<td>21 (17%)</td>
</tr>
<tr>
<td>Child Protection Unit</td>
<td>5 (2%)</td>
<td>2 (2%)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>272</td>
<td>122</td>
</tr>
</tbody>
</table>
The response ‘local authority’ is difficult to categorise, since it could relate to a referral into the youth justice process, or to a welfare referral to social care, education or youth work. Omitting that group, the remaining lines predominantly relate to welfare referrals. These total 62% for police officers and 55% for PCSOs.

This would indicate that where a young person’s behaviour is of concern, a majority of both PCs and PCSOs are more likely to refer to a welfare-related agency. That this is a lower percentage for PCSOs may relate to the force’s expectation that they will refer to their line manager, who may take the action forward on their behalf.

The police officers who were interviewed were asked what action they took if they identified a young person as exhibiting signs of need such as being constantly dirty or poorly clothed. Colin identified the parents as his primary source of information: “Normally if they’ve got a few problems I would then go and tell or ask the parents and say have you got a social worker, or is this one a problem child.” He also spoke of making contact, if he had further concerns about the particular young person, with an identified social worker with whom he knew them to be working.

Barry, the schools officer, initially stated that he had little contact with representatives of other agencies. “I wouldn’t say there’s a lot of interaction as far as I am concerned with those departments. The sort of issues that might concern a kid at school would normally be dealt with by the school with the social services or the child services.” He then went on to say that if he had particular concerns, he would speak to the deputy headmaster, and “if there wasn’t anything then I would probably try and find out and it may be entail involving contacting children’s services or somebody like that and saying look, I’m concerned about this child, do you know anything about it, is there anything in your records, is there a reason why they should be behaving like this ... the school is quite often in regular
contact with children’s services, so it’s not difficult to find the appropriate person to liaise with.”

Donald told a story about how he worked with other agencies in an attempt to divert one particular young offender.

“The bloke who was doing the graffiti, he was 16 years old, and he was a drug dealer as well – he was one of the biggest drug dealers on my little patch - the people used to go to him for drugs, and his parents left home. So it’s the opposite of what’s supposed to happen. So they went anyway, and, you know, they had their own problems – his mother’s been a heroin addict for – since forever, so he was brought up like that. The graffiti was what he did in his spare time. We held case conferences and everything, you know, to try and redirect him, try and get him to go to the college ... that was with the YOT, and me, with the council, they’ve got drugs, counselling and all sorts of people that we can drag in that can actually help, and most of them were dealing with him already, so, you know, it’s a case of taking the horse to water but you can’t make them drink, as it were ... his whole life was drugs, so it was difficult to convince him that having a normal job would have been better, and I’d imagine that – maybe I shouldn’t say this – but if you are dealing drugs in his situation, he’s got his own house, he’s allowed to do whatever he wants because his parents have gone, and he was making a good living. Money for nothing, as it were.”

Camilla expressed a keen understanding of the vulnerability of young people, but was unsure that it was her role to get involved.
“If there’s weapons we deal with the weapons, if it’s underage drinking, we deal with the underage drinking by pouring it away or by taking the alcohol away ... but doing much more than that, I don’t know whether that’s our job ... although we need to be concerned about what they’re doing, I don’t think we’ve got the time – certainly core reactive, we didn’t have the time to put into drug awareness, alcohol awareness, you know, the need to do something about unprotected sex – you know, that needs to come from somewhere else, so the main risk to them – I was aware that if we did send them off they would sit somewhere else, they could be in more danger there than they were originally. If they’re sitting in a well-lit park then surely that’s better than them sitting down a dark alleyway in the middle of nowhere where there are lots of potential dangers.”

Colin professed to seeing few young people he considered to be at risk of harm, although he did say that if he saw them smoking, “I do the uniform thing – scare them.” He identified that if a young person was at obvious risk of serious harm “you can use Public Protection Orders to take them to the police station.”

Donald noted that on occasion taking a young person home who was out late and potentially at risk of harm could have unintended consequences. “You took them to their parents and you knew they probably would get a beating, which is not really that good either.”

Indications are therefore that young people are referred by most officers and PCSOs for low-level offending or welfare needs, but that partner agencies to whom welfare referrals are made may not feed back to the officers who put in the report. Referral would also appear to be haphazard, based on the individual’s local knowledge and developed
practice as opposed to resulting from a structured understanding of when and to whom referrals should appropriately be made. If, however, a child was at serious risk of harm, both officers and PCSOs were clear on their duty to take immediate action.

Young people who offend

<table>
<thead>
<tr>
<th>Table 5.13 – issues for young offenders</th>
<th>PCs</th>
<th>PCSOs</th>
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<tbody>
<tr>
<td>Punitive/system related responses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>More severe/appropriate/faster punishment, stronger boundaries</td>
<td>30</td>
<td>9</td>
</tr>
<tr>
<td>Risk-related responses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Problem parents – dysfunctional families</td>
<td>74</td>
<td>32</td>
</tr>
<tr>
<td>Substance misuse</td>
<td>13</td>
<td>18</td>
</tr>
<tr>
<td>Peer association</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Low educational achievement/school discipline</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>Look at risk factors/individuals</td>
<td>10</td>
<td>19</td>
</tr>
<tr>
<td>Behaviour-related responses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lack of aspiration/incentive to change</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Lack of self-discipline, anger</td>
<td>16</td>
<td>1</td>
</tr>
<tr>
<td>Lack of respect for authority/others; ASB</td>
<td>28</td>
<td>12</td>
</tr>
<tr>
<td>Infrastructure-related responses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poor/poorly lit neighbourhoods</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Boredom, lack of facilities</td>
<td>19</td>
<td>14</td>
</tr>
<tr>
<td>Gang culture</td>
<td>2</td>
<td>0</td>
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</table>

In the survey, respondents were asked what issues they thought needed to be addressed with regard to young people who offended, and who they thought needed to address those issues. This was a free text field and, like the National Crime Recording Standard question, evoked some lengthy responses. These were coded to identify themes and table 5.13
shows the results. These have been grouped into punitive or system-related responses; risk-related responses; behaviour-related responses and infrastructure-related responses.

It should be noted that some respondents identified more than one issue, all of which were included, and the PC and PCSO total therefore exceeds the number of respondents in the survey.

Five PCs and 7 PCSOs made no response to this question.

Tables 5.14 and 5.15 show the issues identified in order of importance (that is, number of incidences of the particular response appearing). The order is markedly different for the two groups, although for both parent or family is identified as being the primary issue for young people.

| Table 5.14 – issues for young offenders in order of importance for officers |
|-------------------|----------------------------------------------------------------------------------|
| 1  | Problem parents – dysfunctional families                                         |
| 2  | More severe/appropriate/faster punishment, stronger boundaries                    |
| 3  | Lack of respect for authority/others; ASB                                         |
| 4  | Boredom, lack of facilities                                                       |
| 5  | Lack of self-discipline, anger                                                    |
| 6  | Substance misuse                                                                |
| 7  | Low educational achievement/school discipline                                    |
| 8  | Look at risk factors/individuals                                                  |
| 9  | Lack of aspiration/incentive to change                                           |
| 10 | Peer association                                                                 |
| 11 (joint) | Poor neighbourhoods: gang culture                                              |
Table 5.15 – issues for young offenders in order of importance for PCSOs

<p>| | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>1</td>
<td>Problem parents – dysfunctional families</td>
</tr>
<tr>
<td>2</td>
<td>Look at risk factors/individuals</td>
</tr>
<tr>
<td>3</td>
<td>Substance misuse</td>
</tr>
<tr>
<td>4</td>
<td>Boredom, lack of facilities</td>
</tr>
<tr>
<td>5</td>
<td>Lack of respect for authority/others; ASB</td>
</tr>
<tr>
<td>6</td>
<td>More severe/appropriate/faster punishment, stronger boundaries</td>
</tr>
<tr>
<td>7</td>
<td>Low educational achievement/school discipline</td>
</tr>
<tr>
<td>8</td>
<td>Peer association</td>
</tr>
<tr>
<td>9 (joint)</td>
<td>Lack of self-discipline; poor neighbourhoods</td>
</tr>
<tr>
<td>Not listed</td>
<td>Lack of aspiration/incentive to change; gang culture</td>
</tr>
</tbody>
</table>

Punitive or system-related responses

This response appeared thirty times for officers and was the second most significant issue for them. It appeared only nine times for PCSOs.

The literature review had indicated that officers with more experience would be less likely to arrest (Finn and Stalans 2002), but this was not borne out by the research. Attitudes were evenly distributed across officer age and length of service, from 26 to 51 years of age and from 1.25 to 26.5 years' service. Both genders were represented proportionately.

Fewer PCSOs expressed a punitive approach, but six of the nine who did so were female, which runs counter to the literature where it was believed female officers would respond less punitively (for example Sherman 1975). This may, however, relate to the lack of power PCSOs, and particularly female PCSOs, have, as they are unable to exert authority by threatening to arrest.
Examples of officer responses:

- “More severe first time punishments.”  (Male aged 48 with 28 years’ service)
- “That they are dealt with effectively at court in the first instance whatever their age.”  (Female aged 40 with four years; service)
- “I believe they need to be dealt with more severely, for example if someone is arrested for shoplifting no matter what the cost I feel that just an informal telling off is not sufficient.”  (Female aged thirty with 2.75 years’ service)
- “More cases to go to court irrespective of if the offence is the first with admissions, charge them to set an example.”  (Male aged 39 with nine years’ service)
- “More shock treatment so as not to reoffend.”  (Male aged 33 with 3 years’ service)
- “A very swift result to enable the child to connect his bad behaviour with the punishment meted out.”  (Male aged 51 with 21 years’ service)
- “The courts are not punishing youths for serious offences, making the system a laughing stock and not frightening youths into staying clear of crime.”  (Male officer aged 35 with 4.5 years service)
- “Harsher punishments.”  (Male aged 31 with four years’ service)

Examples of PCSO responses:

- “I think they need to be dealt with more robustly and more quickly.  I think they need to be arrested at our convenience not theirs and face the consequences of their actions.”  (Female aged 25 with five years’ service)
- “A harsher punishment.  From what I have seen, these youngsters are sticking two fingers up at the law.  An ASBO is like a medal to them.”  (Male aged 39 with two years’ service)
- “Punishments that suit and will make them think twice about reoffending.”  (Male aged 35 with two years’ service)
- “Harder punishment.”  (Female aged 23 with six months’ service)
• “Reparations should be more severe. Young people don’t feel deterred by current system of redress.” (Female aged 46 with 1.8 years’ service)

Two of the officers interviewed expressed concern about the youth justice process.

“There is no punishment, is there? I don’t think there is. If you’re not bothered about doing anything, you don’t want a job in the first place, then who cares (about having a criminal record)? They can deal drugs, they can do robberies, they say, and who’s going to stop me? If you stop me, what am I going to get?” (Donald)

“There’s one particular case which had a lad found guilty of six street robberies, by all sorts of logic said you would get a custodial sentence, and he is responsible for a lot of problems on one particular estate, but the youth offending team got involved and said he seems like quite a good lad, he speaks very well, he portrays that he’s very sorry, they wrote a glowing report and he got no custodial sentence, whereas if they’d come to me I would have been able to tell them that yeah, he’s always very apologetic, but I can tell you about the offences he’s committed since this robbery, since being very apologetic, and it’s just an act, that’s what he does ... I just don’t think they take things like that into consideration ... I would say that is something that I’d change.” (Camilla)

The responses by officers contain an element of frustration. They see the young people who they arrest receiving what they consider to be inappropriate sentences. However, the lack of training already evidenced can also be seen as playing a part in these responses as it is not always
clear that the respondent understands what does happen to young people who enter the criminal justice system.

**Risk-related responses: parenting**

This category included problem parents, poor home life, dysfunctional families, family breakdown, parents not knowing where their children are, parents refusing to believe their children misbehave, and poor support networks. In the ‘Every Child Matters’ green paper, New Labour stated its intention to put parents and carers at the heart of measures to improve children’s lives. They proposed a tiered approach with parenting orders as a ‘last resort’ where parents failed to control truancy or Anti-Social Behaviour (Rogers 2006). Lee (1998) notes the paradoxical role of the family both as a primary source of delinquent behaviour and as offering the potential for its management. Both these views were clearly evident in police officer and PCSO responses.

This category received 74 references from police officers (a third of all responses) and 32 responses from PCSOs (28%). Police officers referenced poor quality parenting and lack of discipline or control, often (in their opinion) stemming from ignorance or a wilful determination to believe no evil of their offspring. They also expressed concern that parents were either not interested in where their children were or what they were doing, or were ‘passing the buck’ to other agencies, and to the police.

Examples of police officer responses from the survey:

- “Most of the young people I have dealt with come from dysfunctional families, so the children just follow suit as they don’t know any different.” (Male aged 49 with 6.5 years’ service)
- “The parents are not aware of their child’s behaviour.” (Male aged 28 with three years’ service)
• “Defensive and non-accepting views of parents who are totally blind to the misdemeanours of their child/children, who berate police for arresting their little treasure without listening to the facts.” (Male PC aged 40 with 18 years’ service)

• “The parents need to take responsibility and show an interest in their children and not try to pass the blame on to other people.” (Male aged 33 with 9 years’ service)

• “Family life so that they grow up respecting their elders and the authorities. Parents need to take more interest in what their children do, then kids will hopefully grow up as respectable young people who do not get in trouble with the authorities.” (Male aged 23 with one year’s service)

• “Discipline – the police cannot do it all, there has to be parental control and discipline at home.” (Male aged 29 with three years, service)

Four out of the five PCs interviewed held the parents partly, if not fully, to blame for their children’s offending behaviour.

“I suppose my main observation would be that children’s behaviour generally seems to be learned from their parents, so if you’ve got a stroppy kid then generally they’ll have a stroppy parent attached to them as an appropriate adult.”

(Camilla)

Donald identifies two types of parent – the non-nurturing parent, and the defensive parent.

“I think it was basically that their parents either didn’t know or couldn’t teach them the same things that most other children get taught when they’re younger ... I mean, it’s not the child’s fault, it’s a collection of things, and – I mean, I suppose if I can stereotype, if you have got parents like that who aren’t
caring for you, it might not be their fault because their parents might not have cared for them in a normal manner, and then ... they’ve just got no control over their children, and their children are going to have even more children, which – and they’re going to pass on, you know, what they’ve learned, which is not very much ... But if you take kids home these days, you’re not always accepted by the parents as being in the right, and a lot of them say oh, you’re just picking on my boy, my boy is wonderful, he’s never done anything wrong, and all this – he might be out ‘till three in the morning, four in the morning, but he’s never done anything wrong.”

Colin primarily blames marital breakdown, and complains that the police take the blame for parents’ lack of responsibility for their children.

“Family life, it’s got to be – the ones that I’ve dealt with, offenders, 85% plus were broken families or stepdads or mums together ... out of the houses I go to, I’ve not been to a home where mum and dad are together, I deal with a lot of children – it must start somewhere, it goes back to the home. If you’ve got no respect at home, then, you know, you don’t expect anything else, it’s reasonable. It’s your foundation for life, if you have a good upbringing ... and at the end of the day, all you see in the paper is ‘the police didn’t help him’ - but it’s not our responsibility to look after your children, you know.”

Eddie also holds parents responsible, in particular parents from ‘bad’ backgrounds. He tells a story about a girl who is spending the night at her boyfriend’s house, her parents ring the police and expect them to go and get her back, even though they are
perfectly aware of where she is. “Obviously it isn’t a welfare issue then that’s their concern if they want her back. And that’s – you know, that’s just typical, you know, it’s all – oh, social services don’t do this, police don’t do this …”

PCSOs responding to the survey tool also identified lack of parenting skills and/or discipline as an issue.

Examples of PCSO responses from the survey tool:
• “Parents – do they know where their kids are at night?” (Male aged 28 with 6 months’ service)
• “Parents being made accountable for their children’s behaviour and actions.” (Female aged 51 with six months’ service)
• “Sometimes the parents could do with lessons about how to be a parent.” (Female aged 41 with two years’ service)
• “Attitude given to them by their parents as to acceptable behaviour. Parents who will believe no wrong of their children.” (Female aged 42 with three months’ service)
• “The home life of the young person and what kind of support they may or may not be getting there.” (Male aged 43 with 2.5 years’ service)
• “Family breakdown.” (Male aged 43 with 2.6 years’ service)

Two of the three PCSOs interviewed primarily blamed parents for not setting a good example for their children.

“Youths have got a good sort of firm grounding with their parents and I know not every family’s a fairytale and roses because it’s like I think – I don’t know, I do think the parents have got a lot to do with the way the youths I’m coming across behave.” (Ann)
“I think parenting has got to be the main factor, because if you’ve been sent the message from an early age that other peoples’ needs and feelings aren’t important and you go through life with a very selfish mindset, then I think that will have an impact on your behaviour as an adult ... there do seem to be a lot of people who have problems in setting boundaries with children’s behaviour, a lot of people who don’t encourage children to take responsibility for their own actions. But at the end of the day I don’t think that we are there to replace parents.” (Beatrice)

In conclusion, therefore, officers identify parents both as the primary source of delinquent behaviour and as having responsibility for its management. They suggest that some parents abrogate that responsibility inappropriately to others, in particular the police. They also identify that some parents refuse to believe that their child could be behaving inappropriately.

**Other risk-related responses**

The strength of belief that much bad behaviour by young people results from poor parenting is perhaps underlined by the high number of descriptive comments. Other risk factors for young people were listed, but seldom with any detail attached. There were some signs, however, of a holistic approach, with some officers and 16% of PCSOs suggesting that all the risk factors should be considered together to understand why young people behaved badly.

Officers referenced low educational achievement and lack of discipline in schools. Substance misuse was also listed, without further detail (but see section 5.4 on girls and drinking). Peer pressure was also listed.
“We are quick to defend the rights of a young person under suspicion, but are quick to forget that the actions of these juveniles often impacts very heavily on other young people.” (Male aged 34 with 5 years’ experience)

As noted, there were indications of a more holistic approach. Those officers who voiced this opinion were older officers, most with over 20 years’ service.

- “Each case is individual. You cannot generalise just because they are a youth.” (Male aged 29 with four years’ experience)
- “Welfare and opportunities to make a positive contact at a junior age and during teenage years. These are crucial times that the police need to be trained to make positive contact with the future community.” (Male aged 42 with 21 years’ experience)
- “Seek the source of offending, that is why they offend.” (Male aged 45 with 20 years’ experience)

In interview, Donald spoke about education issues.

“You can’t forget, as well, that some of these kids have got AHD, whatever it’s called – their parents can’t read or write so they never get taught to read and write … I’ve heard something like two thirds of the people in prison can’t read or write, which is just indicative of the whole thing, you know .. all these people are poor people that have been ignored in the system and they’ve been ignored probably because they think that they’re naughty and perhaps rebelled and not fitted in as well as they should do … but is just the result of their, not illness, but their disability to do something.”
PCSOs listed substance misuse more frequently than police officers, but without detail. They were also more likely than officers to suggest a holistic approach or question what might be causing young people to offend. This could be because they are under less pressure to arrest and have more time to consider wider welfare-related considerations. PCSOs also mentioned peer pressure more frequently than officers.

Examples of PCSO responses:

- “Are they attending school? Are there any learning difficulties?” (Female aged 30)
- “Underlying issues, as it feels as though a lot of offences are sometimes a cry for attention.” (Female aged 19)
- “Often there is an underlying problem.” (Male aged 20)
- “It might be down to peer pressure and they feel they need to fit in and have just got in with a bad crowd.” (Female aged 44)

In interview, Beatrice spoke about peer pressure:

“I do feel a bit sorry for them in a way because they get such a lot of peer pressure, and at that age you don’t want to be an individual and think for yourself, you just want to be accepted and fit in, and I think when you hit your teens your friends and people at school are going to be a bigger influence on you than your family are. And from what I see with a lot of misbehaviour that I have to deal with, a lot of it is to do with fitting in and wanting to be accepted as part of the group.”

In conclusion, officers and PCSOs were aware of some of the factors frequently listed as indicators of poor outcomes (Goldson 2008), in particular poor educational achievement, learning difficulties, substance
misuse and peer pressure. It should be noted that no officer or PCSO made reference to mental health issues.

**Behaviour-related responses**

Young people’s lack of respect for the police and the potential that presents for exacerbating a confrontation has already been discussed. Here again the young person’s behaviour was cited by officers and PCSOs as an issue. Twenty percent of the responses from officers and 11% of the responses from PCSOs identified lack of respect for authority, lack of self-discipline, anger management issues or behaviour that was anti-social as an issue. A small number of responses from officers further identified lack of aspiration or lack of incentive to change; no PCSO identified this.

The below are some example responses from officers:

- “Lack of respect for other people/property; lack of morals/good behavioural standards; lack of reason/incentive for changing attitude.” (Male aged 40 with 35 years’ experience)
- “Lack of direction in life, lack of respect for other people, lack of respect for authority in general and the police in particular.” (Male aged 28 with six years’ service)
- “Learning how to wind their necks in.” (Male aged 39 with nine years’ experience)
- “They need to learn respect for themselves and the society in which they live.” (Male aged 31 with 11 years’ experience)
- “The young people who get into trouble seem not to have respect for authority, whether that’s an adult asking a youth to stop doing something or the police dealing with them.” (Female aged 36 with 17 years’ experience)
In interview, Camilla talked about young people’s lack of understanding of the consequences of their actions. Donald identified some youthful behaviour as boundary-testing rather than intentionally bad.

“I think there’s no fear of consequences ... I think sometimes kids are really shocked when you go up to a group and you say look, stop swearing or you’ll get nicked – or, look, stop swearing, it’s unnecessary, you don’t need to swear ... I think that really goes against what they’re used to, because they’re used to their parents – they push it and push it and push it – and their teachers, I don’t think they’ve got any particular powers to deal with that sort of thing – so when they finally meet up with somebody who says don’t do that, that’s wrong, if you keep doing that you’re going to get nicked, and then you follow through ... I think that’s quite surprising to them. Certainly that I’ve dealt with.” (Camilla)

“When you’re young, you don’t think you’re going to die – you’re kind of bullet-proof and you can jump off tall buildings, which they do – and bridges, and all sorts ... I think, when you’re younger, you’ll do anything, and if that’s coupled with trying to be the alpha male in a group, and you’re obviously aware of girls and stuff and you’re trying to impress girls, or whatever, then that’s what you’re going to do, aren’t you? You’re just going to go as far as you can go, and without any lines that you can’t cross, without anybody telling you at a young stage, then you’re just going to do what you like.” (Donald)

“I don’t think it’s any different in school than it used to be ... you still had your little groups then, you had some of them that were, shall we say, the ones that would bully people and
some would sort of take control of people and some would
just pester them and some would be just what they call the
geeks – you still had them, and they’re still here nowadays.”
(Barry)

A smaller number of PCSOs identified young people’s behaviour as a
particular issue for them. Several mentioned lack of discipline and
concern about anti-social behaviour.

The below are some sample responses from PCSOs:
• “More discipline for youths generally.” (Male aged 40)
• “Obeying the law, i.e. leaving dispersal areas on request, not giving
backchat to uniformed officers. I believe unless radical changes are
made and fast anti-social behaviour will continue to increase beyond
police capability due to lack of resources, and the law abiding citizens
will continue to suffer as a result.” (Female aged 40)

In interview, one of the three PCSOs didn’t see young people’s behaviour
as particularly problematic, whilst Beatrice felt their behaviour could be
misunderstood, but also that they should take more responsibility for the
actions of their peers. “In a group, if it wasn’t them, what did they do to
stop it? They need to police themselves.”

To summarise, some officers and PCSOs had concerns about the
behaviour of the young people with whom they came into contact;
however, opinions were divided as to the extent to which young people’s
behaviour was problematic, and some were aware of the fact that it could
be perceived differently by different people.
Environmental factors

A small number of officers and PCSOs identified poor or poorly lit neighbourhoods as an issue; a large number, however, identified “nothing to do, nowhere to go” as an issue for young people. Officers were alert to the lack of facilities in some areas, and also to the difficulties presented by lack of transport and money for young people to get to places where activities were offered.

Nine percent of the responses from officers and 12% of the responses from PCSOs referred to boredom and/or lack of facilities for young people. Little detail was provided in the survey tool.

Two officers cited ‘gang culture’ but it was not clear whether they meant gang-type behaviour or gang ‘territories’. This item was listed here under environment but could equally relate to behaviour.

The below are some examples of PC responses:

- “Badly lit, isolated streets and roadways.” (Female, no age stated, 13 years’ service)
- “Suitable youth activities to occupy them.” (Male aged 30 with six years’ service)
- “Lack of extra curricular activities.” (Male aged 30 with six years’ experience)
- “Why don’t youths play sport as a social activity?” (Male aged 35 with 4 ½ years’ service)
- “Most youngsters are bored, there is nothing for them to do, activities cost money and most don’t have it.” (Female aged 29 with 5 ½ years’ service)
In interview, Donald referred to a lack of space for young people. “They want somewhere to go when they’re not at home because they don’t want to be at home really.”

Colin felt young people misbehaved because they had nowhere to go. They wanted “somewhere they can ... sit and chat and just be themselves.”

Eddie was of the opinion that young people should be more proactive in finding their own entertainment. “I’m bored, I’ve got nothing to do – I just think it’s a complete cop out – you make your own fun ... I say, there was nothing much to do when I was a kid but I always found something to do.”

Barry thought organised activities such as Guides, Scouts etc. was available for younger children, “but once they get to 14, 15, they want to go out, hang out with their mates for a little while, and if you don’t provide somewhere for them to go they will find somewhere to go, and that will normally be our parks, that will normally be the local centres, somewhere where they may just be – they might not be doing anything but they’re perceived to be doing something. Because they’re hanging around.” He also expressed the opinion that lack of money was a problem for young people as they were unable to afford to travel to provisions that might exist for them.

Donald felt not enough was done by property developers to ensure that facilities were provided for children.

“New developments, they’ll sometimes plan to do something, build some new flats or whatever, and they’ll put a children’s area in as well, but whilst they’re building it they’ll change their planning and build another flat where the children’s play area was supposed to be ... yesterday I went to a meeting
and that’s what they’d done, and two children had been run over since they’d done that, because they’d put the area where they play across the main arterial road.”

PCSOs also felt that young people were bored and there should be more provision for them, although there were indications that some felt young people needed to be controlled whilst others believed they needed to use up excess energy.

- “I think that if there was more of a youth provision and places for young people to gather (which can be policed) this would possibly contain the youths to a certain area. “ (Female aged 43)
- “Finding other activities for young people to engage in to avoid them offending.” (Male aged 19)
- “More facilities in the youth centre, also need to arrange more activities for them, need guidance and advice without being judged.” (Female aged 28)
- “Opportunities in which they can spend their time elsewhere and direct their energy such as sport etc. (Male aged 16)

Whilst this subject was only touched on in interview by one PCSO, all three described the organisation of inclusive activities for the community, and in particular for young people, as part of their role.

**Summary of issues raised**

It can be seen from the wide variety of responses given by both officers and PCSOs when asked about the issues leading young people to offend that there was no clear vision about what those issues might be. Some respondents held a punitive mindset, believing that the system for young people was slow and punishment inappropriately lenient. Others were of the opinion that parents were the main issue, and that poor parenting skills
led with a degree of inevitability to learned behaviour by young people which respondents considered anti-social. Finally, environmental factors such as lack of inexpensive provision for young people was seen to be an issue that needed to be addressed.

The variety of opinions expressed indicates that officers and PCSOs have generated their own opinions as to the cause of young people’s bad behaviour, rather than having received any standard training to explore the phenomenon.

**Who should address the issues**

Both PCs and PCSOs thought that parents should be dealing with young people’s problems. Despite views expressed above that it was not the role of the police, both PCs and PCSOs felt that, after parents, they were the next most appropriate person to be dealing with young people’s issues. Schools also scored highly, with the government and other partner agencies following. Table 5.16 lists the responses given.

This subject was not addressed in interview; however Camilla voiced an opinion that there needed to be someone who wasn’t the police who went out to where young people were and educated them as to what was and what wasn’t acceptable, and the potential harm they could take from drinking, smoking etc. “It just needs to be someone that’s not the police, just some other decent adults ... who have perhaps the same values as the police, who are there to speak to them about normal police issues.”
Table 5.16 – who should deal with young people’s issues

<table>
<thead>
<tr>
<th></th>
<th>PCs</th>
<th>PCSOs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents/families</td>
<td>56</td>
<td>30</td>
<td>86</td>
</tr>
<tr>
<td>Police</td>
<td>27</td>
<td>26</td>
<td>53</td>
</tr>
<tr>
<td>Teachers/school/education</td>
<td>26</td>
<td>20</td>
<td>46</td>
</tr>
<tr>
<td>Government</td>
<td>22</td>
<td>6</td>
<td>28</td>
</tr>
<tr>
<td>All agencies/partnership approach/everyone involved</td>
<td>16</td>
<td>9</td>
<td>25</td>
</tr>
<tr>
<td>Local authority/local council</td>
<td>16</td>
<td>8</td>
<td>24</td>
</tr>
<tr>
<td>Social/children’s services</td>
<td>12</td>
<td>7</td>
<td>19</td>
</tr>
<tr>
<td>CPS/Courts/CJS/Prison</td>
<td>12</td>
<td>6</td>
<td>18</td>
</tr>
<tr>
<td>Everyone/every adult/society</td>
<td>11</td>
<td>6</td>
<td>17</td>
</tr>
<tr>
<td>YOT/Probation</td>
<td>7</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>Youth services/workers</td>
<td>7</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>Themselves/young people</td>
<td>5</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Local community</td>
<td>3</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Peers</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Senior management</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Shop owners</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Licensing</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Drug rehabilitation agencies</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Housing</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

In summary, officers were divided about who should be taking responsibility for dealing with young people, and were confused about what, if anything, their role should be.

Young people as citizens

As described in chapter 3, neighbourhoods each have a Neighbourhood Action Group, which decides the priorities for the neighbourhood based on
the results of consultation with local people. 23% of the population is, on average, under the age of 18. NAGs are encouraged to recruit young members, and to include young people’s views in their planning processes.

The survey tool asked whether, when consulting with the public, the views of young people were canvassed, ‘always’, ‘sometimes’ or ‘never’. Table 5.16 shows the results. Two officers gave no response to this question.

<table>
<thead>
<tr>
<th>Always</th>
<th>Sometimes</th>
<th>Never</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officers</td>
<td>36 (31%)</td>
<td>68 (58%)</td>
</tr>
<tr>
<td>PCSOs</td>
<td>39 (48%)</td>
<td>43 (32%)</td>
</tr>
</tbody>
</table>

A cross-tabulation of officers' length of service against their likelihood of consulting with young people revealed that officers were sometimes consulting young people more frequently if they had 15 or more years' service.

All PCSOs consult with young people sometimes or always.

The results of a cross-tabulation of officers' likelihood of consulting with young people against whether they engaged in activities with children and young people outside of policing are shown in table 5.18.

<table>
<thead>
<tr>
<th>Always</th>
<th>Sometimes</th>
<th>Never</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes (have involvement)</td>
<td>10 (33%)</td>
<td>20 (67%)</td>
</tr>
<tr>
<td>No (no involvement)</td>
<td>24 (30%)</td>
<td>45 (57%)</td>
</tr>
</tbody>
</table>
From this evidence it would appear that officers who engage in activities with children outside of policing are more likely to consult them as part of their neighbourhood activities. All officers who had this type of engagement with children and young people said that they would consult them some or all of the time. This would suggest that officers with more experience of communicating with young people were more likely to include them in consultation work. This could be because they have greater access to young people (via their non-police activity) in order to consult them, or because they are more skilled in communicating with them.

The interviews included a question as to whether each interviewee’s local Neighbourhood Action Group included a young representative. The response was varied, and illustrated the difficulties in getting regular representation.

“I recruited one, but he moved house.” (Donald)

“You could have a younger member of the NAG and I’m sure they’ve got something to say, but trying to keep the people interested – that’s the biggest problem I’ve found with – even with the adult members.” (Eddie)

“We haven’t identified a suitable young person yet.” (Ann)

“We were doing public questionnaires anyway and there was a couple of young girls came in, a crowd of three of them, all under 18, all live local – all expressed an interest but of course when you follow it up two of them didn’t want to know, god bless ‘em, but one did, and she actually is a member of our NAG and she attends regular. So we do have an under 18 rep on it.” (Adam)
"We have got two youth representatives on the current NAG ... they’re both about 15 years old, one male, one female, so that’s quite representative ... they are very forthright and perhaps ... aren’t quite as hidebound by the need to not upset people – I think the general feeling is from young people that I talk to, that they don’t feel they’re listened to properly, not consulted enough about decisions that are made that will affect them.” (Beatrice)

Young people hanging around is frequently cited by NAGs as their priority; interviewees were therefore asked what the priorities were in their neighbourhoods. All identified anti-social behaviour as one of their priorities (often the top priority). In town areas this was paired with parking and litter or criminal damage issues. In rural areas, the priorities were speeding and criminal damage issues. Eddie noted that ironically one of the areas where anti-social behaviour was cited as an issue in his neighbourhood was in fact in the shelter which had been located there for the young people to use.

In summary, therefore, not all officers consult with children and young people when setting priorities for their areas. It would appear that young people’s visibility in public spaces is viewed as something to be controlled (e.g. Dwyer 2007; Brown et al 2009).

Summary

This section has considered how officers and PCSOs viewed the young people with whom they came into contact. The key findings from this section, taken together, indicate that officers are more likely than PCSOs to believe that young people should be dealt with more severely, but that overall a punitive ethos is not apparent. Most officers and PCSOs consider welfare issues when dealing with young people, but referrals to
other agencies are haphazard and based on local knowledge and/or provision. Both groups were unclear as to who should be dealing with issues relating to young people, but a large percentage held parents responsible for their children’s poor behaviour. The wide range of opinions relating to the cause of young people’s poor behaviour underlines the lack of training for officers and PCSOs who work predominantly with this age group.

5.6 Conclusions

This section will bring together the evidence and relate it to the hypothesis. It will consider the evidence for and against each hypothesis, taking into consideration plausible alternative explanations for the findings.

Hypothesis 1: Officers will be more responsive to the Every Child Matters policy imperatives

The tool used to measure this was the use of the Common Core skills, in particular effective communication; safeguarding; multi-agency working; and information sharing. The skills ‘children and young people’s development’ and ‘supporting transitions’ are less central to the policing role and were not included.

Effective communication

Officers and PCSOs engaged with young people mostly as offenders, although there were attempts to engage them as citizens in neighbourhood audits. Officers and PCSOs were unclear as to the extent of victimisation for under 18s, and although there was training on the action to be taken in the event that a young person was at high risk, welfare risks were not routinely considered. Instances of abuse or assault by young people were seen as a failure by the young person, not as a
failure of communication by the police officer or PCSO. There was some evidence of good communication and engagement, but also evidence that lack of training in this area was a problem.

In addition, there was evidence that a minority of officer and PCSOs found it difficult to empathise with young people from disadvantaged backgrounds.

**Safeguarding**

As noted above, welfare risks were not routinely considered by officers. Young people were not normally seen as victims and the low level of reporting by them was largely unacknowledged. Most of the stories told by officers and PCSOs related to incidents where the victim was an adult. That having been said, a large percentage of the referrals made by officers and PCSOs were to agencies outside the criminal justice system.

**Multi-agency working**

There is evidence that officers make referrals to other agencies; however, once the referral has been made, only in isolated cases is there a good follow-through. Officers are not routinely made aware of the outcome of referrals.

**Information sharing**

No questions were asked specifically about information sharing; however the research produced examples of officers making contact with other agencies to discuss young people’s anti-social behaviour.

In conclusion, there was evidence that young people entering the criminal justice system were seen as culpable rather than as having missed out on
services to which they were entitled. The ‘Every Child Matters’ ethos had not been well communicated within neighbourhood policing training (the final question asking what CAF – the Common Assessment Framework stood for received only three correct answers), and officers were confused as to their role in relation to the welfare of children and young people and unclear over who had responsibility for dealing with the issue. However, the best interest of the child was considered more important in decision-making than their attitude, suggesting that welfare may play more of a part than indicated.

**Hypothesis 2: Officers will be more responsive to the Criminal Justice imperatives**

The indicators used to measure this outcome were favouring punishment to deter offending (Gelsthorpe & Morris 2002); an ‘offender first, child second’ attitude (Goldson 2001); the opinion that young people’s behaviour had become more problematic; how far young people were seen as victims; the prevalence of net-widening practices; and use of correctionalist language (Goldson 2000).

There was evidence that officers considered the seriousness of the offence as the most important factor for decision-making, but less evidence that young people were seen purely as offenders. Diversionary activity was frequently cited as more appropriate. Young people’s behaviour was seen as having become more problematic as a result of the gathering culture rather than because individual children were behaving less well. Victims were more likely to be perceived as adults than as juveniles; victims’ rights were scored above the best interest of the young person. There was little evidence of officers actively seeking out young people, although there were indications that officers were being directed to a high level of young people and that low-level offending was being dealt
with in a punitive fashion because of the processes officers were obliged to utilise.

A commonly occurring theme in the research was ‘drawing the line’. Officers and PCSOs were clear that where young people had ‘crossed the line’ they should be punished. There was evidence however that where the line was drawn differed depending on the understanding of young people the police officer or PCSO brought to their role.

Officers were more likely than PCSOs to believe that young people should be dealt with more severely. Some officers were of the opinion that the youth justice system was insufficiently punitive.

97% of officers and 90% of PCSOs knew what ‘YOT’ (Youth Offending Team) stood for; 98% of PCs and 95% of PCSOs knew what ‘ASBO’ (Anti-Social Behaviour Order) stood for.

In conclusion, whilst there was some evidence that some officers held punitive views about young people, this was not the predominant mindset. Officers believed it was their role to uphold the law, but that some things that were reported as criminal were not intentionally so, and that alternative solutions would be preferable for some low-level anti-social behaviour.

**Hypothesis 3: Managerialism will trump both sets of policy imperatives because it is in the officer’s interests to respond to the demands of management**

There was evidence that being measured on the number of sanction detections they achieved did influence how officers responded. PCSOs, who were not in a position to make arrests, were less affected by managerialism.
Officers and PCSOs were unclear on how much discretion they had, or indeed how much they used. Some believed they used more than they had, some believed that they had little discretion or none at all.

Although sanction detections were not scored highly on the factors affecting their decision-making, the response to the National Crime Recording Standard question demonstrated the strength of feeling among officers and PCSOs that the process was frequently given more importance when making decisions than the individual circumstances of the offence or offender. There was a tension between what officers believed was happening (sanction detections were not an important factor) and what was actually happening.

“All you see is people saying right, okay, he’s done so-and-so … I’ll go and nick him: detection. Sometimes we should be able to deal with it another way.” (Colin)

Hypothesis 4: Both sets of policy imperatives and managerialism notwithstanding, officers will resort to ‘common sense’ responses informed by their own lay criminologies, scales of values, police culture, and police ‘practice wisdom’.

The variety of opinions expressed in both the questionnaire and interviews indicates that officers and PCSOs, lacking training, have generated their own opinions as to the cause of young people’s bad behaviour and how it should be managed. This is illustrated by inconsistent behaviour in dealing with them, in where the ‘line is drawn’.

When asked directly in interview whether they felt they received contradictory messages from senior officers, it became evident that
officers and PCSOs both felt that they received little guidance at all as to how to work with under 18s.

“I’ve not had anybody say to me this is how you should be doing the job.” (Barry)

Several officers noted the impact of police culture on opinions.

“I think there’s a preconceived idea in the police that kids are bad. I think we need reminding every once in a while that they aren’t. It’s just that we meet the toe-rags.” (Camilla)

“I think we are wired either through the media or through hearing older or more experienced officers talking about certain people to, er, generally expect the worst of them, have extremely low expectations of their behaviour. And in some cases that’s proved absolutely right, but very obviously not everybody is like that.” (Beatrice)

It is therefore the finding of this research that the majority of officers operated according to their own lay methodologies but within the constraints of managerialism, which led to officers and PCSOs taking actions which they did not always believe to be the most appropriate.

The implications of this conclusion will be discussed in more detail in the next chapter.
CHAPTER SIX – DISCUSSION

6.1 Introduction

This chapter will contextualise the findings from the previous chapter and look at their implications for policy, both at government and force level, and for practice. It will conclude with a discussion about the merits of the question asked and meditate briefly on the impact of child death on government policy-making.

Before visiting the findings, it is important to note the developments in policy and process which occurred directly following the completion of the research phase and during the writing of this thesis, some of which began to address issues raised by the research.

6.2 Policy developments subsequent to research period

As noted previously, the policy framework within which this research was conducted was subject to a continual process of change. The interim review of policing (Flanagan 2007a) had commented favourably on the activities of a small number of ‘pathfinder’ police forces which had begun to abandon the sanction detection approach to offence recording in favour of greater use of discretion for low-level offending behaviour, and this endorsement opened the door for other forces to develop similar schemes. At the same time, in ‘The Children’s Plan: Building Brighter Futures’ (dcsf 2007), the government announced plans to pilot a ‘youth restorative disposal’ for low-level first time offences which would, in effect, constitute a diversion from the formal criminal justice system.

21 Surrey, Leicestershire, West Midlands and Staffordshire constabularies.
The Force where this research was carried out developed its own ‘common sense’ approach to low level offending, which was introduced not long after the research was conducted. This included a process for diverting offenders who had committed minor offences from the formal criminal justice system.

A green paper on policing ‘From the Neighbourhood to the National: Policing our Communities Together’ was released in July 2008 (Home Office 2008a). This promised to scale down performance management activities within police forces and introduced a single ‘top down numerical target’ for forces to deliver improved levels of public confidence.

In ‘Healthy Children, Safer Communities’ (DoH et al 2009), the government acknowledged that the OBTJ (Offences Brought to Justice) target conflicted with efforts to prevent young people entering the Youth Justice system. This is clear evidence that the net-widening effect of sanction detections had been noted by the government. The single confidence target was cited as the methodology to permit diversion, where this was the action that best met the needs and concerns of the community (note that the need to be met here was that of the community and not that of the child, which of itself contradicted the ‘Every Child Matters’ approach still being espoused elsewhere in the government).

In June 2010, the Department for Education released figures which showed that the number of young people entering the criminal justice system (receiving either a reprimand, a warning or a conviction) had fallen by 23% compared to 2008-9 (DoE 2010). In the region where this research was conducted, the figure for first time entrants to the criminal justice system was the lowest it had been in nine years. Whilst direct causality cannot be guaranteed, it would seem likely that the relaxation of police targets for sanction detections will have contributed significantly to this fall.
Also in early 2010, the National Police Improvement Agency released the first substantive guidance for Neighbourhood Policing teams on engaging with children and young people.

The change of government in May 2010 and the subsequent public spending cuts will undoubtedly impact on established processes across the criminal justice system. Reduction in the number of police officers and staff may of itself result in a reduction in the number of young people entering the system; alternatively, there may be a resurgence in first time entrants as diversionary activities are seen to impact more heavily on resources than pursuing a criminal justice outcome.

6.3 Policing and government policy in relation to children and young people

The aim of the research was to establish how officers operationalised the tensions between the contradictory punitive and ‘Every Child Matters’ approaches being espoused by government at the time. The hypotheses were:

1. Officers would be more responsive to the ‘Every Child Matters’ policy imperatives;

2. Officers would be more responsive to the criminal justice imperatives;

3. Managerialism would trump both sets of policy imperatives because it was in the officer’s interests to respond to the demands of management;

4. Both sets of policy imperatives and managerialism notwithstanding, officers would resort to ‘common sense’ responses informed by their own lay criminologies, scales of values, police culture, and police ‘practice wisdom’.
It was the finding of this research that the majority of officers, in the face of conflicting policy imperatives, operated according to their own lay methodologies as far as they were able within the constraints of the managerialist processes which led them to take actions which they did not always believe to be the most appropriate.

Whilst some officers did espouse a more punitive approach towards children and young people, this may not have been in response to the government’s approach but could reflect the apparent increasing intolerance towards young people in England (Morgan 2007b), the spread of opinion in the general population, and/or frustration with what those individuals saw as an ineffective criminal justice system.

The rapid and apparently haphazard body of legislation delivered by New Labour (Goldson 2002) resulted in a constant need for police officers to be retrained on laws which had been amended or superseded. The introduction of any new legislation involves the creation of new training materials and the delivery of training courses, either by trainers or by e-learning methods. As Pearson et al (1992) noted, internal communications in large organisations are invariably problematical. Simon (1957) observes that people making decisions in organisations seldom have complete information, and tend to adopt the first acceptable option rather than exploring further. Knowledge management has been identified in the past as an issue for the police (Reuss-Ianni and Ianni 1983). At this time, police officers were often ‘behind the times’ with the latest changes as they were still in the queue for training. This may have had the effect of diffusing the effectiveness of the introduction of the body of legislation.

As noted, New Labour’s approach was driven by the Treasury’s demand for value for money and an evidence base for the proposals it would be funding (Newburn 2002). It would be counter-intuitive to suggest that no
attention should be paid to identifying and promulgating best practice; however, the lack of any significant improvement in recidivism by young people under New Labour (Ministry of Justice 2011) would appear to suggest that the focus on performance management and effective practice by the Youth Justice Board at the behest of the government failed to identify any significant factors in reducing reoffending by children and young people. It has been argued that exposing young people to the criminal justice system in fact increases the chances that they will reoffend (Becker 1963), and the increase in numbers entering the system due in part to the effects of the sanction detection drive by police may have contributed to this lack of success.

Turning to the ‘Every Child Matters’ programme, many of the same difficulties can be seen – whilst the legislative aspect of the programme was relatively small, there was a deluge of guidance and other materials from central government over a relatively short space of time, making it difficult to keep up to date with the programme. In addition, little of this documentation was aimed directly at the police, and there were no performance measures relating to the programme exclusive to the police. Training materials produced by central government were aimed largely at local authorities with little material directly relevant to the police. Whilst the police had been given a duty to co-operate with the local authorities and other partners to ensure the safety and wellbeing of children and young people, there was little clarity provided as to how this duty was to be enacted. Without such clear guidance, it is perhaps not surprising that officers on the front line demonstrated little understanding of, or engagement with, the programme. The research indicates, however, that the skills required for the children’s workforce as part of the programme were being used to varying extent, and perhaps because of that the ‘mutual suspicion and hostility’ Loader (1996) argues most encounters between police and young people engender did not appear to be as prevalent as was found by his research.
The “preventive-surveillance” state (Parton 2008) implied in the ‘Every Child Matters’ programme should have been a good fit for officers utilising control strategies for children and young people, and perhaps counterbalanced the potential for a welfare approach due to the punitive undertone that if young people continued to ‘fail’, services would be withdrawn. The similarity of risk factors identified as indicators that a young person had unmet welfare needs (CAF process) or criminogenic needs (criminal justice process) could have resulted in a close alignment of processes increasing numbers involved in early interventions. In the researcher’s experience, it is often the case that the focus of a police force is dictated in part by the national portfolio held by the Chief Constable. With the ACPO ‘portfolios’ spread across the senior command of all police forces, the force where the Chief Constable holds, say, the domestic violence portfolio, is likely to have a particular interest in that offence. At the time this research was conducted, no member of the command team in the force in question was actively engaged with the ACPO portfolio for children and young people. It is possible that in a force where there was a senior command interest, there would have been greater engagement with the process and operational officers would have made more use of it.

New Labour appeared oblivious to the lack of coherence of their justice and social care policies, and paid little attention to how their different agendas articulated. Garland (1996) attributes this lack of coherence to underlying issues about power and authority in the sovereign state. He argues that an increasing awareness by government of its inability to control crime leads to increased punitivism as symbolic denial of the problem. The outcome for police of this lack of coherence was the paucity of guidance as to how they could satisfy both the drive for more detections and the duty to consider the welfare of children and young people. Perhaps the surprise should be less that neither punitivism nor Every Child Matters made any significant impact on frontline police officers, but rather that they made any impact at all.
It would appear that New Labour abrogated the normative question of how police officers ought to police children and young people. A more holistic approach from central government would lead to policing policies relating to children and young people which articulated a clear framework, allowing for the provision of straightforward guidance. This would also facilitate higher levels of adoption and enable evaluation of their effectiveness.

6.4 Managerialism and the use of discretion

As stated, there was some evidence from the research that being measured on the number of sanction detections they achieved did influence how police officers responded to children and young people. One clear anomaly in the research data was that, although officers graded obtaining a sanction detection as relatively unimportant in their decision-making process (39% of police officers graded it as of the least importance), they nonetheless expressed a high level of frustration in response to the question in the survey tool about the impact on them of the National Crime Recording Standard, with a high percentage arguing that it impacted negatively on their discretion. Further, although officers expressed this frustration, when asked how much discretion they felt they had, 88% felt they had some or lots of discretion, whilst others felt they had no discretion at all. A smaller percentage of police officers (72%) believed they used some or lots of discretion, and some felt they used more than they believed they had. Although previous research had indicated that officers with longer service would be more inclined to use discretion (Finn and Stalans 2002; Brown 2003), this research found no correlation between length of service and the amount of discretion officers believed they used.

The question of how much discretion police officers use, and indeed how much it is reasonable for them to have available to them, has received considerable academic attention. Taylor & Kelly (2006) argued that in the
light of public sector reform, the street-level ‘policy making’ discretion observed by Lipsky (1980) was over; this research disputes that and indicates that, despite reform, in fact officers still are using considerable discretion.

Kleinig (1996) argues that discretion is a normative resource and can be exercised well or badly. Officers need to know how their discretion is to be exercised – what considerations should come into play when they make discretionary judgements, and how to balance them or trade them off. Neyroud and Beckley (2001) ask how, if discretion is inevitable, it might be made to operate fairly and effectively.

In chapter one it was noted that there had been a sharp increase in the number of younger children entering the criminal justice system at this time. It would appear to be the case that officer behaviour toward this age group had changed as a result of the application of managerialist approaches. As noted in the research, 65% of officers graded the age of the young person between four and seven, indicating that it was of some significance in their decision-making. Twenty one percent of PCSOs believed it was the most important factor, although 14% scored it as being of little importance. It may be the case that the removal by New Labour of doli incapax, which had protected younger children from the ‘full rigours of adult justice’, as detailed in chapter two (Bandalli 2000), is likely to have led to officers failing to make allowances for younger children who might lack a full understanding of the impact of their behaviour.

Police Community Support Officers are not able to arrest. None of the respondents to the survey tool felt that they used a lot of discretion. Forty four percent of PCSOs believed they had no discretion at all, and 54% believed they used none. This demonstrates a lack of understanding by PCSOs about what discretion amounts to for the police. Whilst they are not able themselves to arrest, PCSOs will on a daily basis be making
decisions that relate to that power. They can decide, for example, not to report minor bad behaviour by young people they encounter on the grounds that it would not be in the public interest, because they have already dealt with the behaviour by challenging it, or because they do not want to have to summon a police officer to take action but prefer to deal with the matter themselves. It can be argued this kind of decision-making is entirely appropriate for their role in that their immediate action may be of greater satisfaction to the public.

In summary, whilst the drive to obtain sanction detections did impact on officer behaviour, processes drawn up in the expectation that they would fully constrain the use of discretion by officers in fact failed to do so. This would indicate that ambiguities in the legislation and lack of guidance led to the space for the exercise of discretion by officers expanding in the area of children and young people. At the same time, the belief that discretion had been constrained may have resulted in officers receiving less training in its application.

6.5 The impact of police culture

Findings from this research were broadly in line with previous research into police officer decision-making. Earlier research had identified that police officers making decisions about young people consistently ranked the severity of the offence as the most important factor, with the young person’s attitude and the victim’s opinion also having considerable influence. Eighty five percent of the PCs in the research sample and 89% of the PCSOs placed the severity of the offence in the top three factors, with 41% of officers and 56% of PCSOs considering it to be the most important factor. This research identified an additional factor to be important: protecting the public. However this variation may relate simply to the focus on that aspect in British policing which may not be as overt in the other countries from which the previous research originated. Perhaps
because of the addition of this factor, the priority given to attitude and co-operativeness by the research sample was also less high than was found in previous research.

In chapter two, the debate regarding police culture was laid out. It was suggested that the 'canteen culture' is a key element in how officers reach consensus about their role (Kiely and Peek 2002), in the light of 'information overload' (Clark 2005). The findings of this research, that the majority of officers in the face of conflicting policy imperatives operate according to their own lay methodologies within the constraints of managerialist processes, would support the contention that it is tacit knowledge rather than guidance that is operationalised by police officers and PCSOs when dealing with children and young people. Nonaka (1994) describes tacit knowledge as personal knowledge, embodying elements like mental models, experience, skills and know-how referring to the individual's images of reality. The wide variety of responses given by both officers and PCSOs when asked about the issues leading young people to offend supports this argument. It would appear that officers and PCSOs have generated their own opinions as to the causes of young people's bad behaviour.

It is of interest that where the ascendant political party, New Labour, espoused an excessively protectionist policy (the 'Nanny State'), and an increased focus on parental responsibility for their children’s behaviour (Koffman 2008) police officers were inclined towards a methodology of policing young people best described as paternalistic. Loader (1996) argued that the police role is that of a surrogate parent. In this research, 33% of officers and 28% of PCSOs held parents to blame for the misbehaviour of their children, citing either poor quality parenting, lack of discipline or control, unwillingness to accept reports of their child’s behaviour or lack of interest in what their child might be doing. Despite complaints that parents were 'passing the buck' to other agencies, and in
particular to the police, both PCs and PCSOs felt that, after parents, they were the next most appropriate person to be dealing with a young person’s behavioural issues. Officers and PCSOs saw themselves as acting *in loco parentis* for children and young people. This supports both Loader, and Brown et al’s (2009) argument that the element of control police exercise towards young people contains a paternalistic element.

Loader (1996) drew attention to the tension between the public perception of young people as troublesome, and the contradictory need to keep children safe. This dichotomy is echoed in the tension between the police officer’s inclination to control young people at the behest of adults even where their behaviour is not actually criminal, and the police officer’s duty of care, which would incline them toward seeing children as a vulnerable group in need of care and support.

Additionally, the police officer’s focus on incidents rather than individuals lends itself to an individual deficit model rather than the identification of broader societal issues as possible causes for deviant behaviour.

A key element of ‘canteen culture’ is the use of myths or stories to illustrate successful behaviours. The stories told by the police officers and PCSOs who took part in this research clearly indicate that their attitude towards the young people with whom they come into contact reflects their own life experience. Officers with more experience of working with children outside of the police environment demonstrated a greater tendency to consult with them when setting neighbourhood priorities. Mcara and McVie (2005) argued that police make distinctions about whether children are respectable which result from a combination of gender or class bias; Dingwall and Harding (1998) noted a similar moral judgement of character by police in the United States. Kleinig (1996) argues that officers are called upon to show tolerance and impartiality for behaviour which differs from what they were raised to believe to be right.
This difference in background was still seen to be an issue for officers and PCSOs.

“Unlike some urban areas, I don’t have the same sort of challenges, dealing with people whose ethnic background or whose life experiences have been vastly different from mine.” (Beatrice)

“This one girl’s behaviour was unbelievable ... she was shouting and swearing in the street. I was surprised that a girl could behave like that – I was quite shocked.” (Ann, quoted in full in chapter 5)

Ann’s dismay is clearly in part because the young person whose behaviour she finds challenging is female. Officers and PCSOs both scored gender as the least important consideration when deciding on outcomes for children and young people; however, as NACRO (2008) noted, the number of girls entering the criminal justice system at the time this research was conducted had increased dramatically. Some evidence was found by the literature review that police officers were inclined to be more chivalrous toward girls and it was suggested that the increase might result from efforts by officers to avoid positive gender discrimination towards girls. However NACRO (2009) noted that during 2008 the trend reversed, and identified that this was probably caused by the removal of the sanction detection target resulting in greater use of diversion for girls. This research found that officers did not think girls’ behaviour had grown worse, although there were concerns about the impact of their high level of alcohol consumption.

In summary, policy makers should not underestimate the resilience of policing culture, nor the difficulties of obtaining uniform outcomes where behaviour can be dictated by personal belief and experience. This
research found that officers and PCSOs, faced with conflicting policy imperatives, relied on practical wisdom to direct their response. This resulted in findings about their response to and attitude towards young people being broadly similar with previous research undertaken both in other countries and where the contradictory policy imperatives in existence at the time this research was conducted did not exist.

6.6 Reflections on the introduction of Neighbourhood Policing

Loader (1996) and others have argued that the relationship between police and young people is characterised by tension and antagonism. Much of the available literature concludes that the introduction of a form of community policing should defuse the more confrontational aspects of policing young people since it allows for the solving of underlying problems rather than on crime control (Bazemore and Senjo 1997).

Neighbourhood Policing, which provided the study population for this research, was still in development at the time this research was conducted, and it is outside the scope of this thesis to evaluate its effectiveness as a modus operandi for policing generally; however it is possible to identify some positive trends and some issues in respect of engagement with children and young people with a view to developing practice aimed at defusing disbenefits and enhancing the service given to children and young people by the police.

It was evident from this research that the visibility of young people in open space does lead to them coming to the attention of neighbourhood police officers more frequently than adults – both PCs and PCSOs indicated that up to 100% of the offenders they dealt with were young people: the average percentage for PCs was 66% and for PCSOs 46.
Although children and young people are statistically more likely to be the victims of certain types of crime (Pitts 2005), both PCs and PCSOs felt they dealt with a much smaller percentage of victims who were under 18 – the average for PCs was 27% and for PCSOs 32%. This is closer to the percentage of the population which is under 18 (23%).

It is acknowledged that under-reporting of victimisation by young people can lead to officers viewing them predominantly as potential offenders rather than potential victims (Loader 1996) and over-policing them may place the police in breach of the Human Rights Act 1998 requirement to uphold and protect positively the rights of all citizens. That officers and PCSOs identify the young people with whom they deal predominantly as offenders may be the result of a lack of understanding that these are not two separate groups of young people, but one and the same (Victim Support 2007). This again highlights the tension between the government’s punitive approach and the more welfare-oriented Every Child Matters approach, placing emphasis on criminogenic need. This raw statistic appeared to indicate a predominant leaning toward a punitive response, but contextualised by the evidence from the research overall a punitive ethos was not identified.

As stated, community policing should lead to a more inclusive approach toward children and young people. The problem solving approach should lead to neighbourhood officers, and in particular PCSOs, being identified by young people as people to whom they can speak, and this should in turn increase the level of reporting of victimisation by young people. The experience described by Ann in interview, quoted in the previous chapter, indicates that this long-term familiar presence will encourage more young people to report being the victim or witness to offences, which will in time improve reporting levels by children and young people and counter the prevailing view of officers and PCSOs that the only young people they come into contact with are offenders.
Children as citizens

The focus of the Neighbourhood Action Groups which identify and prioritise issues in neighbourhoods could, however, have the result of a more punitive ethos developing amongst neighbourhood officers. As noted, in mid-2008 the three top issues for the Force where this research was undertaken were anti-social behaviour, speeding and parking, with anti-social behaviour being seen as predominantly a juvenile issue. At that time, whilst encouraged to include young people or their representatives, many NAGs were experiencing difficulties in recruiting, or retaining, juveniles. Loader (1996) notes that the experience and acquired predispositions young people have about the police tend to result in them seldom turning up at consultative meetings or filling in customer satisfaction surveys. Even where young people are involved, as Rappaport (1994) notes, for those who work with a variety of stakeholders, the temptation is to please one – usually the most powerful.

There is a tension here between the utilitarian view that the needs of the many outweigh the needs of the few, and the requirement to ensure that all members of the community are given an equal say. According to Hough and Roberts (2004), three quarters of the public believe that the number of young people offending has risen in recent years, whereas it has been consistently falling. In interview, both officers and PCSOs identified the difficulty of getting young people to engage with NAGs, saying that they had been unable to identify ‘suitable’ young people, or that where young people had turned up it had proved difficult to keep them interested.

It should be noted that in the questionnaire both PCs and PCSOs tended to score public interest and the victim’s wishes above the best interest of the young person. This again implies that they may be failing to balance the rights of the two groups by according more weight to the needs of
adults than those of young people. Very few PCs or PCSOs were confident that young people were aware of their rights; if the officers are also unclear about the young person’s rights or are according them less importance, then a more punitive, control-focussed outcome for young people is likely to result.

Despite the lack of involvement of young people in many NAGs, there were indications that officers and PCSOs were both consulting with young people to identify their priorities. Officers with over 15 years’ service, and those who engaged in activities with children outside of policing, were more likely to consult with young people. This suggests that officers with more experience of communicating with young people were either more likely to include them in their consultation work or more skilled in communicating with them.

**Familiarity with neighbourhood officers and PCSOs**

Counter to the potential disbenefits mentioned above, there were clear indications from interview that because officers and PCSOs were signed up to police particular areas for at least two years, this was resulting in two things: they were getting to know the young people who were frequently visible in the community, and young people were becoming more confident in speaking with them.

“If you take the time to go and speak to them, engage with them, and listen to them, they’ll get to know you.” (Barry)

“When I said I wasn’t going to move them on, I just wanted to say hello, they wanted to know why that appeared to be different.” (Adam)
“The youths could see a different officer every single day, whereas they see me all the time.” (Ann)

“Working with children, with youth, yeah, it’s great, because they know they’ve got a local officer, they know he’s about, they know what’s up ... I don’t think they would go and speak to someone sort of like your active shifts at all, because they don’t know them, but they come and talk to me, they know me.” (Colin)

This supports the argument of Hayes (1999) that officers who get to know young people will deal with them more holistically. This should result in fewer antagonistic relationships between the police and young people, as well as increasing reporting as identified above. Two caveats must be made: firstly, that this familiarity could lead to the police focusing on the ‘usual suspects’ (Bazemore and Senjo 1997) or, secondly, making judgements about the future behaviour of children who have yet to actually commit an offence (Muncie 2004).

**Diversionary activities**

Neighbourhood officers and PCSOs in the Force where the research was conducted speak enthusiastically about diversionary activities they have promoted for children and young people, including them not just as participants but also as planners. These are frequently highlighted in the Force magazine. The type of activities include regular events such as football tournaments, and one-off events such as Bonfire Night celebrations. A large number of officers and PCSOs in the survey population identified ‘nothing to do, nowhere to go’ as an issue for the young people with whom they come into contact. They were alert not only to the lack of facilities in their neighbourhoods for young people but also to
the difficulties presented by lack of public transport and money for young people to get to places where activities were on offer.

In the current economic climate, with both public sector and charities reducing the provision of activities for young people, there is likely to be an increased demand for neighbourhood officers and PCSOs to 'entertain' children and young people in their neighbourhoods, in part because the kinds of activities that used to be acceptable are now seen as anti-social. The researcher recalls in her own childhood a craze for hopscotch, with pavements chalked up to provide the required grid; she has no doubt this would now be seen as criminal damage, just as street football is now seen as anti-social behaviour.

Should the situation arise where a need is identified for activities which the neighbourhood team are not in a position to provide, it would benefit them to capacity build their NAGs to take on the challenge of occupying young people in ways that the community will find acceptable.

**Scoping the extent of the role**

“I know we’re supposed to be all singing and dancing, you go and do, you know, warrants, we do arrest people, we do NAGs, we do Parish Council meetings, we do speed enforcements – something’s got to give.” (Eddie)

Neighbourhood officers are often responsible for performance, problem-solving, developing their NAGs, engaging with and building confidence in the community, developing and guiding PCSOs, attending briefings, working in partnership, undertaking consultations with different parts of the community, providing intelligence, arresting and convicting prolific offenders, as well as visiting all victims of particular crimes resident in their
neighbourhoods. A number of officers and PCSOs in interview admitted that the workload was difficult to manage.

The expectation that Neighbourhood Policing officers can take on an apparently ever-expanding workload needs to be considered in light of their original purpose: public reassurance. Twenty-three per cent of the population is under 18. There is a potential for the needs of young people in a neighbourhood to be subsumed by those of adults, a situation which could easily occur if officer or PCSO workload exceeds their capacity.

The role of the PCSO

“We’re there to work in their community, with them, we’re not there to arrest them.” (Ann)

PCSOs were introduced to provide a visible and familiar presence through foot patrols and community engagement, and were expected to remain in post long enough to build lasting and trusting relationships with the communities they served (Home Office 2005). These factors, combined with their inability to arrest which should result in them favouring problem-solving approaches, should result in young people coming to know and trust them.

“I have had kids say that they will tell PCSOs things that they perhaps wouldn’t trouble a police officer with.”

(Beatrice)

Unfortunately, a high percentage of PCSOs in the survey population indicated that they had been subjected to verbal abuse by young people. There have been numerous reports in the media referring to PCSOs as ‘plastic policemen’ (House of Commons 2008), and this appellation was referenced frequently by young people surveyed in 2010 by the Force in
which this research was conducted. As noted by Donald in interview, “I know there’s obviously less respect for PCSOs.”

This lack of respect indicates a need to promote the role of the PCSO more effectively to the public. When they were first introduced, there was a lack of clarity in relation to their exact role, with Chief Officers left to decide which out of a shopping list of powers PCSOs would use, and what work they would undertake. This resulted in them being seen by some as a resource to be used to free up police officers from some of the more tedious elements of their role, rather than as having a role of their own. PCSOs in interview identified the quality of their training as a major issue for them. They felt that it had concentrated to a large extent on what they could not do, rather than telling them what they could, leaving them to create roles in the gap. Some of their trainers seemed uncertain as to what PCSOs could do, and one reported sitting through an hour’s lesson on how to make an arrest before someone challenged the trainer and pointed out that PCSOs did not have that power.

“I’ve spoken to people of all ages who think (a) I’m voluntary or (b) in training or (c) doing this because I’m not quite good enough to be a police officer.”  (Beatrice)

Cooper et al (2006) identified that the rapidity with which PCSOs were introduced had resulted in poor quality training and a lack of clarity around their role. They further identified a lack of understanding by supervisory officers of what PCSOs could and could not do.

If they are to maximise the opportunity to engage effectively, the role of the PCSO needs to be clarified and promoted effectively, both within the police and to the wider public. It would be beneficial if the amount of their time spent dealing with children and young people were acknowledged
and their training refocussed within the framework of the common core skills.

PCSOs in the survey population indicated a high level of interaction with young people and were more likely than officers to suggest a holistic approach to address problem behaviour. Of concern, however, is the fact that 39% stated that they had never referred a young person anywhere, and that those who had were more likely to refer into anti-social behaviour processes than to a service designed to address non-criminogenic need. There was some indication, however, that PCSOs had been instructed to report young people about whom they had concerns not to partner agencies but to their line managers. Where this was happening, PCSOs reported that they were not advised what action, if any, had been taken. They might continue to see the young person without any certainty as to whether their concerns were being addressed. Clarity is needed as to how the role of the PCSO fits into the wider partnership arena, and processes need to ensure that the feedback loop is closed and the reporting PCSO is kept informed of action taken.

“It’s about building relationships.” (Beatrice)

In summary, the main challenges for PCSOs are firstly to ensure that they have a clear role which is distinct from and complementary to the role of police officers and which remains focussed primarily on patrolling; secondly to ensure that fellow officers – and in particular supervisory officers – understand what is different about the PCSO role; and thirdly, to ensure that the public, and in particular young people, understand the role – and value to them – of the PCSO. It would be beneficial if PCSO training was refocussed on the section of the population with whom they are most likely to come into contact – children and young people.
Policing the gathering culture

Although the number of young people involved in an incident was not graded highly by officers or PCSOs when considering the factors affecting their decision-making regarding children and young people, in interview both officers and PCSOs expressed concern about dealing with larger groups. Adam noted, “there is a ... new youth gathering culture.” One officer (Colin) suggested the group sizes were because there were simply more young people than at any time in the past.

The ability of young people to regroup after having been moved on by the police has increased exponentially as a result of the ubiquity of the mobile phone. Research in 2001 indicated that 90% of children under the age of 16 in the UK had a mobile phone (Guardian 2001). The location where young people gather is likely to be one that is easily identifiable and well lit. Officers and PCSOs identified shopping areas as one of the main locations they expected to encounter children and young people.

PCs and PCSOs both stated that it was the number of young people in the groups that was intimidating as opposed to their behaviour. In interview, some suggestions were made as to best practice in dealing with large groups. Beatrice notes, “I think that sort of crowd control is a skill in itself.” Donald recommends, “go for the most loudest one, the alpha male, and start talking to them, maybe make a few jokes.” Ann commented that she tried to avoid being encircled by young people. “I won’t let them surround me.” Adam describes dealing with a typical situation:

“We got a call on the High Street ... there was 17 kids, some of whom I knew, the majority of whom I didn’t, some had cars, some didn’t ... there was a bit of rowdiness, a bit of shouting – nothing relatively serious. So I stepped in, I was chatting familiar to the ones that I knew ... then gradually I
was able to pick off the ones that I didn’t know who were still shouting and causing a disturbance and generally took them to one side, had a quiet conversation with them.”

It is unclear that consideration has yet been given to the most appropriate ways of managing the larger groups of children and young people prevalent in public spaces, facilitated by advances in technology, who may appear threatening but who are generally not actually committing any offences.

**Summary of lessons for Neighbourhood Policing**

“Whenever one group is targeted and blamed for the ills of society, they are likely to interpret this as dismissal from the mainstream.” (Charles Pollard 1997)

With the increased scope for the use of police discretion identified by this research, there are two potential outcomes for children and young people. The preponderance of adults identifying young people as an issue could lead to young people being increasingly targeted by neighbourhood officers and PCSOs for behaviour which, whilst seen as threatening, is not actually illegal, not the least because neighbourhood policing was designed to address the increased intolerance towards disorder and nuisance. Alternatively, the use of diversionary problem solving approaches could result in improved relationships between the police and young people, leading to a decrease in antagonism and an increase in children reporting victimisation.

Tyler (2004) argues that the police need public support and cooperation to be effective. Young people are the citizens of the future, and by improving the relationship with them the police can reap the long-term benefit of improved public confidence.
6.7 Reflections on training and enhancing the use of discretion

“Officers ... are rarely trained, encouraged or motivated to think about developing genuine discursive relationships with the social groups they police.” (Loader 1996)

It is a concern that officers who believe that a very high percentage of the offenders they deal with are young people also believe they have had little or no training in dealing specifically with this age group, as previously indicated. It is equally of concern that only officers who had worked in specialist child protection teams believed they had received any training in how to deal with young people at risk of harm. In response to the survey, 80% of officers found young people difficult to deal with, particularly if the officers had less than five years’ service. Further, 43% of police officers reported having been verbally or physically assaulted by young people.

Training relating to young people at risk of harm and at risk of offending formed two separate questions in the questionnaire; however the risk factors are similar, as evidenced by the fact that the domains used in the CAF form closely resemble those included in the Asset assessment tool used by Youth Offending Teams. Revisiting the common core skills for working with children and young people used as a baseline for this research, whilst the practical skills of multi-agency working and information sharing are well embedded in police knowledge, and attention is given in initial training to effective communication and engagement, neither officers nor PCSOs felt they had received much – if any – training on child safety, and the core skill of child development is notably absent.

The methodology for training police officers changes frequently. A study of training in 1999 found that 33% of police forces had weak, ineffectual training strategies (HMIC 1999). Twenty years ago, much of the training was classroom-based with frequent examinations, followed by a very short
period with a ‘tutor constable’ before lone patrol commenced. This changed in the 1990s, with a shorter period at training school followed by five weeks of patrol and then a second stint at training school.\textsuperscript{22} The system current when this research was conducted involved 30 weeks of college-based initial training, which included community placements.

Police officers generally serve for 30 years, so that at any given time officers who have received quite different training can be working side by side. As noted by Bittner (1967), the same demands are made of barely initiated officers as are made of experienced practitioners.

Hence, all officers will have received some training on child protection as part of their basic training – but may not have been required to use that knowledge for some time after the training, potentially resulting in an unwillingness to admit to any knowledge in case what they remember is incorrect.

When Neighbourhood Policing was first introduced, no standard training materials were available, and the training was written and delivered by individual forces. The National Police Improvement Agency later introduced a series of seven workbooks for neighbourhood policing, none of which dealt specifically with policing juveniles. The training given to PCSOs was, as noted, poorly structured and often delivered by trainers who were unclear themselves on what PCSOs should – and should not – be doing.

Police training is time-consuming and expensive. In many cases, e-learning is used to reach a wider range of students more quickly; however indications from this survey is that both PCs and PCSOs found e-learning ineffective. All stated that they would prefer face-to-face training by their peers; however, it was also noted by several that the quality of

\textsuperscript{22} More information on the history of police training can be found in Home Office/HMIC (2002) Training Matters.
training can vary depending on the level of skill of the tutor. It is just as possible for bad practice to be communicated as good.

However, as found by this research, without clear guidance to the contrary, officers continue to police much as they always have, depending on their tacit knowledge to ‘draw the line’ between what is acceptable behaviour and what is not, often based on a vocabulary of precedents developed within the ‘canteen culture’. Because of its consensual nature, policing needs to be demonstrably able to base decisions on all aspects of any situation, giving equal weight to all parties involved.

Based on the premise that officers have different levels of understanding of working with children and young people gained at different times, rather than producing training materials based on the assumption that students have no knowledge, it could be more cost-effective to develop a tool to identify the gaps in officer and PCSO learning, based on the common core skills, with modular training developed to address any identified gaps. The testing for, and possession of, those skills should not be limited to officers and PCSOs within the neighbourhood policing structure, but should extend to officers at all levels of the organisation, “as the public do not divide police into neighbourhood policing/response/investigation but instead view them all as their local police.” (Home Office 2008a)

The use of discretion by officers, however, is something that may require a less formulaic approach. One officer in interview noted that it was impossible to train someone to communicate with others – you either had the skill or you didn’t. The most common complaint from young people about the police, and therefore the strongest cause of antagonism, is that the police are arrogant and show young people no respect. “The police could change their approach when stopping young people for no apparent reason and they need to respect young people when talking to them, not
all young people are up to mischief.” (National Youth Agency consultation, 2010, not yet published.)

Nihart et al (2005) argued that if law enforcement agents better understood the causes and nature of juvenile attitudes toward them, this might result in more positive outcomes and a reduction of juveniles entering the criminal justice system.

An approach including elements of pro-social modelling in police training might be effective; a process whereby the officer or PCSO presents themself in such a way as to bring out the best in a young person could result in reducing antagonism and further enhancing communication.

Sir Ronnie Flanagan (2007a) has argued that there needs to be a national commitment to move to a culture of judgement, discretion and accountability. Police officers need to be able to exercise their own agency with confidence, utilising a common sense approach within the boundaries of justice and public interest.

No doubt the extent to which Police Officers (and Police Community Support Officers) operationalise their discretion will continue to be challenged. In his 2010 Roscoe Lecture, the Right Honourable Lord Justice Leveson argued, “in issuing an out of court disposal the police are essentially acting as prosecutor and judge, outside the environment of an open court ... I do not believe that I am alone in expressing concern about these powers ... where is the mechanism for accountability for these important decisions?”

6.8 Conclusion

This thesis considered whether how Police Officers and PCSOs operationalised the tensions between the contradictory punitive and ‘Every
Child Matters’ approaches being espoused by government at the time the research was undertaken.

It became apparent during the conduct of the research that the impact was not as great as might have been expected, and that the lack of clarity led to an increase in the space for discretion available to police officers and PCSOs, who operationalised their own lay methodologies as far as they were able within the constraints of the managerialist ‘sanction detection’ process.

Whilst the research did not evidence any significant change in the way in which police officers and PCSOs made decisions about the children and young people with whom they came into contact, this indicates that in order to impact on police culture, their engagement in and understanding of the process is seminal. Ayre and Preston-shoot (2010), writing about social workers, identify that it is insufficient to make injunctive or procedural responses to failings, and far more effective to seek out the fundamental weakness which underpins and encourages failures in performance. Both the punitive approach and the ‘Every Child Matters’ programme were introduced without consideration as to what it was that the police did that needed to be changed, or indeed why that was the case.

The research touched on much that was of interest but lay outside its scope; the nature of police culture was not debated. The developments noted in section 6.2 were ongoing as the research was being written up, and the researcher was involved in their implementation. Every attempt was made to avoid bias and ensure the reliability of interpretation.

Pitts (2000) argues that New Labour’s Youth Justice policy was driven by ‘the politics of electoral anxiety’. Both the punitive approach and the ‘Every Child Matters’ programme were developed in the wake of public outrage from the death of a child – in the first case, James Bulger, and in
the second, Victoria Climbié. It would appear that adopting a ‘knee jerk’ approach to policy development is ineffective.
There is increasing recognition that the policing of young people is one of the more difficult aspects of police work. It has also been suggested that adolescents do not always hold the police in high regard. As a Force, we do not have a clear picture of officer interaction with young people. This questionnaire is designed to capture some of your experiences in order to inform the Force Youth Strategy.

Information collected from this questionnaire will additionally be used to provide data for a professional thesis to support Doctoral studies undertaken by the researcher.

You do not have to give your name, and if you chose not to do so no attempt will be made to identify you from the answers you have given. I will ensure there is no way that you can be identified from any report formulated from the data collected.

You do not have to answer all the questions, but where you do please indicate your answer clearly. If you want to complete the form electronically, please remember to save a copy and attach the completed copy to an internal e-mail to me. Otherwise, the form can be return in the internal mail to [address]

1: ABOUT YOU

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
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<tbody>
<tr>
<td>How old are you?</td>
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<td>What gender are you?</td>
<td>Male, Female</td>
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<td>What’s your job title?</td>
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<td>What is your rank?</td>
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<td>How many years service do you have?</td>
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<tr>
<td>Do you have any children under 18?</td>
<td>Yes, No</td>
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<tr>
<td>Are they (you may tick more than one if applicable)</td>
<td>0-5, 5-10, 10-14, 15-17</td>
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<tr>
<td>Are you engaged in any activity outside of policing that involves young people? (e.g. scouts/guides)</td>
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</table>
### 2: HOW YOU WORK WITH YOUNG PEOPLE

<table>
<thead>
<tr>
<th>When consulting with the public, do you canvass the views of young people?</th>
<th>Always</th>
<th>Sometimes</th>
<th>Never</th>
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<tr>
<th>Roughly speaking, what percentage of the victims you deal with are under 18?</th>
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<tr>
<th>Roughly speaking, what percentage of the offenders you deal with are under 18?</th>
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<th>Are you more likely to have contact with young people any particular time (or times) of the day? If yes, please indicate which:</th>
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<th>Morning</th>
<th>Afternoon</th>
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<th>Night</th>
<th>Late Night</th>
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<tr>
<th>Are there any specific locations that you get called to more often than others in order to deal with problem behaviour by children and young people? (You may tick more than one)</th>
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<tr>
<th>No, none</th>
<th>Housing estates</th>
<th>Schools</th>
<th>Pubs</th>
<th>Town centres</th>
<th>Local shops</th>
<th>Children’s Homes</th>
<th>Shopping centres</th>
<th>Sports/leisure clubs</th>
<th>Parks/recreation grounds</th>
<th>Other (please specify)</th>
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<tr>
<th>What factors do you consider when deciding how to proceed? Please ‘score’ the following list 1-10 with 1 being most important and 10 being least important:</th>
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<tr>
<th>The victim’s wishes</th>
<th>Protecting the public</th>
<th>The gender of young person</th>
<th>The young person’s attitude</th>
<th>The seriousness of the activity</th>
<th>The number of young people involved</th>
<th>The age of young person</th>
<th>The young person’s best interest</th>
<th>Whether the young person is co-operative</th>
<th>Obtaining a sanction detection</th>
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<td>Question</td>
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<td>How much discretion do you feel you have to deal with young people exhibiting problem behaviour?</td>
<td>Lots Some None</td>
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<td>How much discretion do you feel you use?</td>
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<td>Do you find young people difficult to deal with?</td>
<td>Often Sometimes Never</td>
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<td>In the last 12 months, have you been harassed or assaulted by a young person?</td>
<td>Yes No</td>
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<td>If yes, which of the following behaviours have you suffered?</td>
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<td>Verbal taunts</td>
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<td>Shouted at</td>
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<td>Swearing</td>
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<td>Thrown object</td>
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<td>Assaulted with weapon</td>
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<td>Other (please specify)</td>
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<td>How many young people that you interact with have respect for authority, and the police in particular?</td>
<td>Very few A few About half Most Nearly all</td>
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<td>Do you ever make contact with another agency about a child or young person?</td>
<td>Yes No</td>
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<td>If yes, please list any relevant agencies:</td>
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<td>With regard to young people who offend, what issues do you think need addressing?</td>
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<td>Who needs to address these issues?</td>
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</tbody>
</table>
### 3: WHAT YOU KNOW ABOUT WORKING WITH CHILDREN AND YOUNG PEOPLE

<table>
<thead>
<tr>
<th>Have you had any specific training with respect to young people in conflict with the law?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
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<tr>
<td>Yes – please describe:</td>
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<table>
<thead>
<tr>
<th>Do you think you would benefit from training in this respect if it was available?</th>
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<tr>
<td>Yes</td>
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<table>
<thead>
<tr>
<th>Have you had any specific training with respect to young people who are at risk of harm?</th>
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<tr>
<td>No</td>
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<tr>
<td>Yes – please describe:</td>
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<table>
<thead>
<tr>
<th>Do you think you would benefit from training in this respect if it was available?</th>
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<tbody>
<tr>
<td>Yes</td>
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<table>
<thead>
<tr>
<th>How many young people that you come into contact with do you think know their legal rights?</th>
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<tbody>
<tr>
<td>Very few</td>
</tr>
<tr>
<td>A few</td>
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<tr>
<td>About half</td>
</tr>
<tr>
<td>Most</td>
</tr>
<tr>
<td>Nearly all</td>
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<table>
<thead>
<tr>
<th>Do you think the National Crime Recording Standard has made a difference to what you do? If you do, what difference do you think it has made?</th>
</tr>
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<tr>
<th>Finally, a small quiz - what do the following stand for?</th>
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<tr>
<td>YOT</td>
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<tr>
<td>CAF</td>
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<tr>
<td>ASBO</td>
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Thank you for completing the questionnaire. Please return it in the internal mail to: [address]
I will be undertaking some follow-up interviews. These will take approximately one hour. If you are interested in taking part, please state your name and telephone number below. This sheet will be kept separate to your answers, above, to maintain your anonymity.

<table>
<thead>
<tr>
<th>Name:</th>
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<tr>
<td>Job title:</td>
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<td>Phone no:</td>
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INTERVIEW QUESTIONS

Note: these questions were a guideline for the interviewer, rather than being delivered to the interviewee as written – they were adapted to allow for the interview to flow naturally.

The following points were made to interviewees at the commencement:

- Answers will contribute towards both doctorate and inform the Force youth strategy.
- I can’t guarantee any suggestions you make today will be picked up.
- I will ensure that you cannot be identified in any report, or in my thesis.
- It’s not a test – there are no right answers.

SECTION ONE – SETTING THE SCENE

(1) What’s the area like that you police? Are there a lot of young people (under 18?)

(2) Do you know what kind of problems have been identified in the Neighbourhood Action Plan? Are many of them to do with children?

(3) Are they about children as victims or offenders?

(4) Do you know whether young people or their views are represented at the Neighbourhood Action Group? If they are, do you think young people’s views are given as much weight as the views of adults?

SECTION TWO – YOUNG PEOPLE AS VICTIMS

(5) Do many young people report crime to you? If so, what sorts of crime do they report?

(6) Do you think it’s difficult for young people to report crime? If so, why?
(7) If you think a child you are dealing with has problems, who might you talk to, in order to get help for the child? Is it easy or difficult to access services?

SECTION THREE – YOUNG PEOPLE AS OFFENDERS

(8) In your opinion, is the behaviour of children getting worse? If so, why do you think that is the case?

(9) What in your opinion causes young people to get into anti-social behaviour and crime?

(10) What do you think the police can – or should – be doing about it?

(11) How much impact do you think the drive for sanction detections has on how you make decisions about young people? (Amended for PCSOs to: I know you can’t arrest anyone, but how much impact do you think the drive for sanction detections has in how your police colleagues make decisions about young people?) Do you think there are conflicting messages about what we should be doing?

(12) Do you ever find yourself having a difference of opinion with colleagues about what needs to be done? If so, how are those difficulties resolved?

SECTION FOUR – SPECIFIC CASES

(13) Tell me about a child or a group of children you’ve had to deal with recently – what went well, what went less well, what could you have done differently? What kind of blockages exist? What helps?

(14) Is there a difference between what you can do and what you’d like to do?

SECTION FIVE – TRAINING

(15) From the survey, it would appear that there is a gap around training relating to dealing with children, both as victims and as offenders. What would you like to know more about?

(16) How would you like to get that information?
### LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ACPO</td>
<td>Association of Chief Police Officers</td>
</tr>
<tr>
<td>APA</td>
<td>Association of Police Authorities</td>
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<tr>
<td>ASBO</td>
<td>Anti-social Behaviour Order</td>
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<tr>
<td>BCS</td>
<td>British Crime Survey</td>
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<tr>
<td>CAF</td>
<td>Common Assessment Framework</td>
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<tr>
<td>CDRP</td>
<td>Crime and Disorder Reduction Partnership</td>
</tr>
<tr>
<td>CPS</td>
<td>Crown Prosecution Service</td>
</tr>
<tr>
<td>dcsf</td>
<td>Department for children, schools and families</td>
</tr>
<tr>
<td>dfes</td>
<td>Department for education and schools</td>
</tr>
<tr>
<td>HMIC</td>
<td>Her Majesty’s Inspectorate of Constabulary</td>
</tr>
<tr>
<td>NAG</td>
<td>Neighbourhood Action Group</td>
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<tr>
<td>NCRS</td>
<td>National Crime Recording Standard</td>
</tr>
<tr>
<td>NPIA</td>
<td>National Police Improvement Agency</td>
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<tr>
<td>OBTJ</td>
<td>Offences Brought to Justice</td>
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<tr>
<td>PC</td>
<td>Police Constable</td>
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<tr>
<td>PCSO</td>
<td>Police Community Support Officer</td>
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<tr>
<td>PSA</td>
<td>Public Service Agreement</td>
</tr>
<tr>
<td>YJB</td>
<td>Youth Justice Board</td>
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<tr>
<td>YOT</td>
<td>Youth Offending Team</td>
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