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**YOUNG OFFENDERS  
AND  
THE CRIMINAL JUSTICE SYSTEM:**

**A SYSTEMS SCIENCE APPROACH TO EVALUATING AND  
IMPROVING METROPOLITAN POLICE SERVICE POLICY  
TOWARD YOUNG OFFENDERS**

**Submitted by  
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**In fulfilment of the requirements  
for the degree of  
Doctor of Philosophy**

**DEPARTMENT OF MANAGEMENT SYSTEMS & INFORMATION  
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CITY UNIVERSITY, LONDON**

**SEPTEMBER 2000**



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## **DEDICATION**

This thesis is dedicated to the memory of my late father, William Charles Rowe, to whom the advancement of education was of paramount importance. The pride he would have taken from completion of this work will, I hope, be counted as a partial payment towards the eternal debt of gratitude I owe him for the opportunity and encouragement he afforded me to pursue an education.



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Raymond Rowe,  
September 2000



## **DECLARATION**

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Raymond Rowe

September 2000

## ABSTRACT

The research reported here is concerned with a systems science approach to evaluating and improving Metropolitan Police Service (MPS) policy toward young offenders from 1992 to 1999. The MPS were concerned at the cost effectiveness of their policy and procedures toward young offenders, and the role of other agencies in the decision-making process.

A multi-methodological approach was adopted to identify the problem situation and agree an agenda for change. Soft Systems Methodology (SSM) and a number of other methodological techniques were used to assist in identifying the problem situation. Archive data was gathered, interviews were conducted with representatives from a number of organisations and, questionnaires were designed to investigate policy and decision-making procedures for multi-agency youth liaison panels (MAPs) operating in the Metropolitan Police District. A number of MAPs were observed and identified as case studies to inform SSM.

There were three objectives to this research: firstly to evaluate the problem situation; secondly to generate an agenda for change with those involved; and thirdly to evaluate any implementation that was likely to follow.

The multi-methodological approach described above was used to evaluate the decision-making used by the MPS and MAPs involved in case disposal procedures. Secondly, this approach was also used to identify changes to the decision-making policy and procedures and to debate them with the MPS and MAPs. Thirdly, the same approach was used to obtain agreement to implement and evaluate the effects of those changes.

The three objectives were achieved and lessons learned from the integration of multi-methodological techniques with SSM. This approach was considered to be an appropriate means for dealing with the complexity of the problem situation and in identifying improvements to police policy and procedures. The introduction of the 'gravity factor' process has led to greater consistency in police and MAP decision-making.



## **KEY TO ABBREVIATIONS**

<b>ACPO</b>	<b>Association of Chief Police Officers</b>
<b>BLO</b>	<b>Borough Liaison Officer</b>
<b>CASE</b>	<b>A record of an investigation into allegations about a young offender and the decisions made by police to prosecute or divert from the criminal justice system.</b>
<b>CATWOE</b>	<b>Mnemonic: Customer, Actor, Transformation, Weltanschauung, Owner and Environment Constraints (See TWO ACE).</b>
<b>CIS</b>	<b>Corporate Information Services, MPS</b>
<b>CJS</b>	<b>Criminal Justice System</b>
<b>CJU</b>	<b>Criminal Justice Unit</b>
<b>CM</b>	<b>Conceptual Model</b>
<b>Cog.Map</b>	<b>Cognitive Mapping</b>
<b>COPE</b>	<b>Cognitive Mapping Software</b>
<b>CPS</b>	<b>Crown Prosecution Service</b>
<b>CSH</b>	<b>Critical Systems Heuristics</b>
<b>DAC</b>	<b>Deputy Assistant Commissioner</b>
<b>FOMR</b>	<b>Force Organisation and Management Review</b>
<b>HMCIC</b>	<b>Her Majesty's Chief Inspector of Constabulary</b>
<b>HOC</b>	<b>Home Office Circular</b>
<b>IT</b>	<b>Intermediate Treatment</b>
<b>LSI</b>	<b>Local Systemic Intervention</b>
<b>MAP</b>	<b>Multi-Agency Youth Liaison Panel</b>
<b>MAYLP</b>	<b>The same as MAP</b>
<b>MPD</b>	<b>Metropolitan Police District</b>
<b>MPS</b>	<b>Metropolitan Police Service</b>
<b>NFA</b>	<b>No further action</b>
<b>NPW</b>	<b>Not proceeded with</b>
<b>NSPIS</b>	<b>National Strategy for Police Information Systems</b>
<b>OCU</b>	<b>Operational Command Unit</b>

<b>PACE</b>	<b>Police and Criminal Evidence Act, 1984</b>
<b>PIB</b>	<b>Performance Indicator Bureau</b>
<b>PITO</b>	<b>Police Information Technology Organisation</b>
<b>PSR</b>	<b>Pre-Sentencing Report</b>
<b>RD</b>	<b>Root definition</b>
<b>RS</b>	<b>Relevant System</b>
<b>SOSM</b>	<b>System of Systems Methodology</b>
<b>SPSS</b>	<b>Statistical Package for the Social Sciences</b>
<b>SRT</b>	<b>Service Review Team</b>
<b>SSD</b>	<b>Social Services Department</b>
<b>SSM</b>	<b>Soft Systems Methodology</b>
<b>VSM</b>	<b>Viable System Model</b>
<b>VSS</b>	<b>Victim Support Scheme</b>
<b>TIC</b>	<b>Taken into consideration</b>
<b>TO</b>	<b>Territorial Operations</b>
<b>TWO ACE</b>	<b>Mnemonic: Transformation, Weltanschauung, Owner, Actor, Customer and Environmental Constraints (See CATWOE)</b>
<b>YACS</b>	<b>Youth and Community Section</b>
<b>YOLT</b>	<b>Young Offenders Liaison Team</b>
<b>YOT</b>	<b>Youth Offending Team</b>

**It should be noted that the term "young offender" and "juvenile offender" have the same meaning in this thesis; that is, a person aged at least 10 years and below 17 years of age. The researcher will use the term young offender throughout.**



## CHAPTER 1

### 1.0 INTRODUCTION

*This chapter: (1) Discusses the three objectives of this research and why it was undertaken; (2) Discusses the author's experience of the Metropolitan Police Service's policy and procedures for young offenders; (3) Discusses why a multi-methodological approach was used in this research generally, and to examine police decision-making within the Criminal Justice System; and (4) Discusses the structure of the document.*

### 1.1 The Three Objectives of this Research

The study of the Metropolitan Police Service (MPS) policy toward young offenders discussed here: (1) Extended over seven years; (2) Was conducted by the author with guidance, advice and assistance of Dr. Ross Janes; and (3) Was supported by the Metropolitan Police Service.

The author identified that the MPS was considering whether to support Multi-Agency Youth Liaison Panels (MAPs) in the future. The MPS was concerned that the costs outweighed the benefits. The police would refer some young offender prosecution cases to the MAP for a recommendation as to prosecution or some other disposal. The MAP would consist of one representative from the police, the social services, the probation service, and educational welfare services, a youth worker and possibly a voluntary worker. The police member would be from the Youth and Community Section (YACS). The MAP would meet regularly to consider the most appropriate case disposal for the young offender. However there was very little information available about a MAP's effectiveness or ineffectiveness. The MPS commissioned the author to enquire into the problem situation. The author considered that a longitudinal approach would be necessary;

firstly, to evaluate the problem situation; secondly, to generate an agenda for change with those involved; and thirdly, to evaluate any implementation that was likely to follow.

The author agreed three objectives with the MPS and City University, they were:

1. To evaluate the decision-making system used by Multi-Agency Youth Liaison Panels involved in case disposal procedures for young offenders in the Metropolitan Police District;
2. To make recommendations for improvements in the decision-making system; and,
3. To evaluate the consequences of implementing those improvements.

## **1.2 The Author's Experience of the Metropolitan Police Service Policy and Procedures for Young Offenders**

The author is a superintendent in the Metropolitan Police Service. He has 28 years of experience of police decision-making in the criminal justice system. He is currently seconded to National Police Training, at the Home Office, where he has responsibility for the training programme for National Strategy for Police Information Systems (NSPIS). From January 1995 to December 1997, the author was seconded to the Police Information Technology Organisation (PITO), at the Home Office, where he had responsibility for the NSPIS administration of the criminal justice portfolio of applications. It was the business focus for criminal justice in the police service, liaising with other agencies in the criminal justice system.



From October 1993 to December 1994, the author was involved in implementing changes to MPS case disposal decision-making for young offenders. From October 1992 to September 1993, the author researched the case disposal decision-making for young offenders in the MPS while on a Bramshill Fellowship from the Police Service. The author was freed from all operational concerns for one year during the research, to consider the MPS case disposal policy toward young offenders.

From November 1989 to September 1992, as community liaison officer for the London Borough of Barnet and Hertsmere Borough, the author was responsible for the MPS case disposal decision-making for young offenders, for implementing the case disposal policy for young offenders, and for school liaison and community liaison.

This seven-year study of case disposal decision-making for young offenders in the MPS commenced in August 1992 and was completed in August 1999. It has identified much diversity within and between the various police divisions, the Inner and Outer London Boroughs and other criminal justice agencies in the Metropolitan Police District.

The author has been involved with the changes to the case disposal decision-making for young offenders in the MPS and experienced the results of those changes at first hand. The author was a party to the decision-making system that identified and implemented those changes.

The author believes from the experience of mixing methodologies that this research has provided help in understanding the changes to Metropolitan Police policy toward young offenders between 1992 and 1999.

## **1.3 Why a Multi-Methodological Approach was used**

### **1.3.1 Multi-Methodology in this Research Generally**

Owing to the longitudinal nature of this research it was divided into three stages. A number of distinct but we believe complementary methodologies were used. The links between these are highlighted in Figure 1.1. Starting with the outside loop archive data was obtained and analysed. The results informed the design of interviews. Information gathered from the interviews informed the design of the questionnaires. Information gathered from the questionnaires identified which MAP to observe. Information gathered from the observation of MAPs identified case studies. Information gathered from the case studies informed the archive data. The cycle continued again through interviews, questionnaires, observation and case studies. All five methodologies informed Soft Systems Methodology (SSM) the output of which fed back into the use of those methodologies and assisted in understanding the problem situation. The use of multi-methodology is discussed in the literature review in Chapter 2, and all six methodologies will be described in Chapter 4.

Mingers and Brocklesby (1996) produced a grid, based on Habermas' (1984) suggestion that it is useful to distinguish between our relations to, and interactions with, three worlds: the material world, the social world, and the personal world (see Figure 1.2). Mingers and Brocklesby (1996) found it useful to place these three separate domains on a grid that could be used to map characteristics of different methodologies and show how they link together (see Figure 1.3). By employing Mingers and Brocklesby's (1996) grid the author undertook a detailed study of different methodologies to identify the benefits of linking them for the research. Mingers (1997a) suggests that before adopting a particular methodology or intervention, consideration should be given as to which domain and activity on the grid



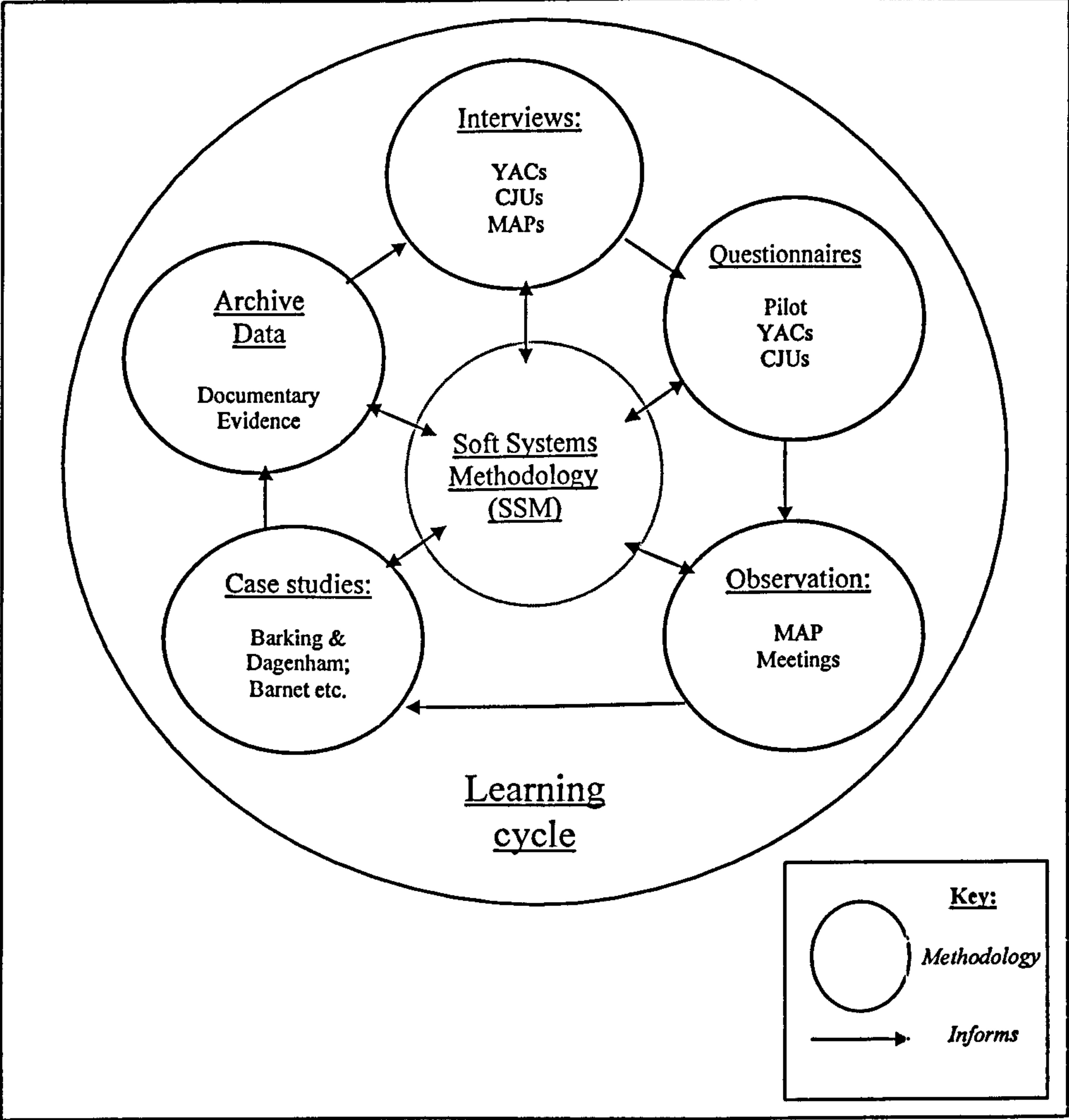


Figure. 1.1.    Multi-Methodological Approach:  
Inter-relations and ‘Learning Cycle’

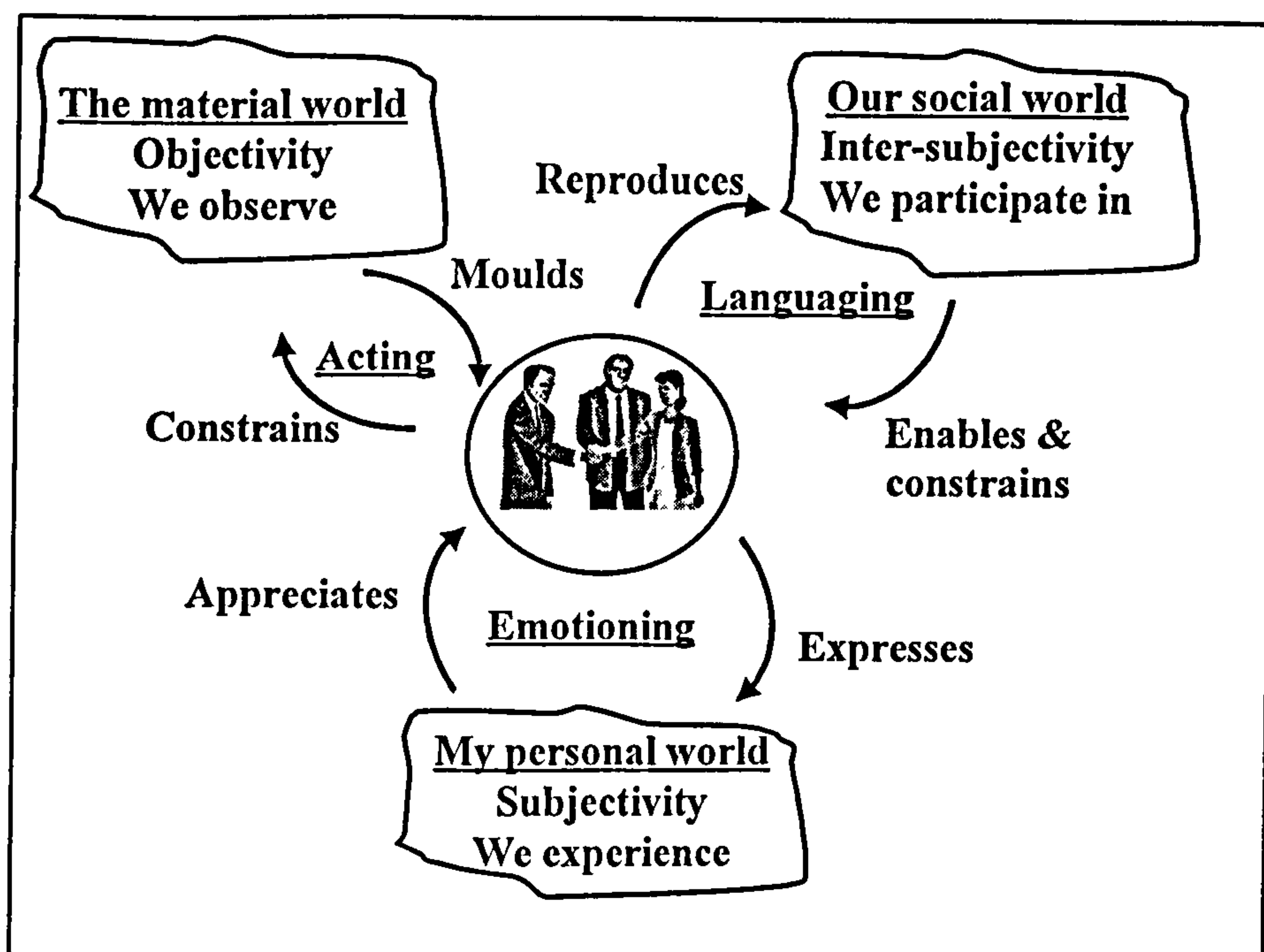


Figure 1.2 A framework based on Habermas' three worlds (Mingers 1997a)



	Appreciation of	Analysis of	Exploration of	Action to
<b>Social</b>	social practices power relations SSM	distortions conflicts interests	ways of altering existing structures	generate empowerment and enlightenment
<b>Personal</b>	individual beliefs meanings emotions SSM	differing perceptions and weltanschauung SSM	alternative conceptualisations and constructions SSM	generate accommodation and consensus SSM
<b>Material</b>	physical circumstances	underlying causal structure	alternative physical and structural arrangements	select and implement best alternatives

**KEY:**
Areas where SSM was useful in this research

Figure 1.3      Linking phases and dimensions of an intervention  
 (Mingers and Brocklesby 1996)



the methodology or technique can be of assistance. The author found that the completed grid generated a list of possible methodologies and techniques to choose from. SSM was chosen, as indicated in Figure 1.3, since it offered an appreciation of the 'social' and 'personal' domains that included social practices, power relations, individual beliefs, meanings and emotions. SSM offered an analysis of differing perceptions and weltanschauung (worldview) and, an opportunity to explore alternative conceptualisations and constructs. Also, SSM offered action to be generated to seek accommodation and consensus. Differing methodologies and techniques offered an appreciation of the other domains on the grid and will be discussed in Chapter 2. Archive data was gathered to inform the preparation of interviews and questionnaires. The results of these were in turn used to identify MAPs for observation and case studies. Soft Systems Methodology (SSM) was used to generate an agenda for change. Qualitative and quantitative methods were used to evaluate and validate those changes.

### **1.3.2 Multi-Methodology to Examine the Role of Police Decision-Making within the Criminal Justice System**

Before the author could understand the context in which the MAP operated it was necessary to examine the role of police decision-making within the CJS.

The Criminal Justice System (CJS) developed over many years with the courts and legal profession being the first agencies. The other agencies are much later in origin. The Police and Prison Services were set up nationally in the nineteenth century, the Probation Service and the Juvenile Court (now called the Youth Court) at the beginning of the twentieth century and the Crown Prosecution Service as recently as 1986. At the end of the twentieth century the Labour Government placed a statutory duty on Local Authorities to reduce and prevent crime, thereby bringing them into closer contact with the police and other CJS agencies.



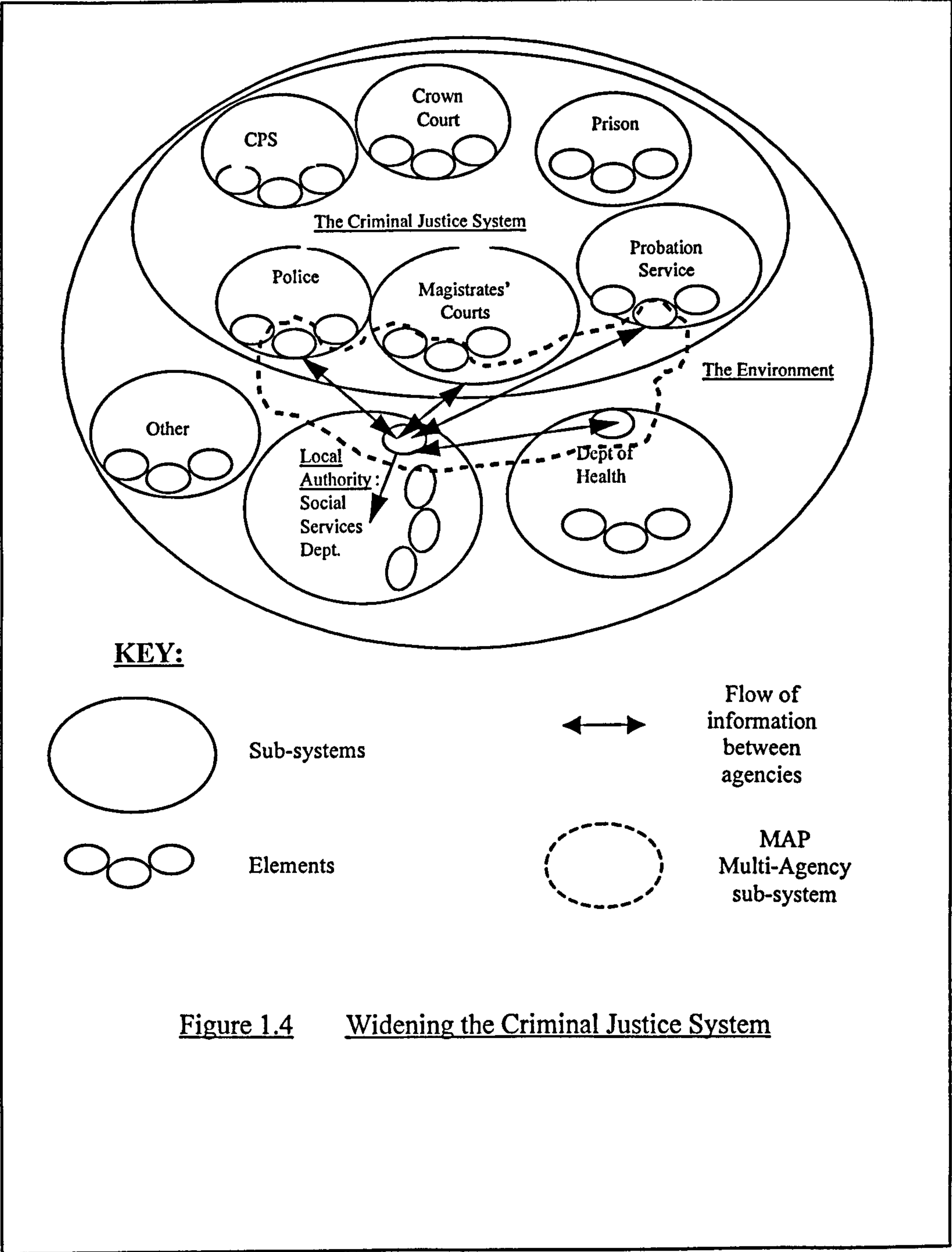
The CJS is a complex system of interacting sub-systems. Inter-agency work between the police service, magistrates' courts and the probation service is considered an integral part to the CJS. The introduction of MAPs and multi-agency work that involves agencies outside the CJS has led to a widening of the CJS. Figure 1.4 indicates how the MAP multi-agency sub-system impacts on widening of the CJS, the Local Authority system and the Department of Health system. The actions of one part of the system will usually have effects on other parts. The agencies that are part of the CJS often have different terms of reference and operate under different constraints. Such differences lead to conflict<sup>1</sup> and tension<sup>2</sup> within the CJS. When agencies get together with the police to divert young offenders from the CJS there is often a problem in deciding what is the best solution for the offender, the victim and the state. The values and attitudes of the various agency members can lead to possible conflict and tension. There are times when these competing viewpoints can tip the balance away from the best solution. For example, the social service worker could be biased toward diverting the young offender from the CJS, while the police officer could be biased toward some form of intervention. As stated above, the social worker is not considered to be part of the CJS, albeit a valuable partner in the MAP sub system (see Figure 1.4).

It is difficult for those people with day to day responsibilities within the CJS to view the system as a whole. They will usually place more emphasis on their particular sub-system or a part thereof. It is only by studying the whole of the system that the effects of a sub-system seeking its own objectives are evident. A systems approach focuses on the importance of interaction between the sub-systems and the human activity therein.

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<sup>1</sup> Conflict is defined as "a state of opposition between ideas, interests [which lead to] disagreement or controversy." (Collins, 1989)

<sup>2</sup> Tension is defined as "a situation or condition of hostility, suspense or uneasiness." (Collins, 1989)





The multi-methodological approach, which included SSM, helped the owner and actors to improve the problem situation by generating an agenda for change. It enabled the CJS to be dealt with in a holistic way. It thereby emphasised that the whole is greater than the sum of its parts. The use of SSM as part of our multi-methodological approach played an important part in raising awareness of the deficiencies of the CJS. SSM is capable of helping to inform and improve the problem situation acting.

## **1.4 The Structure of this Document**

This document consists of nine chapters:

### **Chapter 1: Introduction**

(1) Discusses the three objectives of this research and why it was undertaken; (2) Discusses the author's experience of the Metropolitan Police Service's policy and procedures for young offenders; (3) Discusses why a multi-methodological approach was used in this research generally, to examine police decision-making within the Criminal Justice System; and (4) Discusses the structure of the document.

### **Chapter 2: Literature Review**

(1) Reviews the literature on Multi-Agency Youth Liaison Panels; (2) Reviews the literature on decision-making in the criminal justice system; (3) Reviews the literature on multi-methodology; (4) Discusses why a methodology from the softer end of system science's theoretical spectrum is particularly appropriate for dealing with problems arising in complex human activity systems; and (5) Describes the relevance of SSM to the problem situation.

### **Chapter 3: Issues Affecting the Problem Situation**

(1) Summarises, as a rich picture, the issues that affect the problem situation; (2) Describes MPS policy and procedure toward young offender case disposal; (3) Describes the role of the Criminal Justice Units (CJUs); (4) Describes the role of the Youth and Community Section (YACS); (5) Describes the role of the Multi-Agency Youth Liaison Panel (MAP) in the context of police decision-making within the criminal justice system; (6) Describes the role of the Crown Prosecution Service (CPS); (7) Describes the role of the Youth Court; and (8) Describes the outcomes of the application of the various stages of SSM. All these are explained in relation to Multi-Agency Youth Liaison Panel (MAP).

### **Chapter 4: Research Methodology**

(1) Gives a chronology of the research; (2) Describes the use of archive data research; (3) Describes the use of interviews; (4) Describes the use of questionnaires; (5) Describes the use of observations; (6) Describes the use of case studies; and (7) Describes the use of SSM. All will be explained to enhance our understanding of the problem situation and to inform SSM.

### **Chapter 5: Empirical Research I: Archive Data**

(1) Covers the knowledge gained during archive data research; and (2) Describes how the results enhance our understanding of the problem situation.

### **Chapter 6: Empirical Research II: Interviews and Questionnaires**

(1) Covers the knowledge gained during interviews; (2) Covers the knowledge gained during questionnaires; and (3) Describes how the results enhance our understanding of the problem situation.



## **Chapter 7: Empirical Research III: Observations and Case Studies**

(1) Covers the knowledge gained during observations; (2) Covers the knowledge gained during case studies; (3) Describes how the results enhance our understanding of the problem situation; and (4) Describes the use of the Nominal Group Technique (NGT).

## **Chapter 8: Recommendations**

(1) Describes an agenda for change; (2) Makes recommendations for improvements in the decision-making system; (3) Evaluates the consequences of implementing those improvements; (4) Describes how the results of the empirical research were used to achieve a greater understanding of the effects of Multi-Agency Youth Liaison Panels; and (5) Describes the MPS Consultancy and Information Service review.

## **Chapter 9: Conclusions**

(1) Discusses how the three objectives were achieved; (2) This covers the lessons learned from the use of multi-methodology and techniques in the research; archive research, interviews, questionnaires, observations, case studies, and SSM; (3) Covers the lessons learned to improve the performance of the criminal justice system; (4) Comments on the contribution to knowledge made by this work; and (5) Covers the problem situation addressed and those that remain.

## **1.5 Summary**

In this chapter the three objectives of this research were stated and the reasons why it was undertaken were given. A brief description of the author's experience of the Metropolitan Police Service's policy and procedures for young offenders was outlined. An explanation was given as to why a multi-methodological approach was used in this research, showing

how the phases and dimensions of an intervention are linked. There was an explanation of a multi-methodological approach to police decision-making within the CJS. An overview of the document's structure was outlined for the reader. In Chapter 2, the literature in three areas is reviewed. These three areas are: Multi-Agency Youth Liaison Panels; decision-making in the CJS; and multi-methodology. There is an explanation as to why SSM was used and, its relevance to the problem situation.



## CHAPTER 2

### 2.0 LITERATURE REVIEW

*This chapter: (1) Reviews the literature on multi-agency youth liaison panels; (2) Reviews the literature on decision-making in the criminal justice system; (3) Reviews the literature on multi-methodology; (4) Discusses why a methodology from the softer end of system science's theoretical spectrum is particularly appropriate for dealing with problems arising in complex human activity systems; (5) Describes the relevance of SSM to the problem situation*

### 2.1 The Literature on Multi-Agency Youth Liaison Panels

The literature review commenced in stage one of the research and assisted in identifying the objectives. During the lifetime of this research, the author has continued to review the work of others, and to update this study.

In stage one, the author identified that the Metropolitan Police Service (MPS) had no convenient policy file that referred to the issues of dealing with young offenders. There were many different single files, each addressing issues of relevance to the process of prosecuting young offenders. The files had originated either as a result of a Home Office Circular, an individual officer's initiative, or a perceived need for change to previous policy.

The MPS Community Involvement Branch (T.O.30), would consider the need for such policy changes and draft an amendment to the current guidelines. Subject to the approval at the appropriate level, normally an Assistant Commissioner, the new guidelines would then be circulated to the relevant decision-makers by means of a memorandum. This would be followed later by publication of the amended MPS manual. It would be for internal consumption and was unlikely to be shared with outside agencies. This incrementalist approach to policy making has continued to the current time of

the research, albeit, a Criminal Justice Strategy Group has recently been created to advise the Policy Committee on criminal justice policy for the MPS.

Craik (1988) attempted to investigate the effect of major policy changes concerning decision-making practices in the MPS between 1983 and 1985, but this did not include MAPs.

The need for this study, and such an examination, has largely been prompted by the work of Evans and Wilkinson (1990) who stated:

“... A potential source of a lack of a uniform approach to [youth] cautioning concerns consultation arrangements. These vary both between and within forces. For a major plank in cautioning policy surprisingly little is known about the effect of different systems on outcomes or about how discretion is exercised by the various professional interests involved ...although our findings suggest that different professionals may have very different agendas.”(Evans and Wilkinson, 1990; 175)

Also, there has been concern at the process of decision-making:

“We share Pratt’s (1986) concern that the increased use of cautioning heralds a shift from ‘judicial’ to ‘administrative’ justice and to some extent from the public to the private domain where it is open to less public scrutiny and more unfettered discretion.” (Evans and Wilkinson, 1990; 175)

Changes from the Home Office Circular 14/85 to the Home Office Circular 59/90 led to the formation of the MPS Case Disposal Working Party, which the author was a member of and advisor to (see paragraph 2.2.4 below). The introduction of the Home Office Circular 18/94 was seen as a reversal of Government support for the multi-agency approach in case disposal policy for young offenders (Home Office, 1994).



Saulsbury and Bowling (1991) studied the multi-agency approach to dealing with racial harassment and attacks in North Plaistow, London. They found that the group (which consisted of local authority, police and voluntary sector workers) firmly believed “...that a multi-agency approach to these problems [racial harassment and attacks] held greater potential than unilateral efforts by individual organisations.” (Saulsbury and Bowling, 1991:i). Their research identified a number of ‘good practices’ among the involved agencies. They advised agencies to consider these before embarking on any type of multi-agency approach. During this study the author was able to bring this research to the notice of the MPS and other agencies involved with MAP.

Chard (1993) comments on a National Intermediate Treatment seminar where probation officers, social workers and voluntary sector workers were asked to consider the positive and negative outcomes from multi-agency working and to suggest ingredients for successful multi-agency working. The comments of good practice were brought to the notice of the MPS and other agencies involved with MAPs during this research.

Haines’ (1996) research has enhanced our understanding of modern juvenile justice services in Cambridgeshire. He located the processes of dealing with IT by social services in the context of a sociological account of the conditions and characteristics of ‘modernity’, and Giddens’ (1990) ‘time-space distancing’. Haines’ research concluded prior to the implementation of the youth court in 1992, and with its emphasis on social services; it is of limited use in this study.

The Audit Commission (1996) reviewed the implications of the arrangements for young offenders provided by the local authorities, probation services, police forces (except the Metropolitan Police Service), National Health Service (NHS) agencies and the courts in England and Wales. It criticised the inefficiency and ineffectiveness of the services that dealt with young offenders. It highlighted the following problem situation:

- Prosecution through the courts is slow (four months on average from arrest to sentence) and often ineffective in reducing re-offending;
- Most of the £1bn spent each year on dealing with young offenders goes on processing and administration; only a fraction is spent on direct work to address their offending behaviour. Half the cases sent to court are dropped or end with the young person being discharged;
- Monitoring of re-offending after different sentences and disposals is rare;
- The many agencies involved work in an unco-ordinated way, often with different priorities and performance targets. Many of them are accountable to different government departments; and
- Little is done to prevent young people from getting involved in offending in the first place.

The Audit Commission (1996) recommended an agenda for improving the situation that included:

- Local targets for the time taken from arrest to sentence for young offenders;
- Increasing the use of multi-agency caution plus<sup>3</sup> action programmes for early offenders, as an alternative to the court process;
- More effective supervision orders for young offenders, based on what is known to work, to address offending behaviour;
- Regular monitoring of young people's re-offending after sentence or other disposals;
- Better co-ordination between local agencies working with young offenders, regular youth court users' group meetings and the development of joint agency teams; and

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<sup>3</sup> Caution with additional action attached. It may include compensation, work on offending behaviour and dealing with the young offender's problems, such as substance abuse. The caution cannot be conditional on the individual carrying out the activities.



- Multi-agency strategies to prevent young people from offending. Targeted to high-risk areas and based on approaches that have been shown to work elsewhere.

In 1997, the new Labour Government introduced a White Paper, “No More Excuses – A New Approach to Tackling Youth Crime in England and Wales” (Home Office, 1997a), that proposed changes to policy for dealing with young offenders. Three issues, in particular, were examined:

- Tackling delays;
- Addressing offending behaviour more effectively; and
- Multi-agency working.

### **2.1.1 Tackling delays**

To tackle delays in sentencing, the separate elements of the process from arrest to sentence will have statutory time limits. These will be stricter for young offenders than for adults and tighter still for persistent young offenders<sup>4</sup>.

### **2.1.2 Addressing Offending Behaviour More Effectively**

To address offending behaviour more effectively, a number of new penalties have been proposed. Police cautions are to be replaced by reprimands and warnings, which do not require a court process. The warnings will comprise a package of measures, including reparation, to be devised and supervised by multi-agency youth offending teams (YOTs).

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<sup>4</sup> Those who have been sentenced by a criminal court for recordable offences on three or more separate occasions and arrested again within three years of the third conviction.

### 2.1.3 Multi-Agency Working

To further multi-agency working, statutory youth offending teams (YOTs) will be introduced, with social services, education, probation, police and health staff as members. The chief executive of the local authority will be responsible for ensuring that YOTs are in place, and all the agencies will be required to commit resources. Staff from the youth service, voluntary organisations and young offender institutions may also be involved. At a national level, a new body (the Youth Justice Board) is to co-ordinate policy and monitor the operations of the entire system.

As stated above, the Audit Commission made recommendations for change. They reviewed the action taken and commented that many factors contribute to the delay in processing cases, including procedures involving the police, the CPS, defence solicitors, and applications for legal aid. One possible additional source of delay is referral to MAPs, in which youth justice and other agencies help the police decide whether to caution or prosecute the young people they have arrested. Although very important for providing more informed decision-making in borderline cases, these add another stage to the process. Some cases are sent to such MAPs in 85 per cent of local authorities. Most of the MAPs meet fortnightly, although their use varies widely between areas. In some areas over 70 per cent of cases are sent to the MAP, but in others none are sent. On average, 23 per cent of cases are sent to MAPs (Audit Commission, 1998).

The Audit Commission (1996) supported the use of a gravity-factor process<sup>5</sup> similar to that introduced in the MPS as a result of this research (see Chapter 8 for an explanation of the gravity factor process). The Home Office (1997b) circular on tackling delays recommended the use of gravity-factors for most cases, to reduce the need for lengthy discussions. The Audit

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<sup>5</sup> A guide to decision-making on whether to caution or prosecute, ideally based on agreements with the local youth justice service



Commission (1998) stated that in authorities where gravity-factor guidelines have been developed jointly by local agencies, and most decisions are based on them, MAPs can be used in a closely targeted way, with approximately 10 per cent of cases sent to them. The average unit cost of a MAP discussion is £15.76<sup>6</sup>. The Audit Commission (1998) suggested that if all authorities used MAPs for only 10 per cent of cases, £0.5 million might be saved by the participating agencies; to be redirected towards addressing offending behaviour<sup>7</sup>. Although the savings are likely to be less than this average cost, a significant amount of staff time could be redirected towards other activities.

Existing MAP structures could provide a useful basis for liaison meetings between the agencies to discuss guidelines for gravity factors, reprimands and final warnings, provided that the purpose of the meetings is clarified and the appropriate staff from each agency attends.

The Audit Commission (1998) found that during two months of recording in 89 authorities (not the MPS), 1,319 first-time and second-time offenders received court sentences. Over half the sentences were an absolute discharge or a conditional discharge. Of the total there were 811 discharge (61 per cent), 324 fine (25 per cent) and 184 an attendance centre orders (14 per cent). The Audit Commission (1998) suggests that approximately £23 million could be saved in England and Wales, if a caution plus had been given instead. An additional £3 million could be saved, if caution plus were to be given to first-time and second-time offenders who received supervision orders, probation orders, community service and combination orders. They accept that the number of third-time offenders would cost £2

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<sup>6</sup> The cost per case discussion (based on 20 local authorities' staff costs, average length of meeting, average number of cases) is £15.76

<sup>7</sup> In 1997, 23 per cent of cases went to the MAPs. If only 10 per cent did so the savings would be 13 per cent of 225,305 ( the total number of cases given any disposal in England and Wales in none year) x £15.76 = £461,605

million; however, that still represents an annual saving of £24 million across the criminal justice system.

The research in this study into the Metropolitan Police Service supports much of the Audit Commission's 1996 and 1998 research into other police forces and agencies.

## **2.2 The Literature on Decision-Making in the Criminal Justice System**

It was decided that following a review of the literature on MAPs, that it would be necessary to review the literature on decision-making in the criminal justice system. This would place the MAP in context, while discussing the terms, 'diversion', 'welfare model', 'justice model' and combination of the 'welfare model' and 'justice model'.

### **2.2.1 Role of the Police in the Criminal Justice System**

In deciding the purpose of prosecution it is worth considering who is affected by criminal acts. Firstly, there is the offender who varies in respect of age, sex, social background and mental capabilities. Secondly, there is the victim who may be one or more individuals, a company, or the state and who may have been the subject of mental, physical or financial acts. Thirdly, there is the community and society in general. They are affected by financing the judicial process and CJS and having to cope with the offender in society or in prison.

The decision whether or not to prosecute may satisfy all of these three needs. However, some agencies, may not take into account some of these needs. For example, the police may arrest a young offender and make decisions that are not in the interest of the victim. The Crown Prosecution



Service may decide in favour of the offender over the needs of the community. Many police officers have little knowledge of the cautioning policy, and their expectations do not match reality. Many police officers believe that suspected criminal offences must automatically be the subject of prosecution.

However, as Lord Shawcross (1951) stated to the House of Commons with regard to automatic prosecution for suspected criminal offences:

“It has never been the rule in this Country –  
I hope it never will be”. (Shawcross, 1951).

This is still the case today, and that statement appears in the “Code for Crown Prosecutors” (Crown Prosecution Service, 1992).

Ashworth (1994) describes the role of the police in the CJS and the police’s use of discretion stating that:

“At the core of ‘cop culture’ [are] – (1) support for colleagues and the inappropriateness of close supervision; (2) what is termed ‘the macho image’, which includes heavy drinking, physical presence, and some attitudes that are sexist and racist; (3) the idea that rules are there to be used and bent; and (4) the sense of mission in police work” (Ashworth, 1994:75)

Ashworth (1994) admits that there is less empirical research on the cultures among prosecutors, magistrates, judges, forensic scientists, defence lawyers, probation officers, and others working within the CJS. He states that:

“The danger is that this will lead us to overlook the existence and the practical significance of ‘defensive’ cultures within these other groups.”(Ashworth, 1994:78)

The author was interested that the views of all agencies involved in the MAP would be considered in this study. As Evans and Wilkinson (1990) state:

“Little is known about how discretion is exercised by the various professional interests involved.” (Evans and Wilkinson, 1990:175)

This literature review has shown that individuals that make up the CJS may have a different understanding of the police’s role in the criminal justice system. Their worldview, or Weltanschauung, concerning the diversion of young offenders from the CJS could be different from those of the police. Such differences could cause conflict and tension during the MAP’s decision-making process.

### **2.2.2 Diversion**

Having discussed the role of the police within the criminal justice system, there is a need to discuss what is meant by the term ‘diversion’, and the role that other agencies adopt. Tutt and Giller, (1983b) state that diversion is a:

“Concept with multiple meanings and, within any one youth justice system, not all forms of diversion will necessarily be pursued.” (Tutt and Giller, 1983b)

According to Morris and Giller (1987) there are three forms of diversion that are discussed in the literature:

“i). Diversion from crime. This is mainly associated with policies of crime prevention (HOC 44/90) either directed at reducing opportunities for the commission of offences or targeted on particular crime-prone groups (such as youth) who participate in certain offences (joy-riding/aggravated vehicle theft)

ii). Diversion from youth court. Here those who act as ‘gatekeepers’ into the court system are given the opportunity to discontinue proceedings (entirely or conditionally) and either do nothing or substitute some kind of informal intervention.



iii). Diversion from institutions. In this, community-based support activities are promoted as an alternative to institutions for those who would otherwise be removed from the community because of their offending.”(Morris and Giller, 1987: 138)

This study concentrates on the diversion of young offenders from the youth court and, in particular, on the role of the police and MAPs in this.

Consideration has been given to diverting all offenders, not just young offenders, from the court (Home Office Circular 14/85, 59/90 and 18/94) and to explore reparation, mediation and other non-judicial settlement of disputes (Marshall, 1985).

As Morris (1978) comments:

“Proponents of this view commonly feel that too many minor offenders appear in our [youth] courts, that many of the acts committed by [young offenders] referred to the [youth] courts indicate family, educational, or welfare difficulties, or difficulties of growing up. The criminal justice system, it is felt, is too heavy handed for such offenders; the criminal law and its processes should be a last and limited resort.”(Morris, 1978:47)

Another of the perceived advantages of diversion is that it is less costly than the formal processing of cases through the full CJS and those resources could therefore be saved or re-allocated. Lemert (1981) stated that:

“Society or the local community would treat a great deal of deviance among the young as normal behaviour on the assumption that most youths will pass through their ‘deviant’ or ‘storm and stress’ stage and mature into reasonably law abiding adults.” (Lemert, 1981:39)

Many MAP members who were interviewed during this research support diversion of young offenders from the CJS and share Lemert’s view of diversion.

During the 1970s a programme of intermediate treatment (IT) was proposed for young offenders. However there was concern as to the validity of such programmes. As Bullington et al. (1978) noted:

"Increasing the number of [IT] programmes for [young] offenders is incompatible with the idea of diversion from the system. New programmes, however we label them, are certainly part of the overall system for responding to delinquency, and sending [youngsters] to those programmes cannot be fairly characterised as keeping them out of the system ...From this perspective, the phrase diversionary programme is a contradiction. When new programmes are proposed it can only be because it is hoped that [youngsters] will be diverted to them, thus remaining within the overall system" (Bullington et.al, 1978: 66)

Morris and Giller (1987) identified that there were many outcomes from this practice of diversion. They state that the most frequently documented are:

- "1. The tendency to bring young people into the ambit of networks of control than would have hitherto been the case, that is the 'net widening' phenomenon;
2. The production of a new range of potentially stigmatising labels which can be applied to the young offender involved (for example: 'persons in need of supervision', 'at risk cases', 'pre-delinquents');
3. The possible infringements of legal rights by pressure being put on young offenders and their parents to admit guilt and to participate in the diversion programme in order to avoid a youth court appearance.
4. The possibility that involvement in a diversion programme will be for longer and be more incursive than the order which the young offender would have received if referred to the youth court;
5. The danger that professionals running diversion programmes employ discriminatory selection criteria and practices which are subject to neither public scrutiny nor control;



6. The risk that failure of the young offender on or after participation in a diversion programme will lead to greater intervention by the youth court on a subsequent appearance.” (Morris and Giller, 1987: 141)

Such criticisms were made to the author during interviews and questionnaires in the present study. This highlighted the need for everyone in the CJS to understand the term diversion. Ashford and Chard (1997) give advice on the role of defence lawyers:

“By ensuring that the issue of diversion is considered at each stage of the proceedings and that any relevant information about the young offender and any change of circumstances are brought to the attention of the prosecutor.” (Ashford and Chard, 1997:109)

Having briefly discussed the term diversion, it is necessary to consider the use of the terms ‘welfare model’ and ‘justice model’ and how they affect attitudes of MAP members toward diversion.

### **2.2.3 The ‘Welfare’ and ‘Justice Models’**

#### **2.2.3.1 The ‘Welfare Model’**

The ‘welfare model’ for dealing with young offenders considers that delinquent behaviour can be explained. Morris and Giller, (1987) suggest that:

“Delinquent behaviour has antecedent causes that explain it that these causes can be (and have been) discovered; that their discovery has made possible the treatment and control of such behaviour; that delinquents share pathological conditions which make them fundamentally different from the law-abiding; that delinquency gets ‘worse’ without ‘treatment’; and that ‘treatment’ is not punishment. Basically, delinquent behaviour in this model is seen in many ways as being similar to medical illness; it represents a kind of social illness.” (Morris and Giller, 1987:243)

The welfare model has attracted a certain amount of criticism. Morris and Giller (1987) state that:

“Critics have argued that the approach oversimplifies our understanding of the causes of youth crime. For example, research contradicts the assumption that delinquency has a pathological base akin to a medical condition...even though such causes continue to be believed and relied upon by some of those operating youth justice systems.” (Morris and Giller, 1987: 243)

The author found that some MAP members shared Morris and Giller’s (1987) view that delinquency has a pathological base and that they were prepared to use this in their decision-making. Indeed, many social workers were concerned that the decision should not lead to a greater intervention in the young offender’s life. Austin and Krisberg (1981) suggest that similar criticisms have been made against the use of the welfare model. Morris and Giller (1987) suggest that:

“Concerns like these led to the rejection and demise of a welfare approach in other jurisdictions, for example the United States.” (Morris and Giller, 1987: 245).

During this research less than 50 per cent of MAP members interviewed understood the term ‘welfare model’.

### **2.2.3.2 The ‘Justice Model’**

Having briefly discussed the ‘welfare model’, it is necessary to consider its alternative, the ‘justice model’. Morris and Giller (1987) state that:

“Influential in recent years in leading to a reconsideration of a welfare approach has been the emergence of an alternative set of principles frequently termed the ‘justice model’. These principles involve the removal from the youth justice system of non-criminal behaviour of young people, for example, truancy, and victimless crimes, such as drug abuse. They advocate that the discretionary practices and procedures of those working in the system to divert



young offenders from youth courts be made visible and reviewable.” (Morris and Giller, 1987:246).

The author believes that this research into MAP decision-making will assist the debate in making MAP decision-making both visible and reviewable. Morris and Giller (1987) state that:

“Within the ‘justice model’, what is not to be ‘tolerated’ and ‘how society is to signify its disapproval’ become matters for open debate. The justice model, therefore, carries with it a critical potential to change, not only the youth justice system, but also the social institutions it wishes to regulate. It can highlight the discrepancies between the power of the local state and its application.” (Morris and Giller, 1987: 247).

During this research less than 50 per cent of MAP members interviewed understood the term ‘justice model’.

#### **2.2.3.3 A Combined ‘Justice and Welfare Model’**

Almost 50 per cent of MAP members, who understood the terms ‘justice model’ and the ‘welfare model’, considered that it was necessary to combine them when applying their decision-making. Morris and Giller (1987) suggests that:

“The most common response to disillusionment with a welfare or justice approach is the development of a youth justice system that uses the dual or mixed philosophies and practices. Such proposals commonly aim to divert young offenders from the formal system where possible, but where formal action is justified, then elements of due process, justice and welfare are combined.” (Morris and Giller, 1987: 248)

The recommendations contained in the Black Committee report on Children and Young Persons in Northern Ireland (1979) are a fair example of this. It proposes that:

“Given the ubiquity and transient nature of most youth crime, first and second minor offenders who admitted their guilt should be diverted from the youth court by police cautioning (coupled, where necessary, with voluntary social work help). ‘Serious’ and ‘persistent’ offenders and those who disputed their guilt were to be referred to a criminal youth court whose main function would be to try offences in a manner which is fair to the defendant and easily understood by him and to use its power for the protection of the public and the prevention of crime.” (Black Committee, 1979: 6.14)

Morris and Giller (1987) suggests that:

“With the implementation of the Criminal Justice Act 1982 the decision-making in the youth court began to move from the confusions in policy and practice brought about by the partially implemented Children and Young Persons Act, 1969.” (Morris and Giller, 1987: 255)

There have been many debates on the inadequacies of the Children and Young Persons Act, 1969 and Ashworth (1996) considers that:

“The criminal justice system is still in a state of confusion, some thirty years on.” (Ashworth, 1996)

MAPs were initiated to temper the justice system model with elements of the welfare model but when this was implemented the internal process did not work well enough, hence the introduction of gravity factors as guidance.

During this research MAP members supported the worldview that a combination of the ‘welfare model’ and the ‘justice model’ was both necessary and sufficient for the diversion of young offenders. The author believes that an understanding of the MAP members’ attitude toward a combination of the ‘welfare model’ and the ‘justice model’ proved useful in the understanding the problem situation.



#### **2.2.4. The Gravity Factor Process**

The author was a member of the MPS Working Party on Case Disposal and recommended that the MPS should introduce a 'gravity factor process' to assist the police and MAP decision-maker (Gibson, 1993)<sup>8</sup>. The adoption of the 'gravity factor process' by the MPS is discussed fully in Chapter 8. Briefly, the 'gravity factor process' grades offences on a scale of one (low gravity) to five (high gravity) based on the seriousness of the individual offence. The criteria are intended to provide practical guidance to police decision-makers in the approach that should be taken to particular facts, thereby ensuring consistency.

### **2.3 The Literature on Multi-Methodology**

In this section the literature on multi-methodology is reviewed and discussed in terms of how it has complemented this study and improved the understanding of the problem situation.

The author heeded the advice given by Bell (1987) when first considering which methodology to use. Bell (1987) suggests that:

"The initial question a researcher should ask themselves is not 'Which methodology?' but 'What do I need to know and why?' Only then do they ask 'What is the best way to collect information?' and 'When I have this information, what shall I do with it? Methods are selected because they will provide the data required for producing a complete piece of research.'" (Bell, 1987:50).

Once the objectives for this research were agreed with the MPS and City University, it was necessary to choose a research method, or methods, that would be robust in providing the data and information over a long period. Throughout this research the author would need to

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<sup>8</sup> Commander James Gibson chaired the MPS Working Party on Case Disposal and, following the MPS convention the Working Party report on the research was issued under his name. His letter confirming the author's role (Gibson,2000) is attached at Appendix 2.4.

constantly reflect on the process and design of each technique in order to construct an appropriate combination of methodologies and techniques. It was decided that as many methodologies and techniques would be considered and not excluded out of hand. As Bell (1987) suggests:

“No approach depends solely on one method any more than it would exclude a method merely because it is labelled ‘quantitative’, ‘qualitative’, ‘case study’, ‘action research’, or whatever.” (Bell, 1987:50)

The author reviewed the literature on research methodology and heightened his awareness of the debate on mixing methodologies and techniques.

Bryman (1992) describes the debate on the use of quantitative and qualitative research methods. Suggesting that they:

“Have been influenced by theoretical and epistemological concerns and issues, such as the acceptance or rejection of a natural science approach to social research, but this does not mean that they are forever tied to these concerns and issues.” (Bryman, 1992: 75).

The author was aware of the advantages and disadvantages of using quantitative and qualitative research methods. He supported Bryman’s view that:

“An awareness of the advantages of integrating quantitative and qualitative research will be so overwhelming that the doctrinaire and restrictive views of writers who deprecate the virtues and accomplishments of combined research will be gradually eroded.” (Bryman, 1992: 75).

White and Taket (1997) suggested an interpretation of ‘multimethodology’ as a strategy of mix and match, while recognising that:



“The importance of the use of triangulation<sup>9</sup> (in terms of data sources, methods, analysis team); combining parts of different methods; being flexible and adaptive; and being critically reflective.” (White and Taket, 1997: 401).

Todd (1979) supports the use of triangulation as a suitable strategy for all research suggesting that:

“Triangulation has vital strengths and encourages productive research. It heightens qualitative methods to their deserved prominence and, at the same time, demonstrates that quantitative methods can and should be utilised in complementary fashion. Above all, triangulation demands creativity from its user.” (Todd, 1979: 610).

Mingers and Brocklesby (1996) support the multi-paradigm approach to research suggesting that:

‘Adopting a particular paradigm is like viewing the world through a particular instrument such as a telescope, an X-ray machine, or an electron microscope. Each reveals certain aspects but is completely blind to the others. Although they may be pointing at the same place, each instrument produces a totally different, and seemingly incompatible, representation.’ (Mingers and Brocklesby, 1996).

The author was aware that terms such as ‘paradigm’, ‘methodology’, and ‘technique’ are commonly used with a variety of meanings. In this thesis, therefore, it was decided to use the definitions suggested by Mingers and Brocklesby (1996). Briefly, a *paradigm* is a very general worldview based on a set of fundamental philosophical assumptions that define the nature of possible research and intervention<sup>1</sup>. A *methodology* is a structured set of guidelines or activities to assist an individual in undertaking research or intervention. A methodology will develop, either implicitly or explicitly, within a paradigm and will embody the philosophical assumptions and principles of the paradigm. A *technique* is a specific activity that has a clear

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<sup>9</sup> Defined by Denzin, N. (1978) *The Research Act*, 2ed.(New York: McGraw) as “the combination of methodologies in the study of the same phenomenon”.

and well-defined purpose within the context of a methodology (Mingers and Brocklesby, 1996:104).

Mingers and Brocklesby (1996) produced a framework, developed by Habermas (1984), which suggests that it is useful to distinguish our relations to, and interactions with, three worlds: the material world, the social world, and the personal world (see Figure 1.2). Mingers and Brocklesby (1996) found it useful to place these three separate domains on a grid that could be used to map characteristics of different methodologies and show how they link together (see Figure 2.1). Mingers and Brocklesby (1996) identified that there are four types of activity that need to be undertaken in each of the social, personal and material domains.

They are appreciation, analysis, assessment and action. There has to be an appreciation of the situation as experienced by the author involved in the research and expressed by actors in the situation. There has to be an analysis of the underlying structure and/or constraints generating the situation as experienced by the author and actors. There has to be an exploration of the ways in which the situation could be changed, and to what extent the constraints could be altered. There has to be an action to bring about those changes (Mingers and Brocklesby, 1996: 110 and Mingers, 1997a: 436).

Mingers (1997a) suggests that before adopting a particular methodology or technique, consideration should be given as to which domain and activity on the grid the methodology or technique can be of assistance. The completed grid should generate a list of possible methodologies or techniques to choose from. For example, SSM mainly contributes to exploring the personal dimension and is particularly appropriate for analysis and appraisal, with some techniques for appreciating the social dimension (Analyses 1, 2 and 3).



	Appreciation of	Analysis of	Exploration of	Action to
<b>Social</b>	social practices power relations  SSM Observation Case Study	distortions conflicts interests Archive Observation Case Study	ways of altering existing structures  Archive Observation Case Study Questionnaire	generate empowerment and enlightenment Archive Case Study Interview
<b>Personal</b>	individual beliefs meanings emotions  SSM Interview Questionnaire	differing perceptions and weltanschauung  SSM Interview Questionnaire	alternative conceptualisations and constructions  SSM Interview Questionnaire	generate accommodation and consensus SSM
<b>Material</b>	physical circumstances  Archive Observation Case Study	underlying causal structure  Archive Interview Questionnaire	alternative physical and structural arrangements Interview Questionnaire	select and implement best alternatives SSM Interview Case study

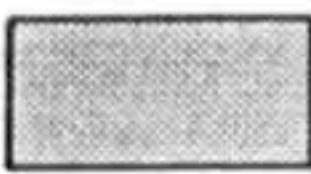
**KEY:**  Areas where SSM was useful in this research

Figure 2.1      Mapping methodology and techniques to Mingers’ and Brocklesby’s 1996 grid: linking phases and dimensions of an intervention (Mingers and Brocklesby 1996)



Checkland and Scholes (1990) describe Analysis 1 as 'role analysis', where 'role' is a social position recognised as significant by people in the problem situation.

Checkland and Scholes (1990) describe Analysis 2 as an analysis of roles, norms and values in a 'social system'. They assume there to be a continual interaction between the roles, norms and values. They suggest that a role be characterised by expected behaviours in it, or norms. They maintain that actual performance in a role will be judged according to local standards, or values (Checkland and Scholes, 1990: 49).

Checkland and Scholes (1990) suggest that Analysis 3 is an exploration of the power-related activity in a human situation. They suggest that any human situation will have a political dimension that needs exploring. They state that politics is a process by which differing interests reach accommodation. The accommodations that are generated, modified or dissolved by politics will ultimately rest on dispositions of power. Therefore, politics is taken to be power-related activity concerned with managing relations between different interests (Checkland and Scholes, 1990: 50).

Checkland and Scholes (1990) suggest that by answering power-oriented questions in Analysis 3 the cultural appreciation built up in Analysis 1 and Analysis 2 is enriched (Checkland and Scholes, 1990: 51).

Mingers (1997a) commenting on Jackson and Keys' (1984) "the system of systems methodologies" suggests that methodologies should be projected across all the different domains to which they can contribute, and some indication of the strength of the contribution should be given. The exact position of a particular methodology or technique is something for debate.



Mingers (1997b) suggests that:

“The essence of multimethodology is linking together parts of methodologies, possibly from different paradigms...The linking process requires that methodologies be decomposed in some systematic way to identify detachable elements and their functions or purposes.” (Mingers, 1997b: 433)

Mingers and Brocklesby (1996) describe the decomposition of part of SSM as shown in Figure 2.2.

“The detailed decomposition of part of SSM concentrates on the stages concerned with expressing the real-world situation and modelling relevant conceptual systems. Each of the methodological stages has a particular technique that helps accomplish them, for example rich pictures for expressing the problem situation. These techniques can be disconnected from the methodology, as shown by the thick lines, and used in other contexts within other methodologies. Techniques can also be imported into the methodology. For example, cognitive maps (and the associated computer tool COPE) could be used instead of, or as well as, rich pictures. Critical systems heuristics (CSH) could be used as a complement to the Analysis 3 of SSM (Ulrich, 1994); or a Viable System Model (VSM) (Beer, 1985) to aid development of a conceptual model.”(Mingers and Brocklesby, 1996: 122)

The main emphasis in Figure 2.2 is on the disconnection of the techniques. Mingers (1997b) suggests that the detaching of methodological stages is possible and occurs in both methodological enhancement (adding a stage to another methodology that is deficient) and multimethodology (combining various stages to construct a new, *ad hoc*, methodology. Mingers (1997b) states that this is more problematic, particularly in the multi-paradigm case, since the stages are strongly related to their philosophical paradigm.

In Chapter 1, the links between the various stages of this research were highlighted (see Figure 1.1). Archive data was gathered to inform the preparation of interviews and questionnaires. That was in turn used to

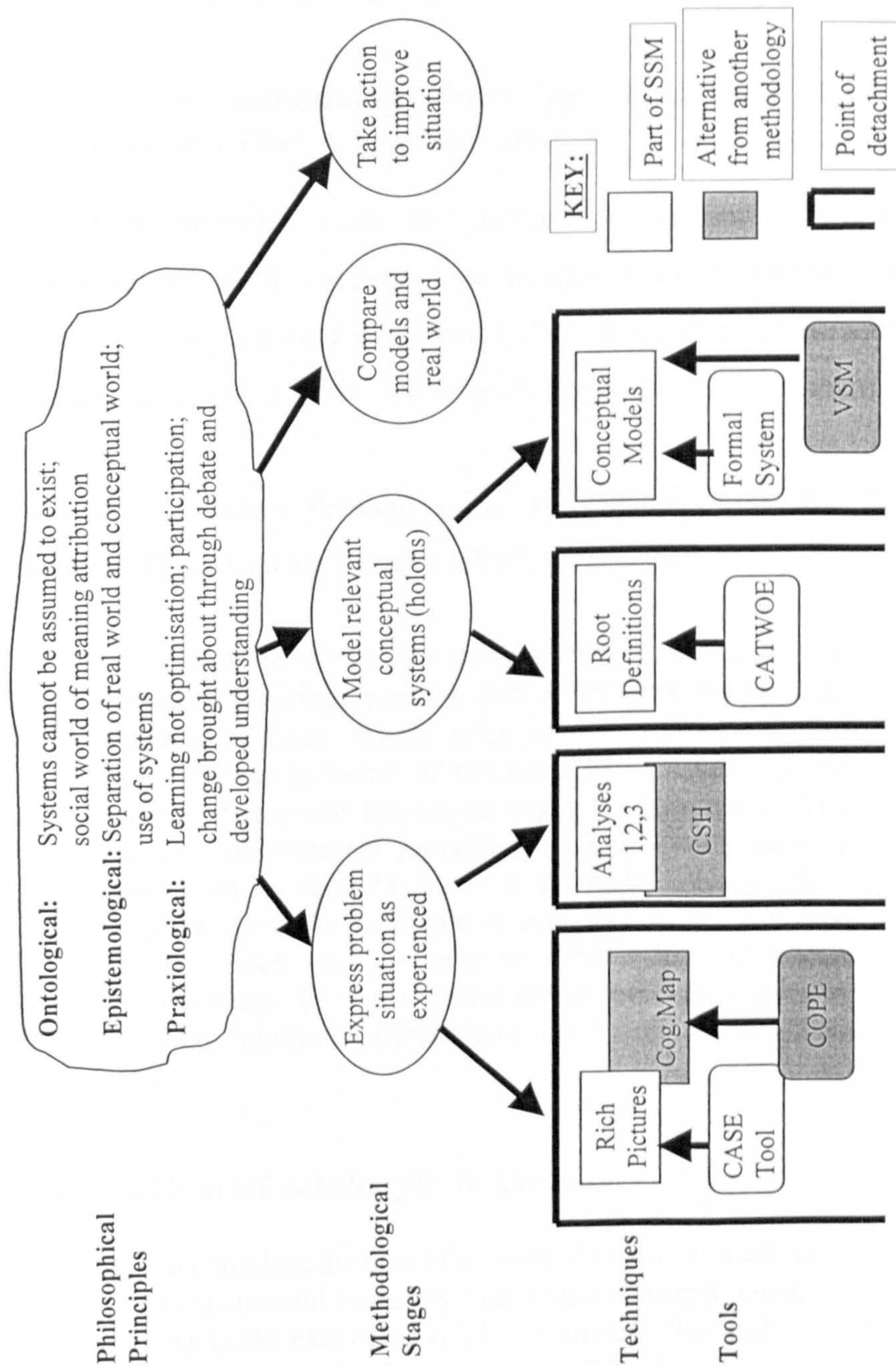


Figure 2.2 Decomposition of SSM to show possible disconnection of techniques (Mingers, 1997b)



identify subjects for observation, case studies and an SSM approach to generating an agenda for change. The author was able to map the methodology and techniques onto Mingers' and Brocklesby's (1996) grid to identify where they could assist the research (see Figure 2.1).

## **2.4 Why a Methodology from the Softer End of System Science's Theoretical Spectrum?**

As has been previously stated in Chapter 1 the general methodological approach adopted in the conduct of this research has been supported by the theory of systems science. Briefly stated, that has involved taking a holistic as opposed to reductionist view of the problem situation.

A basic tenet of systems thinking is that 'the whole is greater than the sum of its parts'. Checkland and Scholes (1990) suggest that:

"The concept itself starts with the most basic core idea of systems thinking, namely that a complex whole may have properties which refer to the whole and are meaningless in terms of the parts which make up the whole. These are known as emergent properties...The concept of emergent properties itself implies a view of reality as existing layers in a hierarchy...These ideas together generate an image or metaphor of the adaptive whole which may be able to survive in a changing environment. To make mental use of that image is to do systems thinking." (Checkland and Scholes, 1990: 18-19)

Indeed, Checkland and Scholes (1990) state that:

"To complete the idea of a 'system' we need to add to emergence and hierarchy two further concepts which bring in the idea of *survival*...communication and control" (Checkland and Scholes, 1990:19).

Checkland (1988) considered that the term 'holon', as suggested by Koestler (1967,1978), to be an appropriate alternative to the name 'system'. Indeed,

Checkland and Scholes (1990) commented on the use of holon, suggesting that:

“ If the word ‘holon’ were adopted for the abstract idea of a whole having emergent properties, a layered structure and processes of communication and control, which in principle enable it to survive in a changing environment...would be readily understood” (Checkland and Scholes, 1990: 22)

The author believes that by adopting the use of the term ‘holon’ instead of the term ‘system’ has assisted him and others in this research.

Checkland and Scholes (1990) commented on the use of the phrase ‘human activity system’, which was borrowed from the work of Blair and Winston (1971), to label holons. Checkland defined a ‘human activity system’ as:

“A notional *purposive* system which expresses some *purposeful* human activity, activity which could in principle be found in the real world. Such systems are notional in the sense that they are not descriptions of actual real-world activity (which is an exceptionally complex phenomenon) but are intellectual constructs; they are *ideal types* for use in a debate about possible changes which might be introduced into real-world *problem situation*. ” (Checkland, 1981: 314)

Checkland (1981) defines *purposeful* and *purposive* as meaning:

“*Purposeful* [is defined as] Willed: thus *activity* which is purposeful becomes *action*.” (Checkland, 1990: 316) and,

“*Purposive* [is defined as] Describable by an observer as serving a purpose (contrast *purposeful*).  
(Checkland, 1981: 317)

The author adopted the use of the phrase ‘human activity system’ to label holons in this research.

In the context of the problem situation under discussion, that approach has necessitated investigation and consideration of a considerably wider area than is often the case in research projects of this nature. In this way the dysfunctions can be observed and charted in relation to the way they fit into



and affect the organisation or environment in which they operate. Any remedies that are offered can then be shown to take account of the wider picture so as not to alter or repair 'A' in such a way that 'B' and perhaps 'C' break down. The problem situation, as outlined in Chapter 3, involve human activity systems and as such are classically at the 'soft' end of the systems science spectrum. It was decided to use SSM to assist in tackling the problem situation. Checkland (1981) defines SSM as:

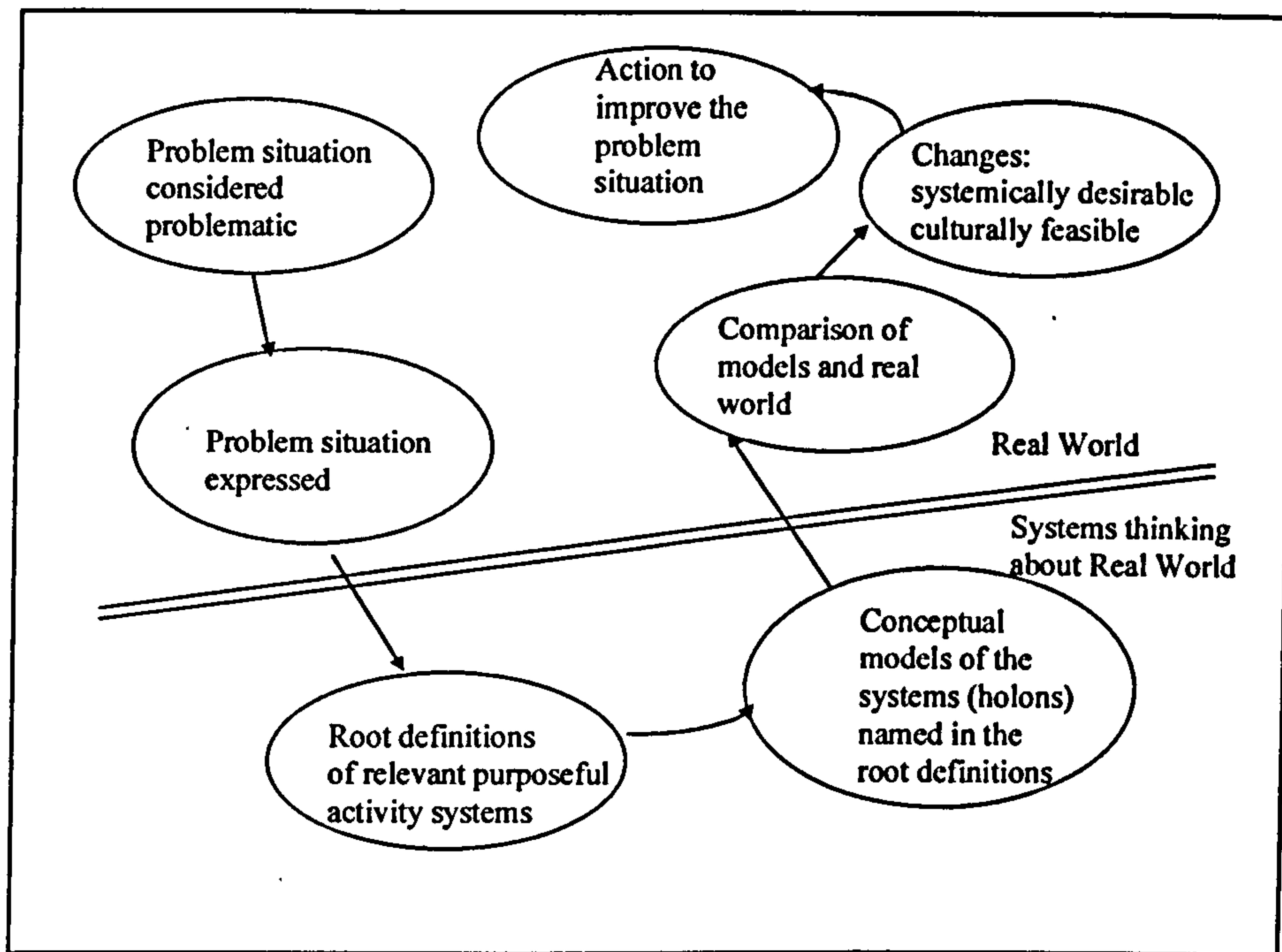
"Systems-based methodology for tackling *real-world problems* in which known-to-be-desirable ends cannot be taken as given. Soft Systems methodology is based upon a *phenomenological stance*." Checkland (1981:318)

## 2.5 The Relevance of SSM to the Problem Situation

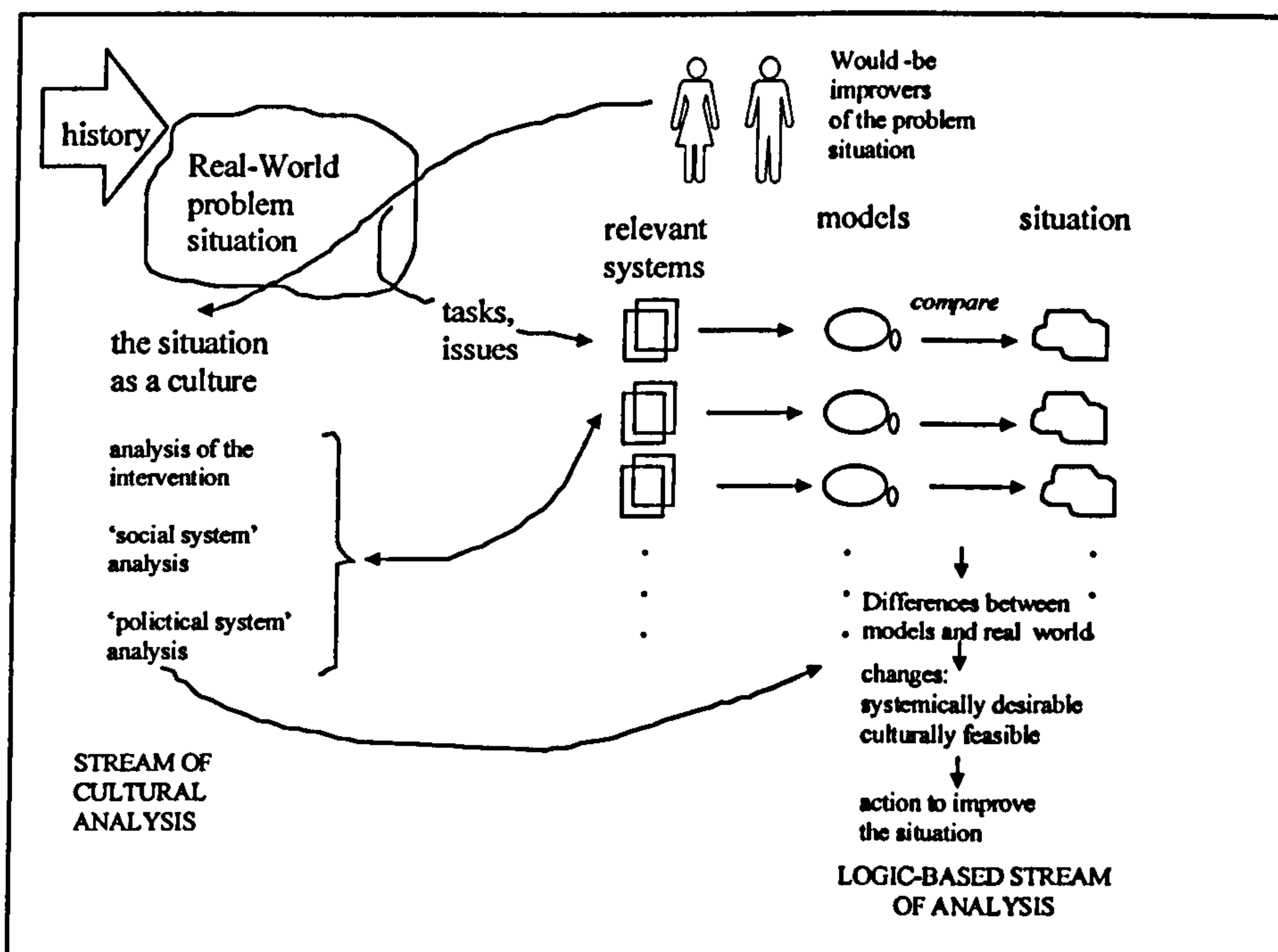
Checkland developed SSM, a seven stage rule-based tool, for problem solving in human activity systems (Figure 2.3). It begins in what has been called the 'real world' with the unstructured problem situation. The author (who is to interpret the problem situation) is immersed in the system in which the problem situation is perceived to exist. The aim is to compile 'the richest possible picture' of the problem situation to provide some initial structure. Not 'the problem', you will notice; Checkland tries to avoid using the word 'problem' since it has distinct overtones of knowledge and understanding about what is going wrong, when in reality what appears to be the problem may just be the symptoms. The phrase 'problem situation' is used instead.

The author summarised the analysis of the problem situation by drawing a 'rich picture'. Checkland (1981) states that a 'rich picture' is:

"The expression of a *problem situation* compiled by an investigator, often by examining elements of *structure*, elements of *process*, and the situation *climate*." (Checkland, 1981: 317).



**Figure 2.3**     The conventional seven-stage model of SSM (Checkland and Scholes, 1990)



**Figure 2.4**     The process of SSM (Checkland and Scholes, 1990)



Once this stage has been reached the author leaves the 'real world' and enters the cognitive or conceptual world of systems theory where model building takes place. The next stage involves the identification of relevant systems (RS). Checkland (1981) states that a relevant system (RS) is:

*"A human activity system which an investigator using soft systems methodology names as likely to yield insight in later stages of the study. For each relevant system a root definition is formulated and a conceptual model built."* (Checkland, 1981: 317)

The RS contains a brief description of what the system(s) need to be if they are to operate on, or be relevant to, improving the problem situation. This stage includes a logical extension of the RS into the root definition (RD). The purpose behind the RD is to expand the ideas contained in the RS to the stage where conceptual model (CM) building can begin. Checkland (1981) states that a conceptual model (CM) is:

*"A systemic account of a human activity system, built on the basis of that system's root definition, usually in the form of a structured set of verbs in the imperative mood"* (Checkland, 1981: 313).

A condition is systemic if it pervades the body as a whole, and as Checkland and Scholes (1990) states:

*"The adjective 'systemic' implies that we have a clear concept of what we mean by the notion of 'system'. There is such a notion, and systems thinking is simply consciously organised thought which makes use of that concept."* (Checkland and Scholes, 1990:18)

Once the CM has been compiled, its validity can be tested using one or more of the checks devised by Checkland and others for this purpose. If it fails the validity test, as well it might, then a further look at the relevant systems and their root definitions will be called for. At this stage, each activity of the CM

is likely to be described at a very low level of resolution and will only start to become viable after considerable refinement and expansion. Once the CM has been refined to the satisfaction of the analyst he can emerge once more into the real world to effect a comparison between what he observed in the analysis phase and expressed in the 'rich picture' and the detailed conceptual model. The comparison will reveal where and how the present situation differs from that first outlined in the relevant systems and will suggest changes that should bring about improvements. Such changes should be included on an agenda for debate with what Checkland calls the principal 'actors' in the problem situation. These might be the people most closely associated with the implementation of any changes and the purpose of the debate is to decide whether such changes are 'systemically desirable and culturally feasible'.

Checkland (1981) defines 'systemic desirability' as:

"A criterion for real world changes debated at stages 5 and 6 of *soft systems methodology*. The implication is that the *systems thinking* of stages 3 and 4 will generate models whose comparison with the expression of the *problem situation* from stage 2 will yield possible changes which this systems analysis recommends as being desirable" (Checkland, 1981: 318).

Checkland (1981) defines 'cultural feasibility' as:

"In *soft systems methodology* (at Stages 5 and 6) one of the criteria which potential changes in the real world must meet if they are to be implemented. The implication is that the culture of a particular *problem situation*, with its unique norms, roles, and values will be able to accept, as meaningful and possible, a certain range of changes." (Checkland, 1981: 313).

Once agreement has been reached on this point, the final stage, implementation or 'action to improve the situation', can follow.



Checkland revised the conventional seven-stage SSM process model (Figure 2.3) and produced a version that has been incorporated into the present study (Figure 2.4). The updated version incorporates two streams of enquiry, logic-based and cultural, and have provided the author with a process of inquiry that allows the situation to be viewed as a culture whilst dealing with the tasks and issues of the real-world problem situation. Following a logic-based enquiry the author examined the structure, process, climate and issues of the problem situation and reported these at Appendix A2.1. At the same time the author followed the ‘cultural stream of enquiry’, as suggested by Checkland and Scholes (1990). He examined the intervention itself (Analysis One), the situation as a ‘social system’ (Analysis Two) and as a ‘political system’ (Analysis Three) and reported these at Appendix A2.2. The shift in roles, norms and values of participants involved in the problem situation identified in Analysis Two served to illustrate the shift in power relationships in the ‘political system’ (Analysis Three) (see Table 8.4. and Table 8.5). Checkland and Scholes (1990) discuss the ‘cultural stream of enquiry’ suggesting that:

“The ‘cultural stream’ consists of three examinations of the problem situation. The first examines the intervention itself, since this will inevitably itself effect some change in the problem situation. The second examines the situation as a ‘social system’, the third as a ‘political system’. In both cases the terms within inverted commas are used as in everyday language, rather than technical terms. And in the case of all three ‘cultural’ enquiries, general models are used which relate respectively to problem solving, the social process and the power-based aspects of human affairs.”  
(Checkland and Scholes, 1990: 30).

## **2.6 Summary**

In this chapter, a review has been taken of the literature on MAPs, the literature on decision-making in the criminal justice system, the literature on

multi-methodology, and there was an explanation as to why SSM was used and, its relevance to the problem situation.

In stage one of the research an initial literature review was conducted, identifying the three objectives of the research.

The possible conflict and tension brought about by differences in worldview (or Weltanschauung) of individual members representing their organisations has been highlighted. Specific reference was made to the philosophy of 'diversion' from the youth justice system, the terms 'welfare model' and 'justice model', and to the views of MAPs.

There was discussion as to why a methodology from the softer end of system science's theoretical spectrum is particularly appropriate for dealing with problems arising in complex human activity systems. The author then described the relevance of SSM to the problem situation.

The benefit of the literature review has assisted the author in designing a robust research methodology that has utilised a mix of methodologies at various stages (see Figure 1.1).

The author has reviewed the literature on multi-methodology and discussed how it has complemented this study and improved his understanding of the problem situation.

In Chapter 3, the issues affecting the problem situation will be discussed. There will be specific reference to MPS policy and procedure toward young offenders and the role of each agency in the Multi-Agency Youth Liaison Panel and the CJS. Also, the outcome of the various stages of SSM will be described.



**See paragraph 2.2.1, page 38 above.**

"It has never been the rule in this Country - I hope it never will be - that suspected criminal offences must automatically be the subject of prosecution. Indeed the very first Regulations under which the Director of Public Prosecutions worked provided that he should...prosecute ' wherever it appears that the offence or the circumstances of its commission is or are of such a character that a prosecution in respect thereof is required in the public interest.' That is still the dominant consideration."

Lord Shawcross  
Attorney General  
29th January 1951

## CHAPTER 3

### 3.0 ISSUES AFFECTING THE PROBLEM SITUATION

*This chapter: (1) Summarises, as a rich picture, the issues that affect the problem situation; (2) Describes MPS policy and procedure toward young offender case disposal; (3) Describes the role of the Criminal Justice Units (CJUs); (4) Describes the role of the Youth and Community Section (YACS); (5) Describes the role of the Multi-Agency Youth Liaison Panel (MAP) in the context of police decision-making within the criminal justice system; (6) Describes the role of the Crown Prosecution Service (CPS); (7) Describes the role of the Youth Court; and (8) Describes the outcomes of the application of the various stages of SSM. All these are explained in relation to the Multi-Agency Youth Liaison Panel (MAP).*

#### 3.1 The Problem Situation

Checkland (1981) suggests that elements of structure and process should be searched for in the problem situation. Structure is defined as that which is slow to change and process as that which is constantly changing or is of short duration. Whilst it was necessary to search for relationships between the structure and process this, however, could only be done after a search for general themes in the problem situation, which is expressed as a rich picture in Figure A2.6 and Figure A2.7. These iterations of the problem situation informed the rich picture at Figure 3.1

##### 3.1.1 Rich Picture of the Problem Situation

A key to the rich picture is given at Table 3.1, and the issues are fully expanded in subsequent sections under each of the headings. The arrows indicate lines of communication and flows of information. The issues are



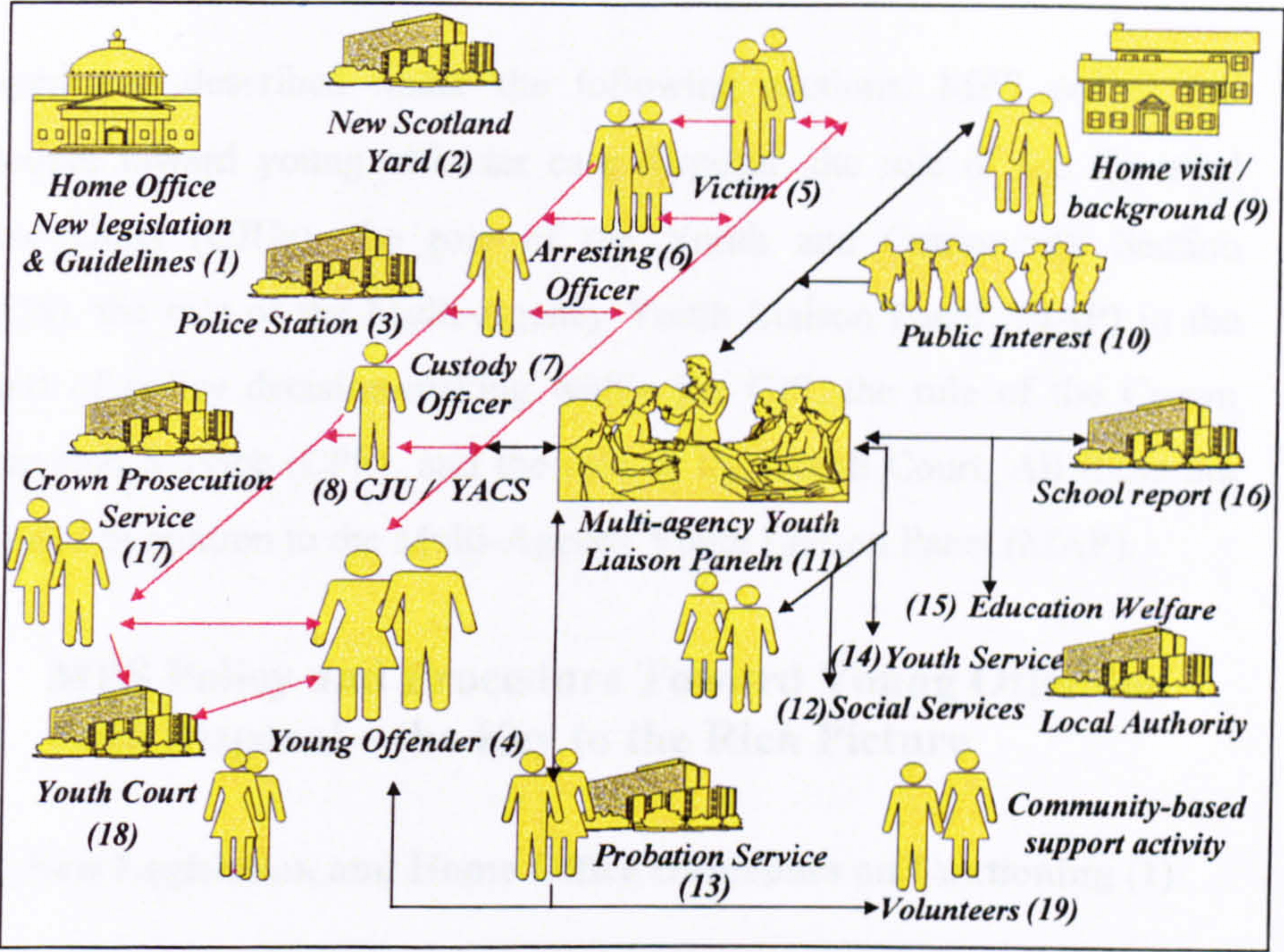


Figure 3.1 Rich Picture (Rowe 1999)

(1)	Home Office, New Legislation and Guidelines	(10)	Public Interest
(2)	New Scotland Yard	(11)	Multi-Agency Youth Liaison Panel (MAP)
(3)	Police Station	(12)	Social Services
(4)	Young offender	(13)	Probation Service
(5)	Victim	(14)	Youth Service
(6)	Arresting officer	(15)	Education Welfare
(7)	Custody officer	(16)	School Report
(8)	The Criminal Justice Unit (CJU) / Youth & Community Section (YACS)	(17)	Crown Prosecution Service (CPS)
(9)	Home visits and background enquiries	(18)	Youth Court
		(19)	Voluntary workers

Table 3.1 Key to the Rich Picture in Figure 3.1



grouped and described under the following sections: MPS policy and procedure toward young offender case disposal, the role of the Criminal Justice Units (CJUs), the role of the Youth and Community Section (YACS), the role of the Multi-Agency Youth Liaison Panel (MAP) in the context of police decision-making within the CJS, the role of the Crown Prosecution Service (CPS), and the role of the Youth Court. All these are explained in relation to the Multi-Agency Youth Liaison Panel (MAP).

### **3.2 MPS Policy and Procedure Toward Young Offender Case Disposal – the Key to the Rich Picture**

#### **3.2.1 New Legislation and Home Office Guidelines on Cautioning (1)**

Parliament, at Westminster, looks to the Home Secretary to set objectives for the policing of England and Wales. Her Majesty's Chief Inspector of Constabulary (HMCIC) monitors the performance of each police force<sup>10</sup> and publishes annual reports. The Home Office issues Home Office Circulars (HOCs) which give advice and guidance to the police service on new legislation.

The introduction of Home Office Circular 14 of 1985 endorsed the police practice of cautioning young offenders and gave guidance to applying the practice across all age groups. The practice of multi-agency co-operation in case disposal decision-making and the monitoring of performance were encouraged. Cautioning is a disposal option that allows the police to divert offenders from courts and re-offending. It falls short of prosecution and the offender must admit guilt. In 1993, the Royal Commission called for cautioning to be put on a statutory footing; however, it remains an administrative procedure to which the Home Office issues guidance to the

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<sup>10</sup>There are 43 police forces in England and Wales



police through circulars. The circulars are not mandated on the chief officers of police; therefore, the advice offered could be interpreted and implemented in 43 different ways.

Home Office (1990b) research into HOC 14 of 1985 highlighted the disparity of cautioning rates among forces of 60 percentage points. The cautioning rate is the percentage of offenders cautioned and prosecuted. This will be discussed more fully in Chapter 5.

HOC 59 of 1990 restated the principles and philosophy of cautioning, multi-agency co-operation and the need to monitor activity. The introduction of HOC 18 of 1994 was a major shift away from multi-agency co-operation in police decision-making and a deliberate move away from repeat cautions (Home Office, 1994).

The central collation of police cautioning was not part of the Police National Computer (PNC) database, until May 1995. The records were kept by each local police force, that meant that travelling offenders could receive a caution in one police area but be regarded as a first time offender in another area.

Throughout that decade the Conservative Party was the UK government. They had set the policies for the CJS. In May 1997, the Labour Party took office and immediately began to implement promises made in its 1996 manifesto “Tackling Youth Crime: Reforming Youth Justice” (Labour Party, 1996). They are:

- A new Final Warning for young offenders to replace the present police cautioning system;

- A fundamental shake-up of youth courts to make young offenders, and their families, face up to their offending behaviour;
- A fast-track court system and more effective use of secure accommodation for persistent young offenders;
- New Youth Offender Teams (YOTs) across the country to draw up intensive community sentences for convicted offenders;
- A new National Youth Justice Board in the Home Office to set national standards for youth justice.

The implementation of these activities commenced in stage three of the research and will be discussed more fully in Chapter 8.

### **3.2.2 The Commissioner's Office, New Scotland Yard (2)**

The Commissioner, of the Metropolitan Police Service, is accountable to Parliament, through the Home Secretary and the Metropolitan Police Committee, for policing the Metropolitan Police District (MPD). The Commissioner publishes an annual report and policing plan indicating key policing objectives and performance indicators. Guidance from the Home Office and the Association of Chief Police Officers (ACPO) is interpreted and policy formulated. The MPD geographically covers an area of 660 square miles with a population of seven million and is divided into 40 political boroughs and councils. The Commissioner's Office is situated at New Scotland Yard.

In 1986, following a force organisational management review, the MPD was reorganised from four to eight geographical areas (see Figure 3.2). An Assistant Commissioner was responsible for the operational control of the whole of the MPD, however, he was based at New Scotland Yard and devolved day-to-day decision-making to the eight deputy assistant commissioners in charge of each Area.



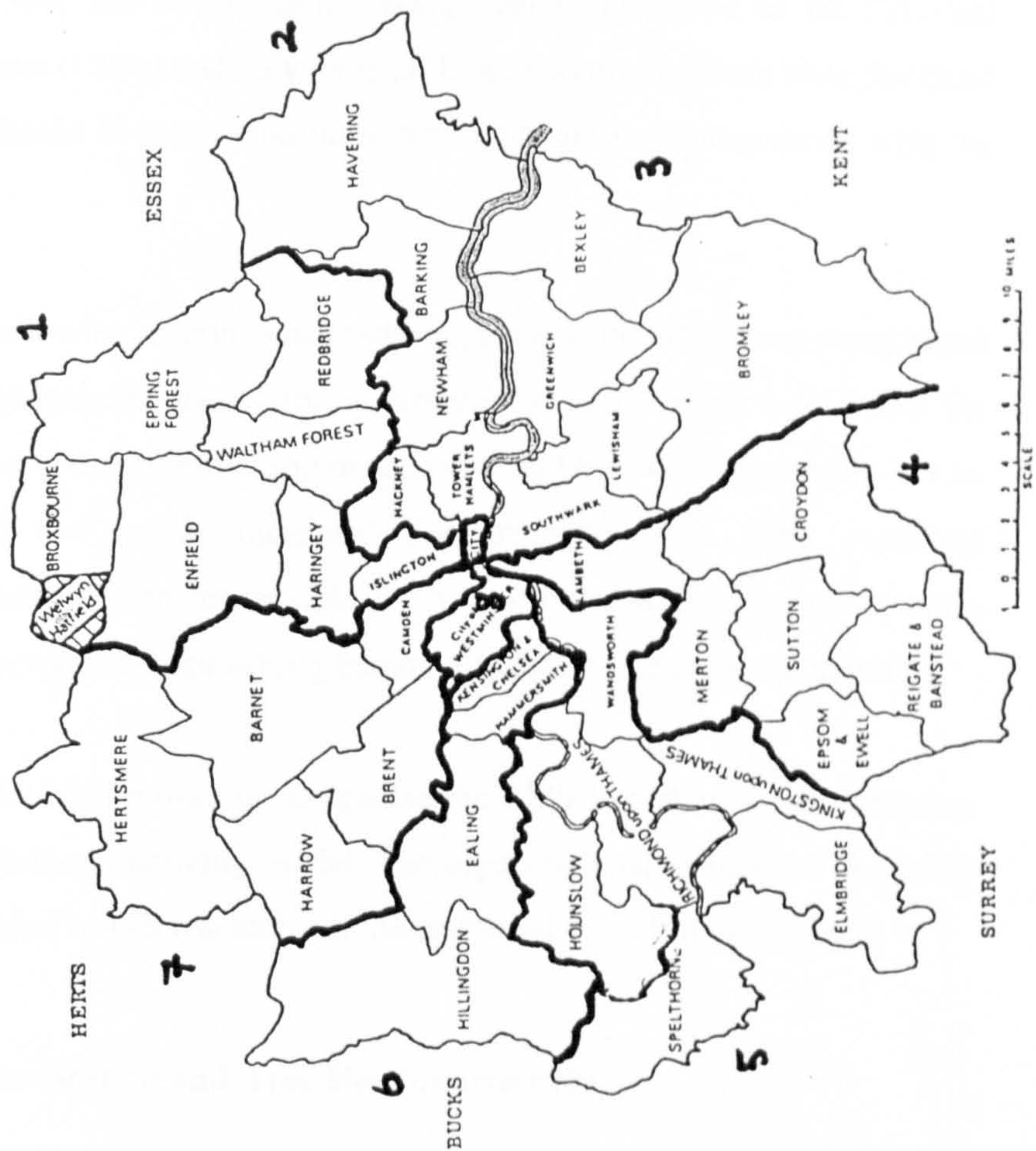


Fig. 3.2 The Metropolitan Police District in 1986 – Eight Areas

The youth justice policy was controlled centrally from New Scotland Yard with 26 borough-based decision-making centres responsible for young offender case disposal, in the 40 boroughs, in the MPD. These were known as Youth and Community Sections (YACSSs). Following restructuring, in August 1994, the 26 decision-making centres increased to 62 Criminal Justice Units (CJUs) and they were no longer controlled from New Scotland Yard. It should be noted that these new units are not coterminous with the boroughs.

In 1994, following a service restructuring review, the MPD was reorganised into five geographic areas with an Assistant Commissioner responsible for the day-to-day decision-making in each area and overall responsibility for an aspect of the police business. For example, one Area Assistant Commissioner is also responsible for setting criminal justice policy while another is responsible for setting community safety and partnership policy.

In 1999, there are moves to reorganise the MPS into three areas, adopting the borough-based policing model. The organisational changes to the MPS over the period of this research will be discussed more fully in Chapter 9.

### **3.2.3 Police Station and Area Headquarters (3)**

In 1986, a divisional chief superintendent was responsible for operational policing of his or her own division, which consisted of approximately two police stations, with at least one police station designated for the reception and detention of prisoners under the Police and Criminal Evidence Act, 1984 (PACE). Before PACE any police station could receive, detain and decide on the case disposal of prisoners. For almost 156 years the sergeant-



in-charge of the police station had a number of responsibilities, which included the reception, the detention and the decision on the case disposal of prisoners. A typical division would have approximately 350 police officers and 75 civilian support personnel.

The divisional policing areas were not coterminous with the boroughs. Each Area Deputy Assistant Commissioner operated from an Area Headquarters building away from New Scotland Yard.

In 1994, the commander in charge of an Operational Command Unit (OCU), and the senior management team, would set local objectives and key performance indicators. They would give advice and guidance to their staff on the policy and procedures, as set by the Assistant Commissioners. The senior management team would generally consist of an operations manager, a crime manager, a criminal justice unit manager, a finance manager and a personnel and training manager. A typical OCU would have approximately 250 police officers and 50 civilian support personnel.

Each Area Assistant Commissioner operated from an Area Headquarters building away from New Scotland Yard.

In 1999, the commander in charge of an OCU, and the senior management team, will set local objectives and key performance indicators. They will give advice and guidance to their staff on the policy and procedures, as set by the Assistant Commissioners. The senior management team will generally consist of an operations manager, a crime manager, a criminal justice unit manager, a finance manager and a personnel and training manager. A typical borough-based OCU would have approximately 1500 police officers and 150 civilian support personnel.

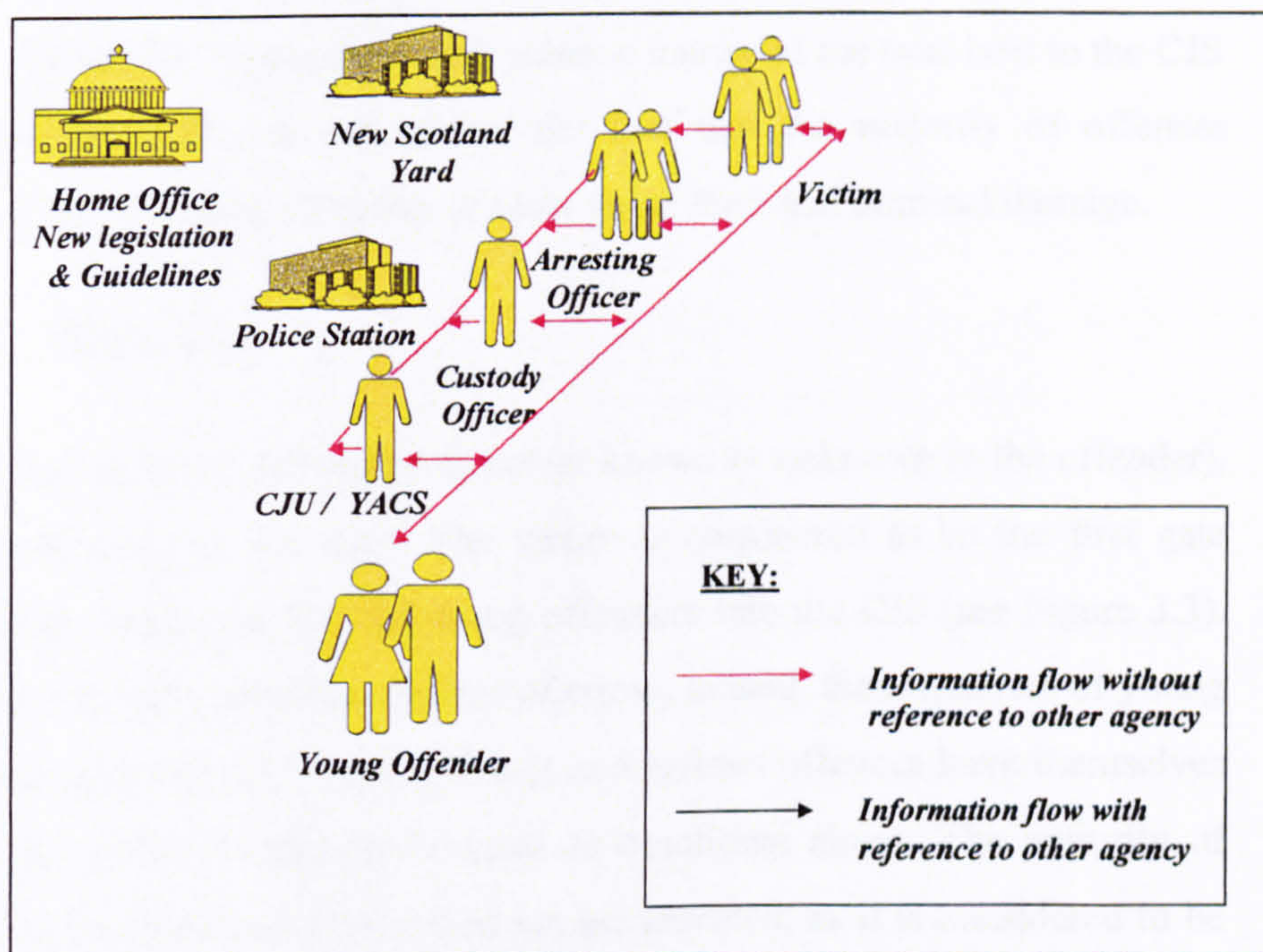
Each Area Assistant Commissioner will operate from an Area Headquarters building away from New Scotland Yard. It should be noted that from April 2000 the policing of the following boroughs will become the responsibility of the police force in whose area they are located: the boroughs and part boroughs of Broxbourne (*Hertfordshire*), Elmbridge (*Surrey*), Epping Forest (*Essex*), Epsom and Ewell (*Surrey*), Hatfield and Hertsmere (*Hertfordshire*), Reigate and Banstead, Spelthorne (*Surrey*), and Welwyn (*Hertfordshire*).

#### 3.2.4 Young offender (4)

In England and Wales, a child under the age of 10 years is not criminally responsible for their actions. Young offenders aged between 10 years and under 18 years of age are dealt with separately in the CJS from adults, and attend the youth court. The term 'child', is defined by Section 107 Children and Young Persons Act, 1933, as under 14 years of age and a 'young person' as under 17 years of age. The term 'juvenile', also refers to a 'child' and 'young person' aged 10 years and under 17 years (see Figure 3.3). The Children Act, 1989, defines a 'child' as being under 18 years of age. The parent/guardian or an appropriate adult must be informed when a young offender has been arrested and should be present during any interviews. There were many debates between the police and other CJS agencies over the MPS policy of dealing with young offenders over the age of 17 years as 'adults'. While the police were justified in dealing with them as 'adults', if they were to be prosecuted then they would appear at the Youth Court. The other CJS agencies were adopting the Children Act 1989 definition. This led to tension and conflict between the police and other CJS agencies until the MPS changed its policy (MPS 1996a).

In 1996, the MPS dealt with 26683 young offenders at a cost of almost £ 58 million. The cost of identifying and processing a young offender is approximately £1200, with a further £2500 if the police decide to prosecute.





**Figure 3.3** Victim and Young Offender in the decision-making process



The MPS prosecuted 10241 (38 per cent) young offenders at a cost of almost £26 million, which represents 45 per cent of the total cost. Legal aid was provided in 6938 (26 per cent) of cases, at a cost of £100 for each case. That represents a total cost of £693,800. The role of appropriate adult was performed by a social worker in 8005 (30 per cent) of cases, at a cost of £30 for each interview. That represents a total cost of £240,150. The provision of legal aid and the appropriate adult scheme increased the total cost to the CJS by £933,950. This is set against the fact that the majority of offences committed by young offenders are low value theft and criminal damage.

### 3.2.5 Victim (5)

A victim can be an individual (whether known or unknown to the offender), the community or the state. The victim is considered to be the first gate keeper to control the flow of young offenders into the CJS (see Figure 3.3). Young offenders are often victims of crime, indeed, three-quarters of young people convicted of the most violent and serious offences have themselves been the victim of physical, sexual or emotional abuse. The majority of crime in England and Wales does not get reported, as it is considered to be too minor or trivial, and comments such as “what’s the use, nothing can be done!” are used. The reasons for reporting offences to the police are firstly, the seriousness of the offence; secondly, the likelihood of a prosecution; and lastly the need for insurance claims. The police inform the local Victim Support Scheme Coordinator of all victims of crime in accordance with the Victims’ Charter. Reparation<sup>11</sup> and mediation work is performed by some agencies with the consent of the victim, young offender and their parents and/or guardian. It is a responsibility of the police and CPS to seek the views of the victim and to keep the victim updated as to the outcome of the case.

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<sup>11</sup> An activity following a caution where the young offender is confronted with their offending behaviour by a MAP member. Where an apology or offer of reparation is made to the victim.



### 3.2.6 Arresting officer (6)

The arresting officer is a decision-maker for case disposal and can decide on a number of outcomes short of arrest, for example, no further action, formal warning or report for summons (see Figure 3.4 and Figure 3.4a). The arresting officer would consider the public interest in prosecuting the offence. The arresting officer is considered to be the second gate keeper to control the flow of young offenders into the CJS. The decision to arrest could arise from an arresting officer having witnessed the offence, investigated the offence or been handed the young offender, as in most shoplifting cases. The arresting officer could be concerned with the legal title and seriousness of an alleged offence; for example, 'robbery' is the correct legal label or nomenclature for assault and theft of 50 pence from a person in the school playground. A member of the MAP, however, could consider the same circumstances, as simple theft. Such a disagreement could lead to tension and conflict. The reduction of conflict and tension amongst MAP members needed to be tackled to ensure greater co-operation between agencies. The reduction of conflict forms a root definition within SSM, which is discussed at paragraph 3.8.1.4 below.

The author was a member of the MPS Case Disposal Working Party and made recommendations to introduce a gravity factor process to ensure consistency in case disposal decision-making (Gibson, 1993). Following the recommendations made by the author in this research, the MPS published the 'Case Disposal Manual' (MPS, 1994a). Prior to that there were no aids to assist arresting officers in their decision-making for young offender case disposal. This will be discussed more fully in Chapter 8. Arresting officers receive little or no feedback on the outcome of their decisions that result in court proceedings. It is not surprising that police officers consider that the arrest of a young offender involves too much paperwork, effort and time with little or no reward.



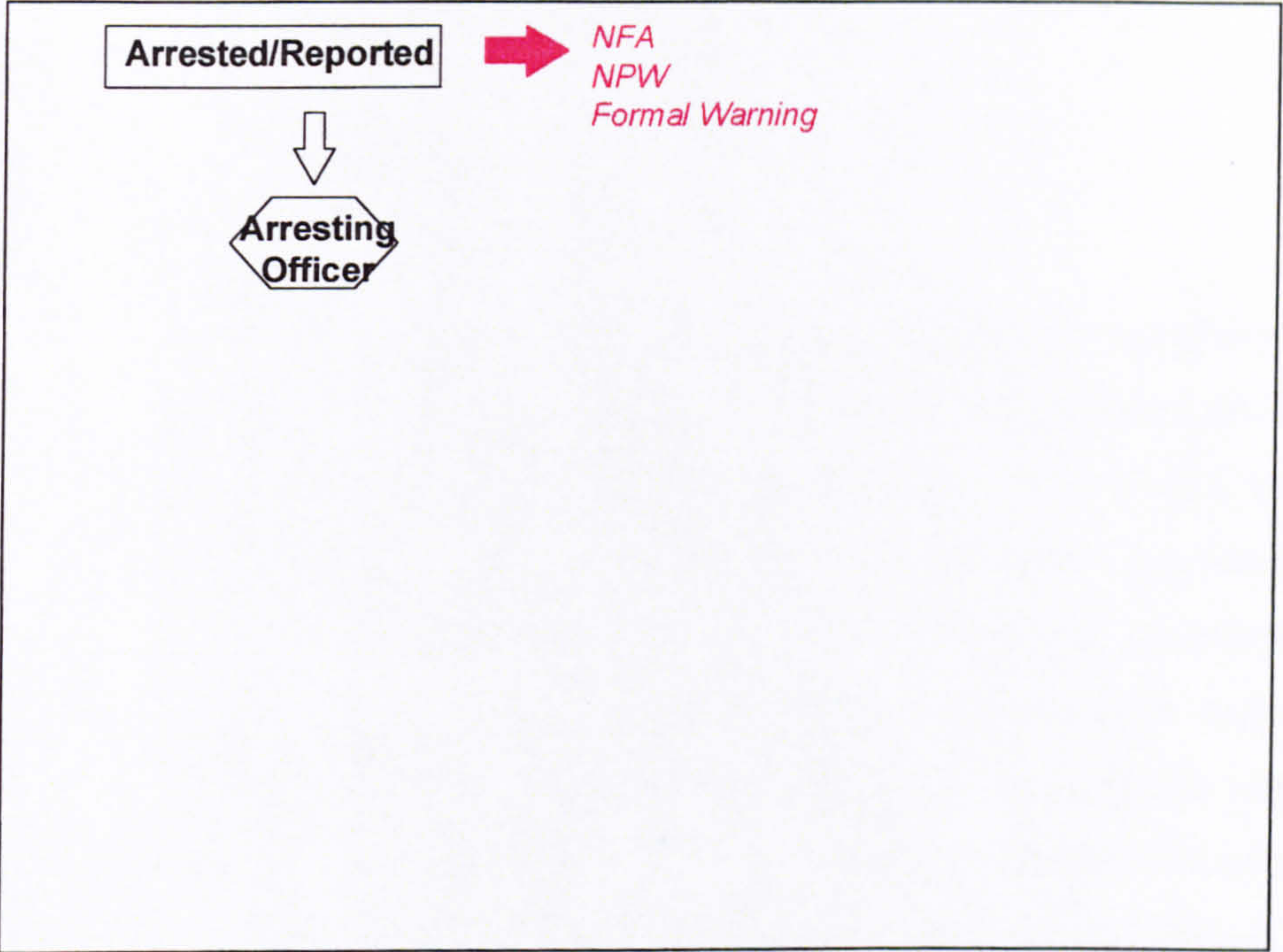


Figure 3.4 Arresting Officer in the decision-making process

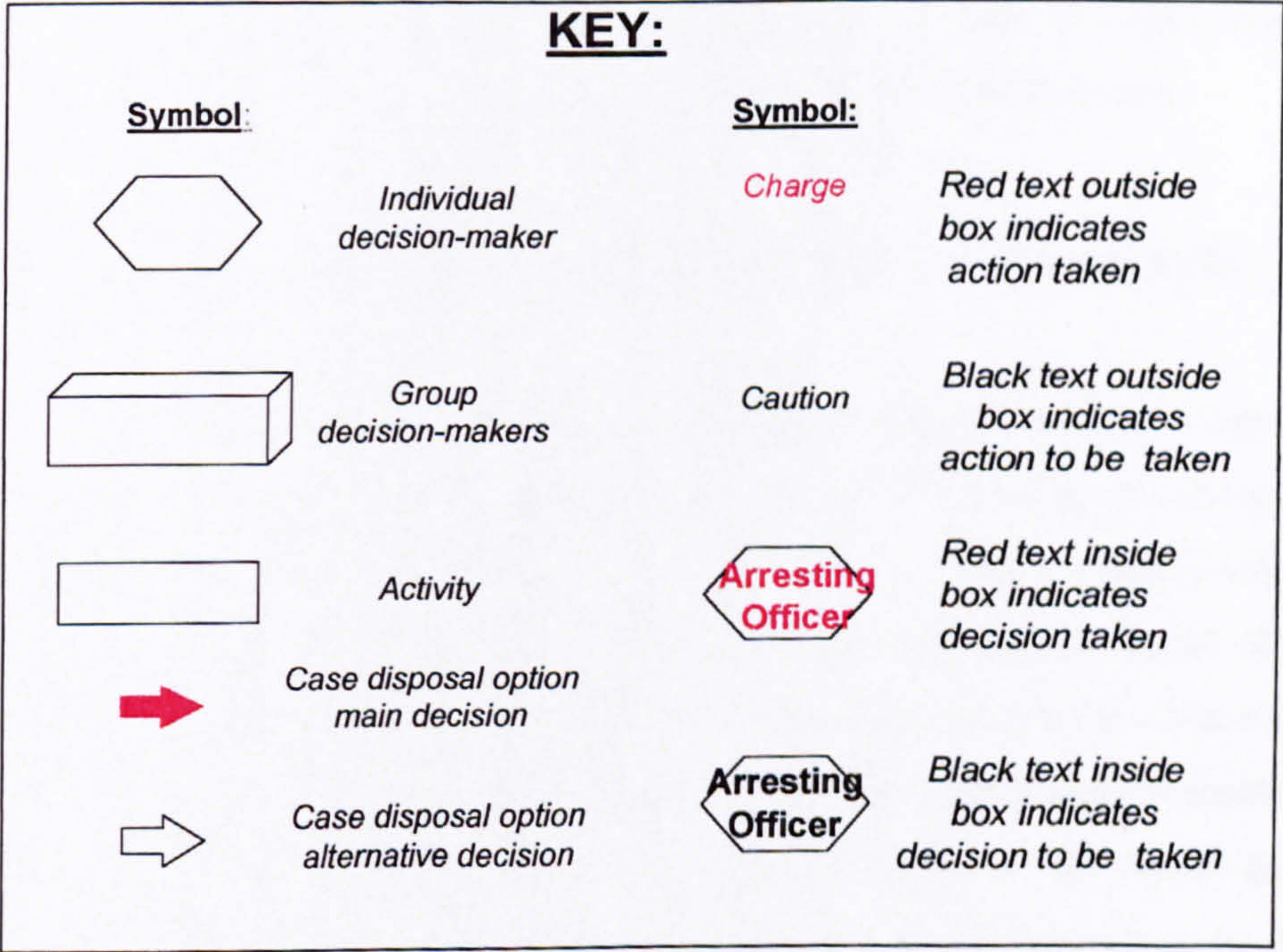


Figure 3.4a Key to the decision-making process



### **3.2.7 Custody officer (7)**

The custody officer has specific responsibility for the welfare and treatment of prisoners at a designated police station. The custody officer can decide whether bail is appropriate and can apply conditions to bail. The custody officer is a decision-maker for case disposal and can decide on a number of outcomes following arrest, for example, no further action, not proceeded with, formal warning, formal caution, prosecution by charge or report for summons (see Figure 3.5). The custody officer can also defer the case for further enquiries to be made in respect of young offenders. The custody officer would consider the public interest in prosecuting the offence. The custody officer is considered to be the third gate keeper to control the flow of young offenders into the CJS. There were no aids to assist custody officers in their decision-making for young offender case disposal.

### **3.3 The Role of the Criminal Justice Unit Manager (8)**

Since 1995, the Criminal Justice Unit (CJU) manager has had a specific responsibility for criminal justice matters in the OCU and gives advice and guidance to custody officers in respect of their case disposal decision-making. The CJU manager can decide whether the youth referral officer should conduct further enquiries. The CJU manager can ask for a home visit to be made on the young offender and a school report prepared if considered necessary. The CJU manager can refer the case to the MAP for a recommendation to prosecute the young offender. The CJU manager is often considered to be the fourth gate keeper to control the flow of young offenders into the CJS. The CJU manager is a decision-maker for case disposal and can decide on a number of outcomes following arrest, for



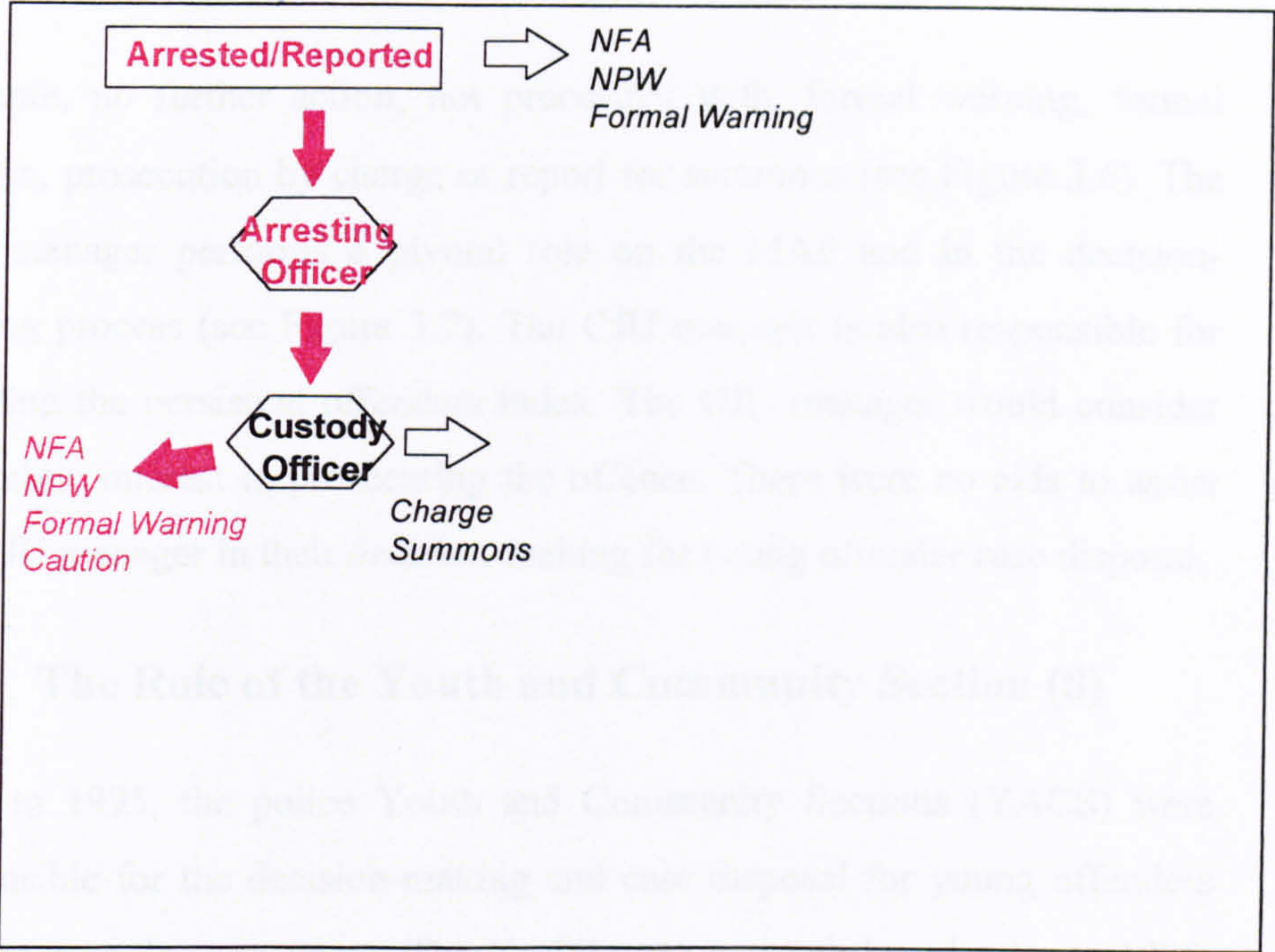


Figure 3.5 Custody Officer in the decision-making process

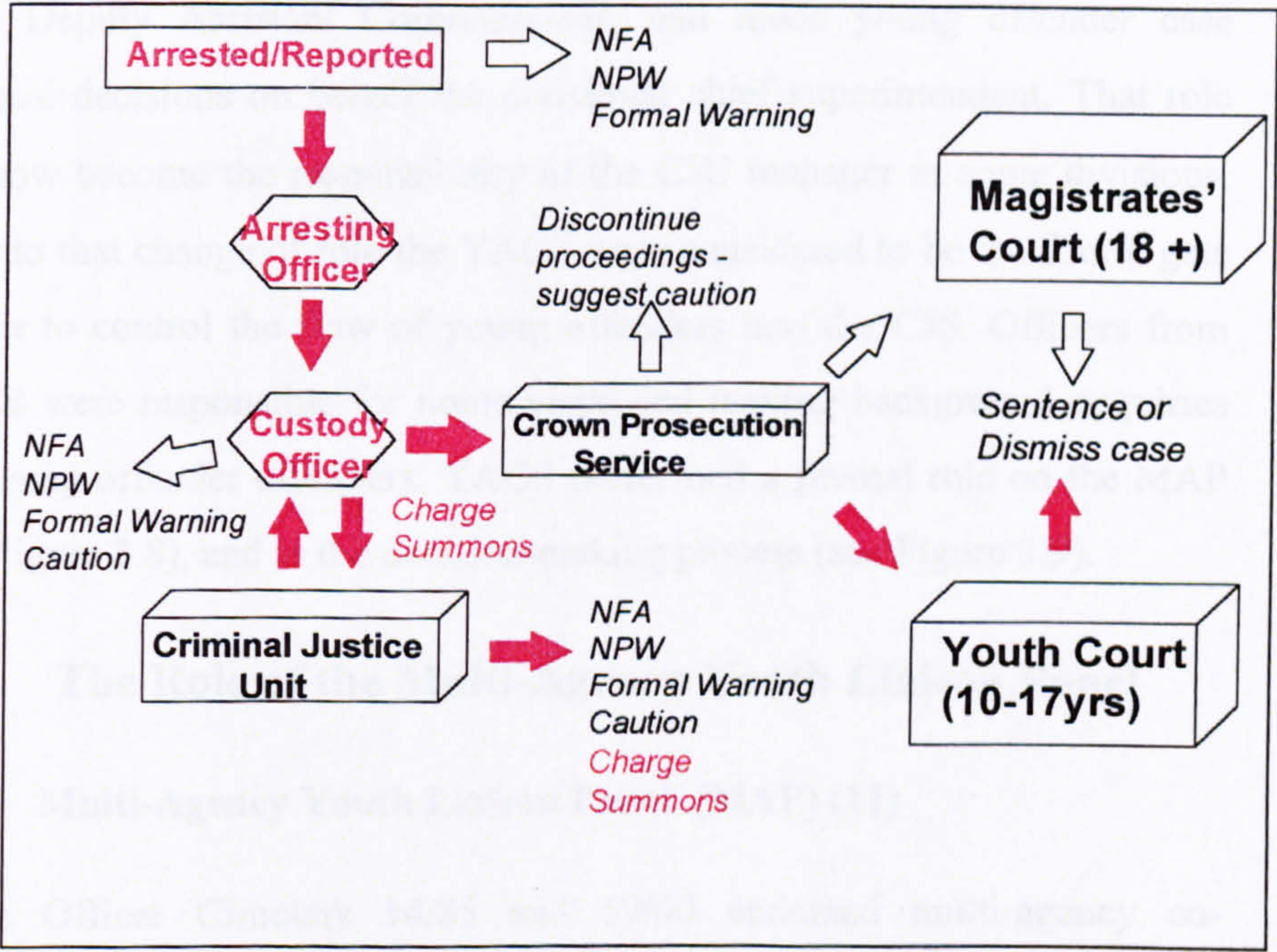


Figure 3.6 Criminal Justice Unit in the decision-making process



example, no further action, not proceeded with, formal warning, formal caution, prosecution by charge or report for summons (see Figure 3.6). The CJU manager performs a pivotal role on the MAP and in the decision-making process (see Figure 3.7). The CJU manager is also responsible for updating the persistent offenders index. The CJU manager would consider the public interest in prosecuting the offence. There were no aids to assist the CJU manager in their decision-making for young offender case disposal.

### **3.4 The Role of the Youth and Community Section (8)**

Prior to 1995, the police Youth and Community Sections (YACS) were responsible for the decision-making and case disposal for young offenders and the schools programme. The YACS were borough-based prior to 1986, and they were controlled centrally from the Commissioner's Office, at New Scotland Yard. However, from 1986 to 1992, they were responsible to the Area Deputy Assistant Commissioner, and made young offender case disposal decisions on behalf the divisional chief superintendent. That role has now become the responsibility of the CJU manager in some divisions. Prior to that change of role the YACS were considered to be the fourth gate keeper to control the flow of young offenders into the CJS. Officers from YACS were responsible for home visits and making background enquiries for young offender offenders. YACS performed a pivotal role on the MAP (see Figure 3.8), and in the decision-making process (see Figure 3.9).

### **3.5 The Role of the Multi-Agency Youth Liaison Panel**

#### **3.5.1 Multi-Agency Youth Liaison Panel (MAP) (11)**

Home Officer Circulars 14/85 and 59/90 endorsed multi-agency co-operation in dealing with young offenders, whereas, HOC 18/94 and ACPO guidance on cautioning have limited their role. Since 1986, MAPs in the MPD include representatives from the police (YACS and CJUs), social services, probation service, education welfare, youth service and sometimes



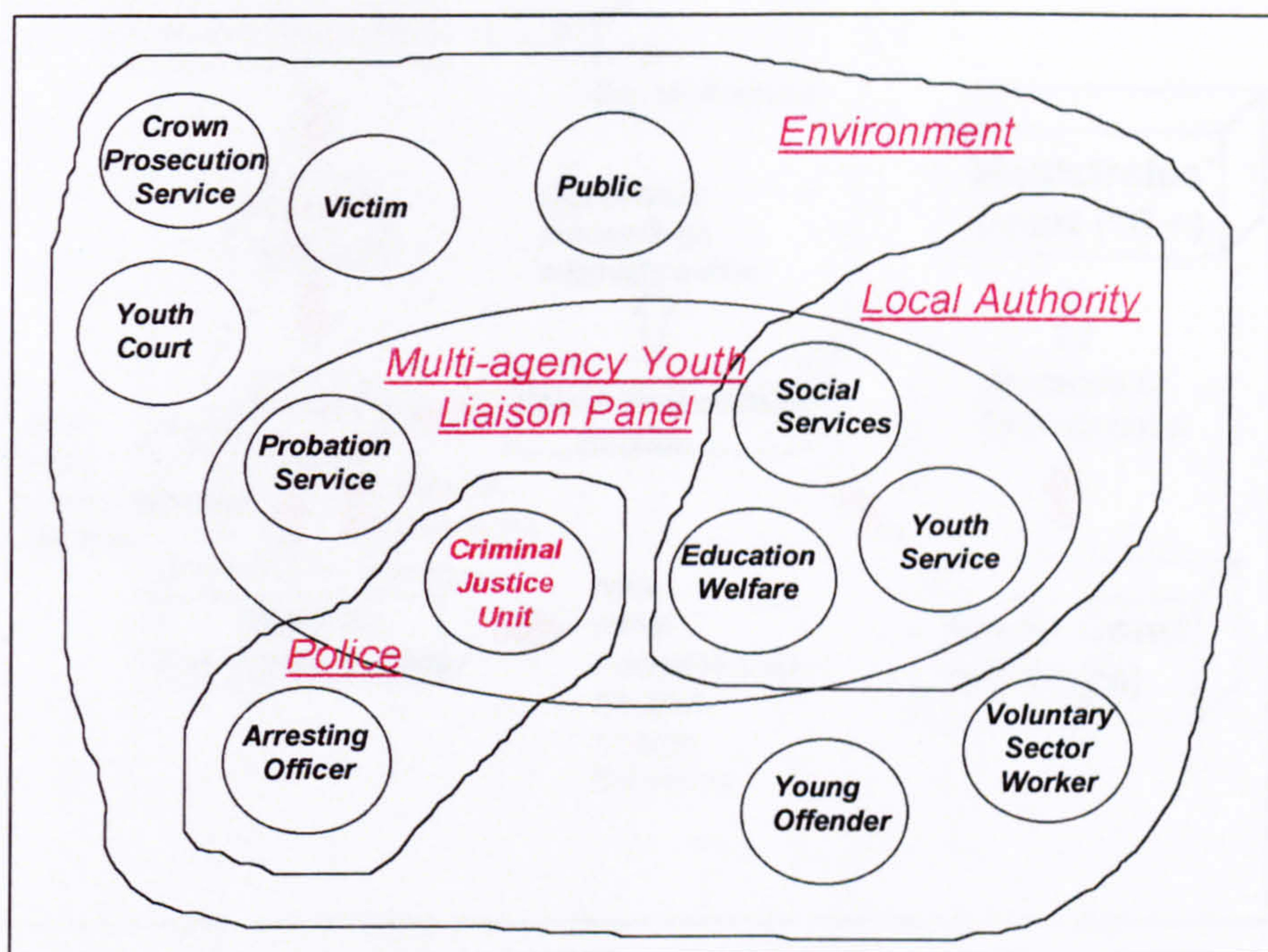


Figure 3.7 Criminal Justice Unit's position on the MAP from 1995

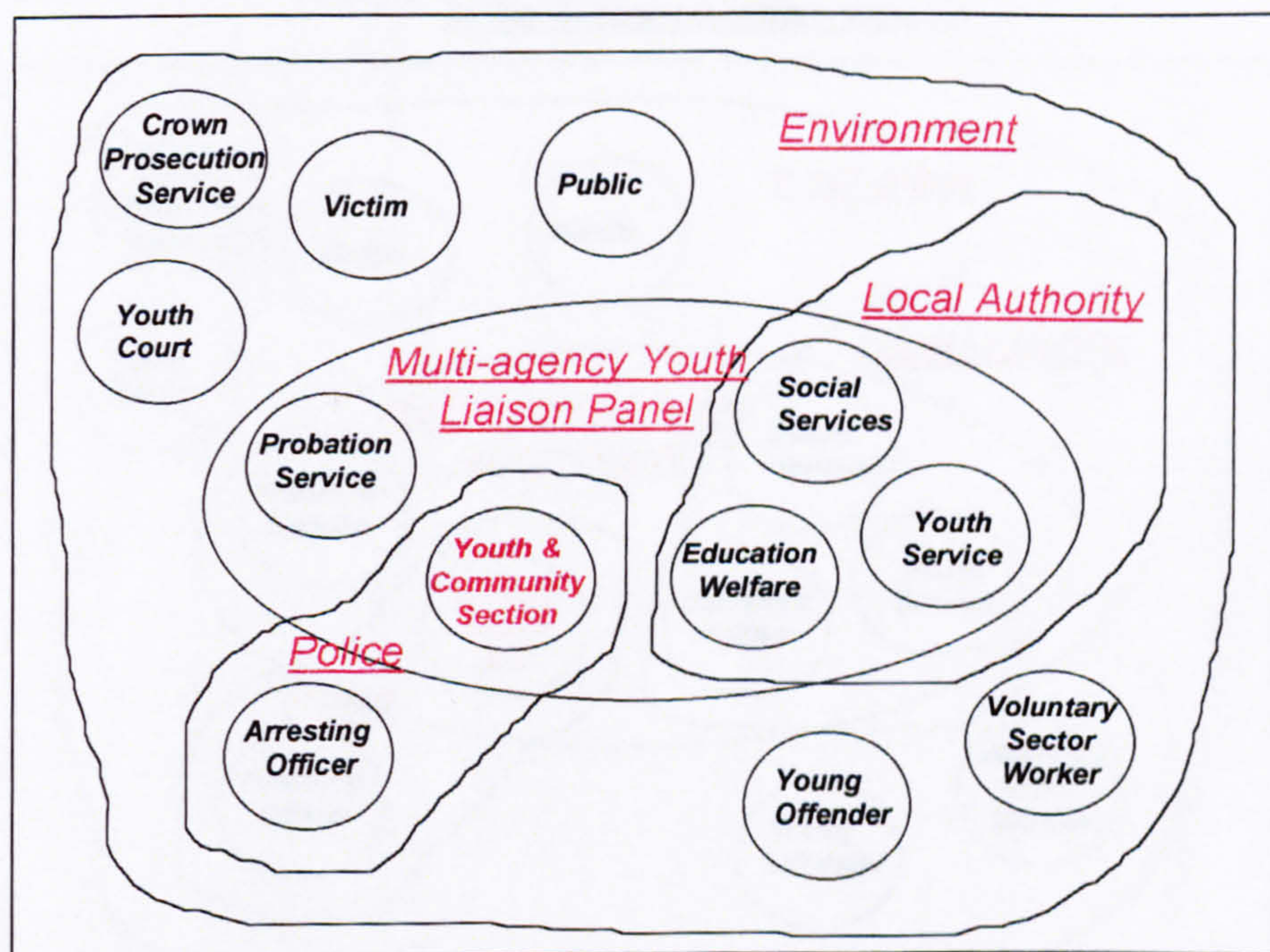


Figure 3.8 Youth and Community Section (YACS) position on MAP before 1995



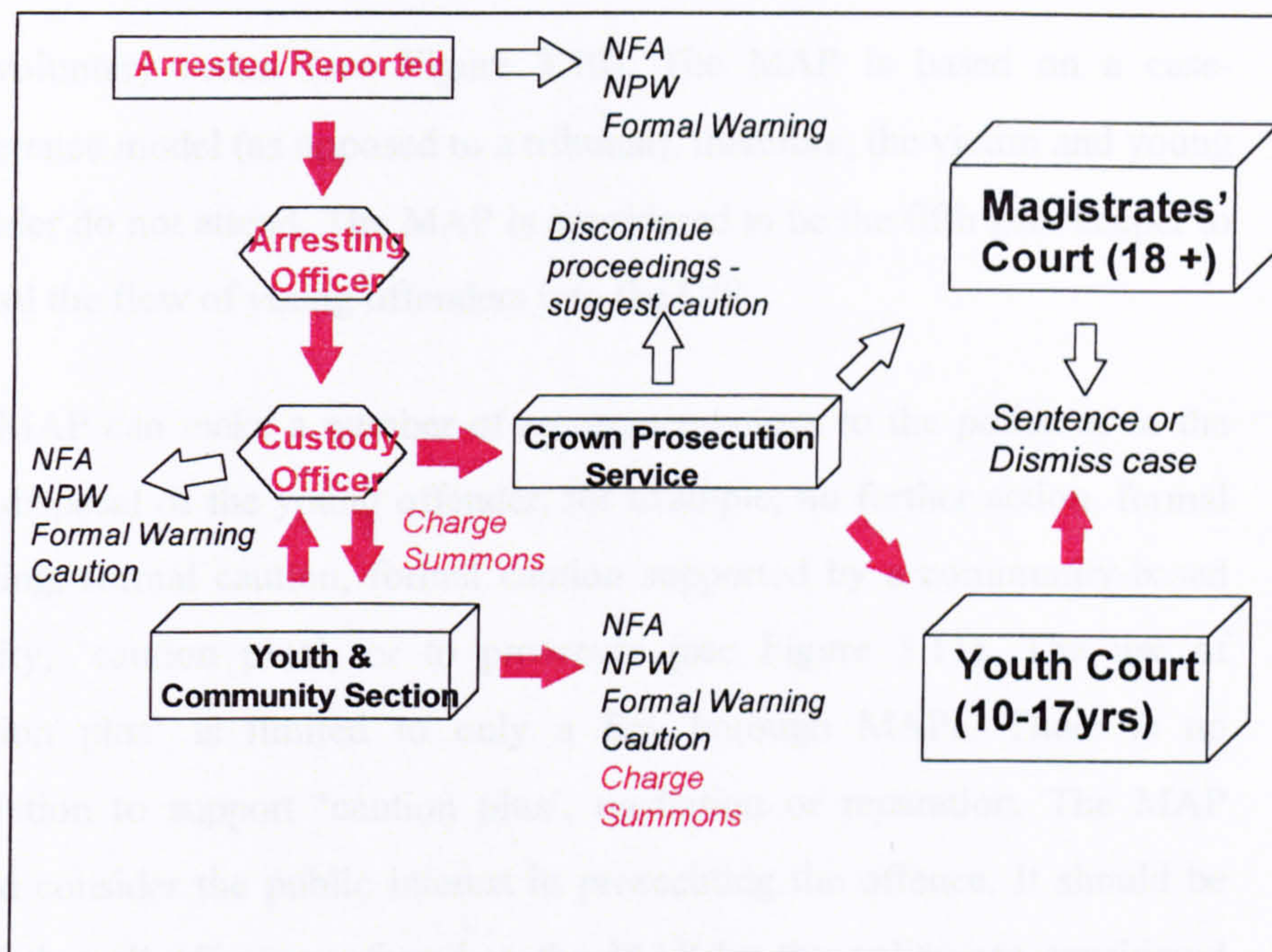


Figure 3.9 Youth and Community Section  
in the decision-making process

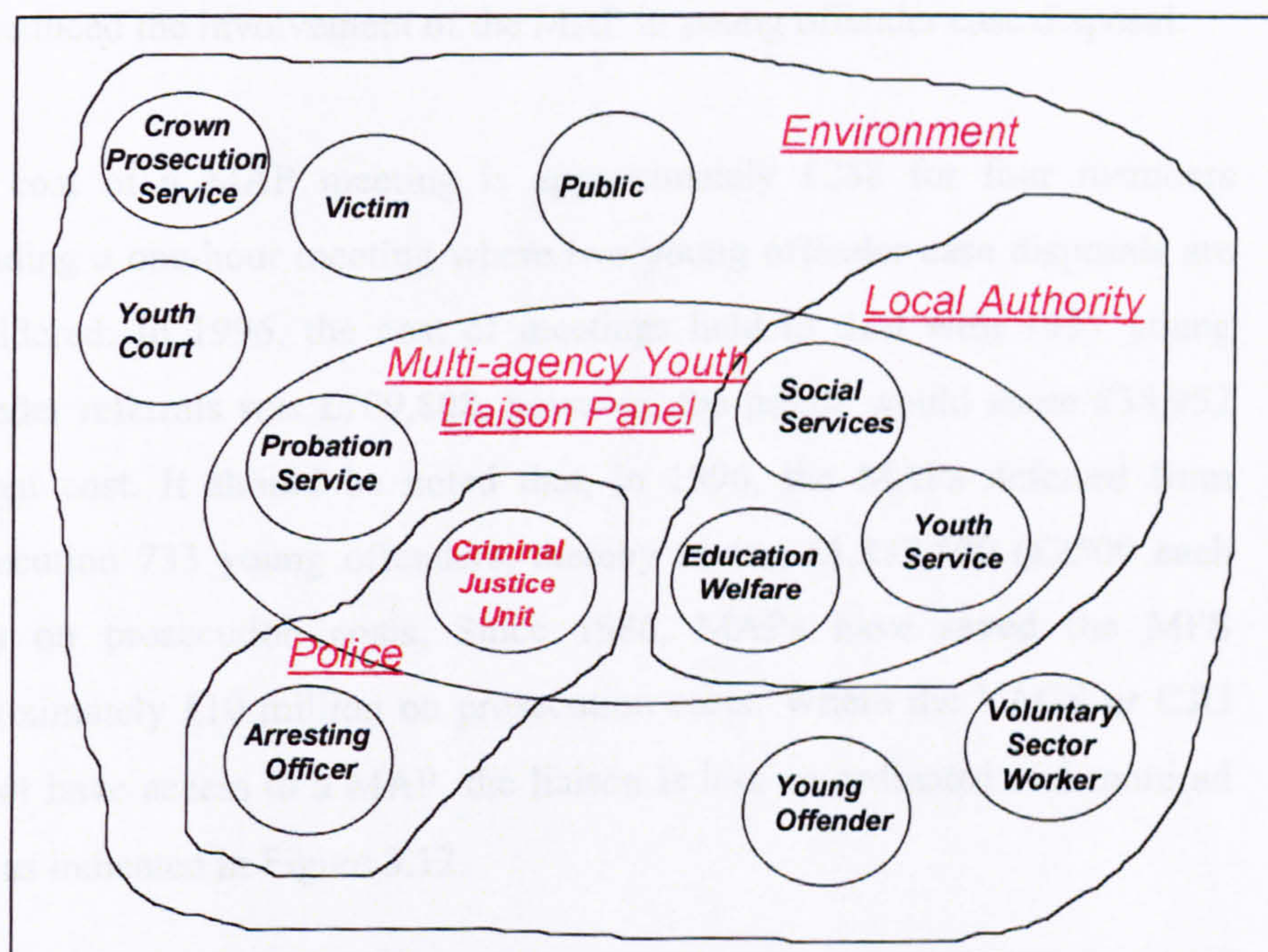


Figure 3.10 Multi-Agency Youth Liaison Panel members



the voluntary sector (see Figure 3.10). The MAP is based on a case-conference model (as opposed to a tribunal), therefore, the victim and young offender do not attend. The MAP is considered to be the fifth gate keeper to control the flow of young offenders into the CJS.

The MAP can make a number of recommendations to the police as to the case disposal of the young offender, for example, no further action, formal warning, formal caution, formal caution supported by a community-based activity, 'caution plus', or to prosecute (see Figure 3.11). The use of 'caution plus' is limited to only a few borough MAPs. There is no legislation to support 'caution plus', mediation or reparation. The MAP would consider the public interest in prosecuting the offence. It should be noted that all offences referred to the MAP by the police are considered worthy of prosecution. There were no aids to assist MAP members in their decision-making for young offender case disposal. As stated, HOC 18/94 has reduced the involvement of the MAP in young offender case disposal.

The cost of a MAP meeting is approximately £288 for four members attending a one-hour meeting where two young offender case disposals are considered. In 1996, the cost of meetings held to deal with 1457 young offender referrals was £209,808, however, the police would share £38,952 of that cost. It should be noted that, in 1996, the MAPs deferred from prosecution 733 young offenders, thereby saving £1,832,500 (£2500 each case) on prosecution costs. Since 1986, MAPs have saved the MPS approximately £10 million on prosecution costs. Where the YACS or CJU do not have access to a MAP, the liaison is less co-ordinated and more ad hoc, as indicated in Figure 3.12.

During this research Barking and Dagenham MAP, and Barnet MAP, offered reparation and mediation to young offenders and their victims. In addition to the normal members of the MAP, the victim, the young offender



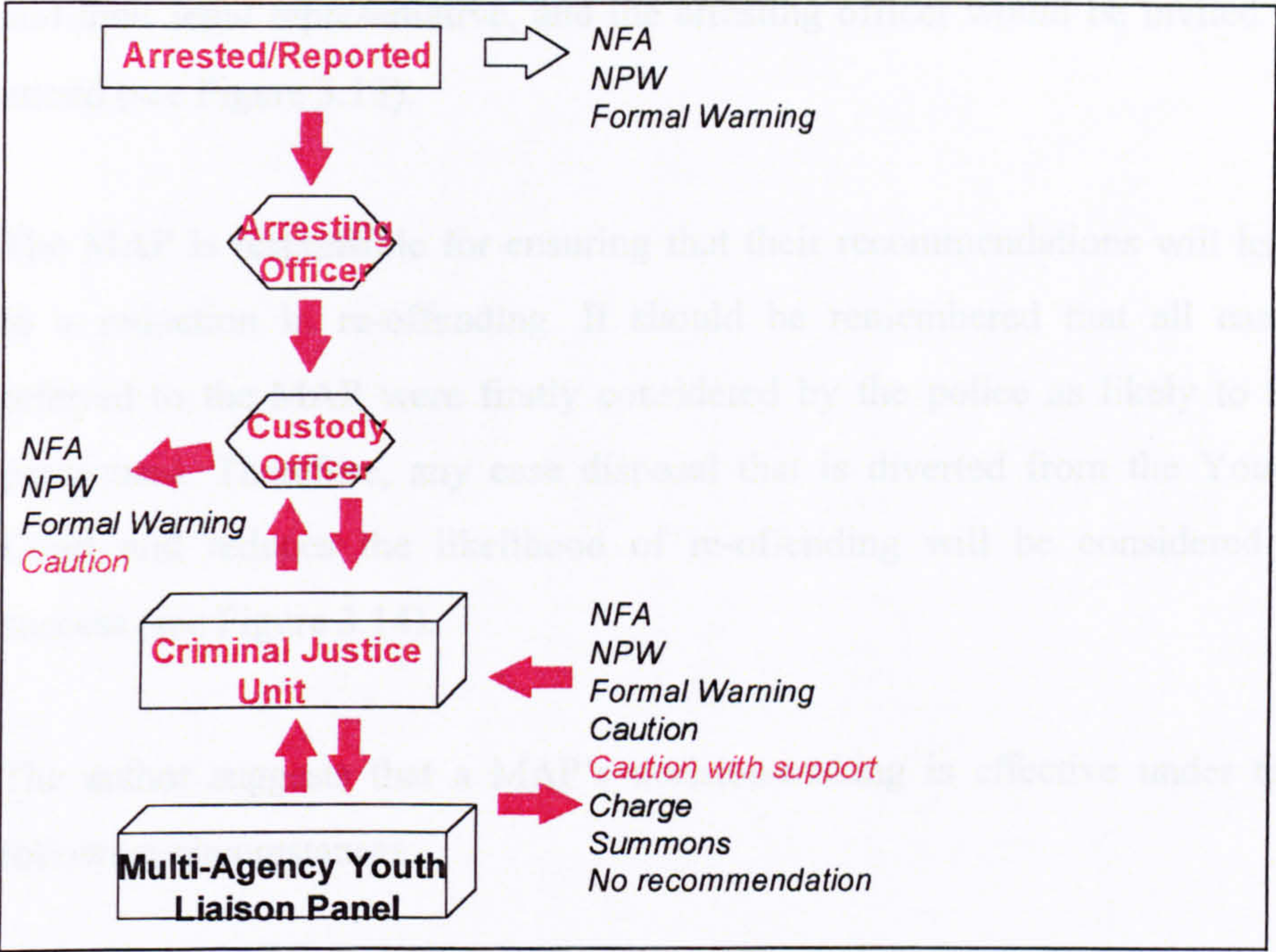


Figure 3.11 MAP in the decision-making process

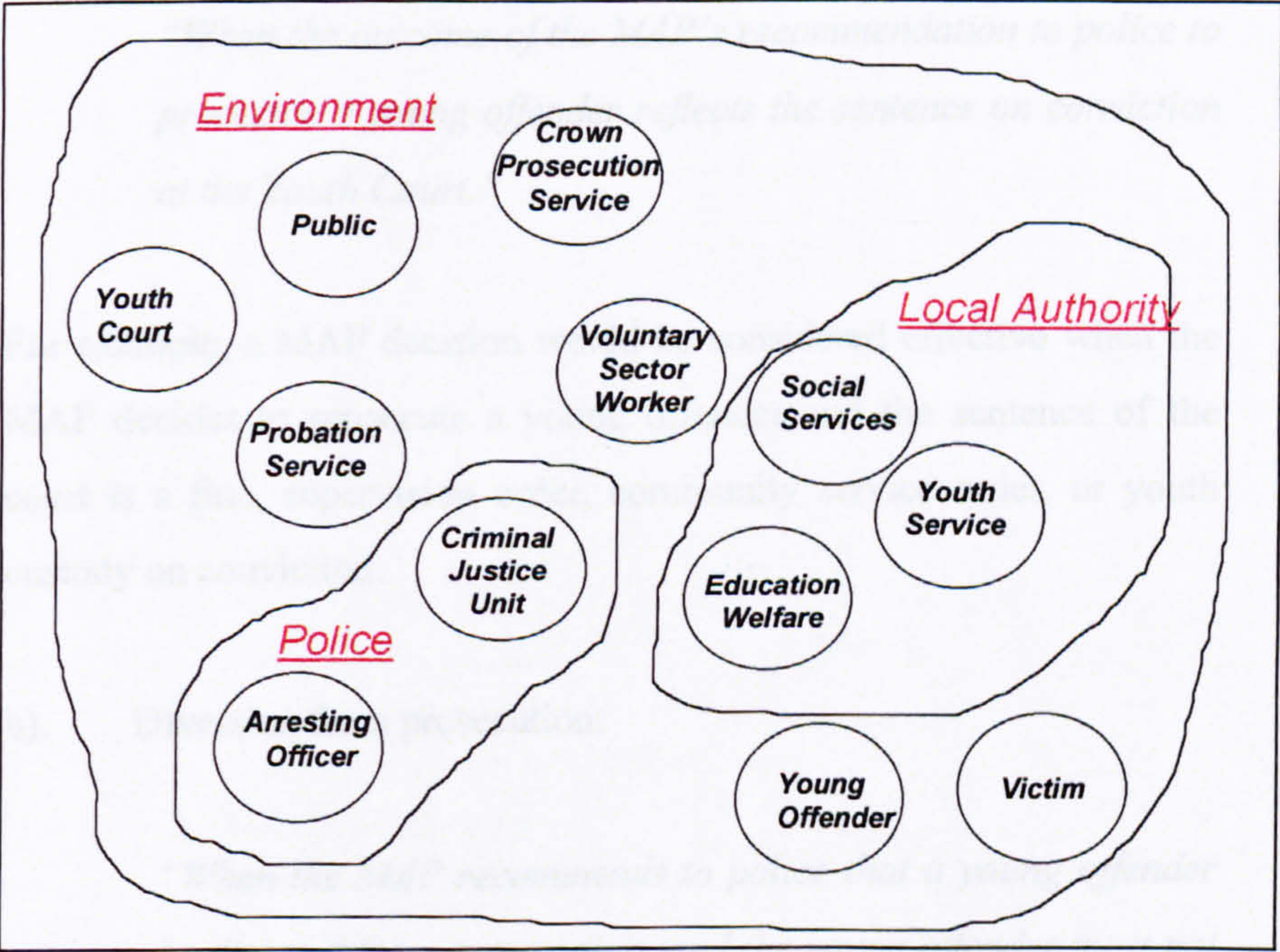


Figure 3.12 No MAP in the decision-making process



and their legal representative, and the arresting officer would be invited to attend (see Figure 3.13).

The MAP is responsible for ensuring that their recommendations will lead to a reduction in re-offending. It should be remembered that all cases referred to the MAP were firstly considered by the police as likely to be prosecuted. Therefore, any case disposal that is diverted from the Youth Court and reduces the likelihood of re-offending will be considered a success (see Figure 3.14).

The author suggests that a MAP's decision-making is effective under the following circumstances:

a). Prosecution:

*“When the outcome of the MAP’s recommendation to police to prosecute a young offender reflects the sentence on conviction at the Youth Court.”*

For example, a MAP decision would be considered effective when the MAP decides to prosecute a young offender and the sentence of the court is a fine, supervision order, community service order, or youth custody on conviction.

b). Diversion from prosecution:

*“When the MAP recommends to police that a young offender be diverted from prosecution, and the young offender must not re-offend during the next 12 months.”*



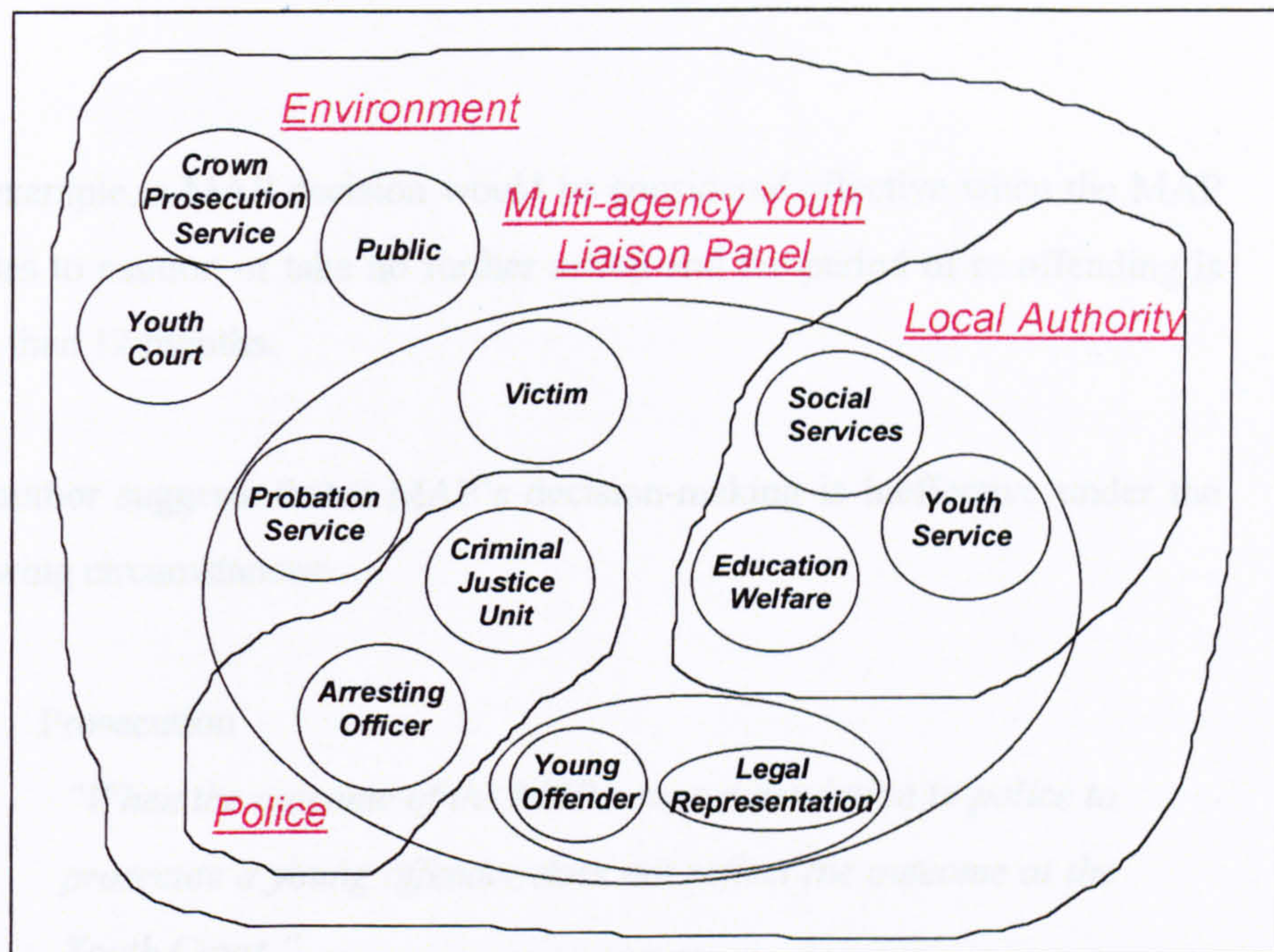


Figure 3.13 MAP members in a conference model

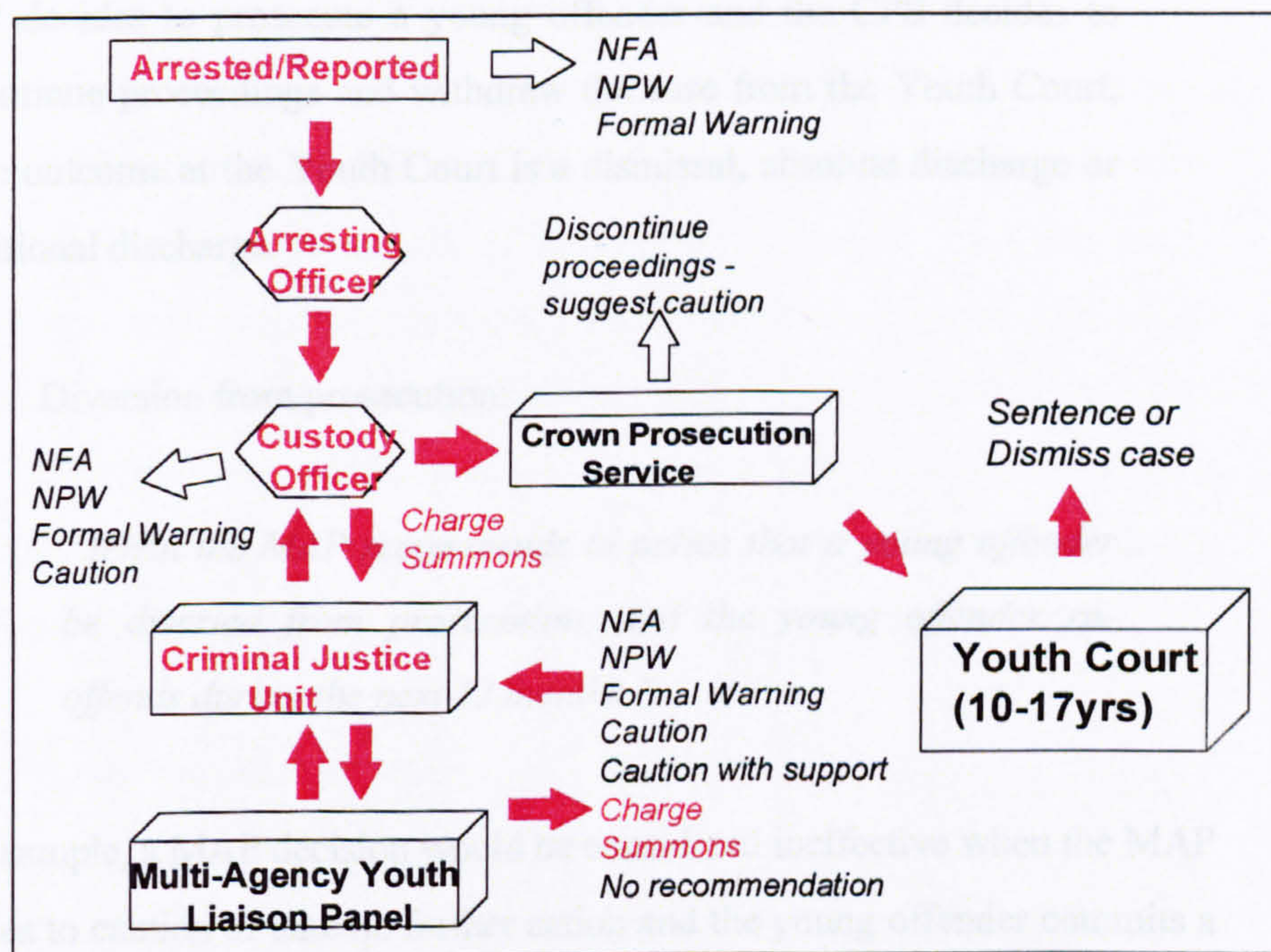


Figure 3.14 MAP and Youth Court



For example, a MAP decision would be considered effective when the MAP decides to caution or take no further action and the period of re-offending is more than 12 months.

The author suggests that a MAP's decision-making is ineffective under the following circumstances:

c). Prosecution

*“When the outcome of the MAP's recommendation to police to prosecute a young offender does not reflect the outcome at the Youth Court.”*

For example, a MAP decision would be considered ineffective when the MAP decides to prosecute a young offender and the CPS decides to discontinue proceedings and withdraw the case from the Youth Court, or the outcome at the Youth Court is a dismissal, absolute discharge or conditional discharge.

d). Diversion from prosecution:

*“When the MAP recommends to police that a young offender be diverted from prosecution, and the young offender re-offends during the next 12 months.”*

For example, a MAP decision would be considered ineffective when the MAP decides to caution or take no further action and the young offender commits a further offence during the next 12 months. This will be discussed more fully in Chapter 7.



### **3.5.2 Social Services (12)**

Each local authority has a responsibility to safeguard and promote the welfare of children in need, which includes most young offenders as set out in section 44 of the Children and Young Person Act 1933 and Children Act 1989. The social services directorate is normally tasked with this role. Most of the work with young offenders is carried out by social workers who often act as an appropriate adult when a young offender has been arrested and is being interviewed by the police. The Audit Commission (1996) suggested that 30 per cent of all young offender cases require an appropriate adult to attend from social services, at a cost of £30 per attendance. In 1996, in the MPS they would have attended on approximately 437 occasions, at a cost £13,110 to the social services. The Audit Commission (1996) suggested that voluntary workers could be trained to assist in this responsibility. Social workers also attend MAP meetings (see Figure 3.10). They offer information and advice on the young offender. They assist in making a recommendation to the police as to the outcome of the case and some cases support a caution. Most social workers are committed to diverting young offenders from the CJS; however, few offer alternatives that tackle offending behaviour (Audit Commission, 1996). A social worker may also be a member of the youth justice team and prepare pre-sentence reports (PSRs) on young offenders attending the youth court. A social worker can be appointed to supervise a young offender who is sentenced by a court.

### **3.5.3 Probation Service (13)**

A probation officer will normally prepare a pre-sentence report (PSR) on a young offender attending the youth court. The magistrate may sentence the 16 to 17 year old to a probation order, a community service order or a combination order and make the probation officer responsible for supervising the young offender. The probation service, social service and

youth service have local arrangements as to who prepares PSRs. Probation officers also attend MAP meetings (see Figure 3.10). They offer information and advice on the young offender. They assist in making a recommendation to the police as to the outcome of the case and some cases support a caution. A probation officer can be appointed to supervise a young offender who is sentenced by a court.

#### **3.5.4 Youth Service (14)**

The resources devoted to youth service work varies widely between local authorities. Sections 41 and 53 of the Education Act, 1944 require local authorities to provide 'an adequate service' for the personal development of young people, through informal social education. This allows scope for local interpretation in coverage, target age group, priorities, staffing, facilities and methods of youth services. Youth service workers also attend MAP meetings (see Figure 3.10). They offer information and advice on the young offender. They assist in making a recommendation to the police as to the outcome of the case and some cases support a caution. Recent research by the Audit Commission (1996) suggests that youth workers view their role as providing a universal service to young people. They are unwilling to target their efforts on areas of high deprivation, or on those at risk of offending, despite the fact that only one in five 13 to 19 year olds participates in youth services in England.

#### **3.5.5 Education Welfare (15)**

Parents are responsible for ensuring that their children get a full-time education under the Education Act, 1993. If they do not, education welfare officers may resort to legal action on behalf of the local education authority. Recent research by the Audit Commission (1996) suggests that reducing the number of pupils who are not at school for reasons of truancy or exclusion



could significantly reduce the number of young offenders in a local area. The education welfare officers also attend MAP meetings (see Figure 3.10), although they would not be able to offer support for young offenders who are over the school leaving age. They offer information and advice on the young offender. They assist in making a recommendation to the police as to the outcome of the case and some cases support a caution.

### **3.5.6 School Report (16)**

To assist the MAP in making a recommendation as to the disposal of the case a school report will be compiled by the youth referral officer, in liaison with the education welfare officer and the local police schools liaison officer. The youth referral officer will indicate the young offender's performance at school and any periods of truancy or exclusion. The information contained in this report may be used to assist the YACS, the CJU manager, and the MAP, in deciding the most appropriate case disposal (see Figure 3.1).

### **3.5.7 Voluntary workers (19)**

There are a limited number of full-time and part-time voluntary workers; however, there are many voluntary organisations, charities and local initiatives that place a drain on that pool of volunteers, for example, lay visitors and appropriate adults schemes. Some MAPs have co-opted voluntary workers to assist with community-based activities to support a caution, for example, Croydon, Enfield and Redbridge (see Figure 3.10). Voluntary workers are considered an integral part of any strategy that offers community-based activities to support a caution.

## **3.6 The Role of the Crown Prosecution Service**

### **3.6.1 Crown Prosecution Service (CPS) (17)**

The Crown Prosecution Service (CPS) operates to the Code for Crown Prosecutors. The police usually start proceedings against young offenders and on some occasions may consult the CPS before charging a young offender. A crown prosecutor reviews each case that the police send to the CPS to ensure that it meets the evidential test and the public interest test. The crown prosecutor may decide to continue with the original charges, to change the charges or to discontinue proceedings. The crown prosecutor must consider the interests of a young offender when deciding whether it is in the public interest to prosecute. The stigma of a conviction can cause very serious harm to the prospects of a young offender. The crown prosecutor is considered to be the sixth gate keeper to control the flow of young offenders into the CJS (see Figure 3.15). The CPS supports the use of formal police cautions, and the role of the MAP, to divert young offenders from the youth court. The CPS representative does not sit on the MAP (see Figure 3.10). The CPS and the police service have agreed standards, and timescales, for the submission of all prosecution files. The police must comply with these otherwise they risk the case being discontinued from prosecution.

### **3.6.2 Public Interest (10)**

The CPS “Code for Prosecutors” (CPS,1992) stresses that the public interest must be considered in each case where there is enough evidence to provide a realistic prospect of conviction. In cases of any seriousness, a prosecution will usually take place unless there are public interest factors tending against prosecution which clearly outweigh those tending in favour. Although there may be public interest factors against prosecution in a particular case, often



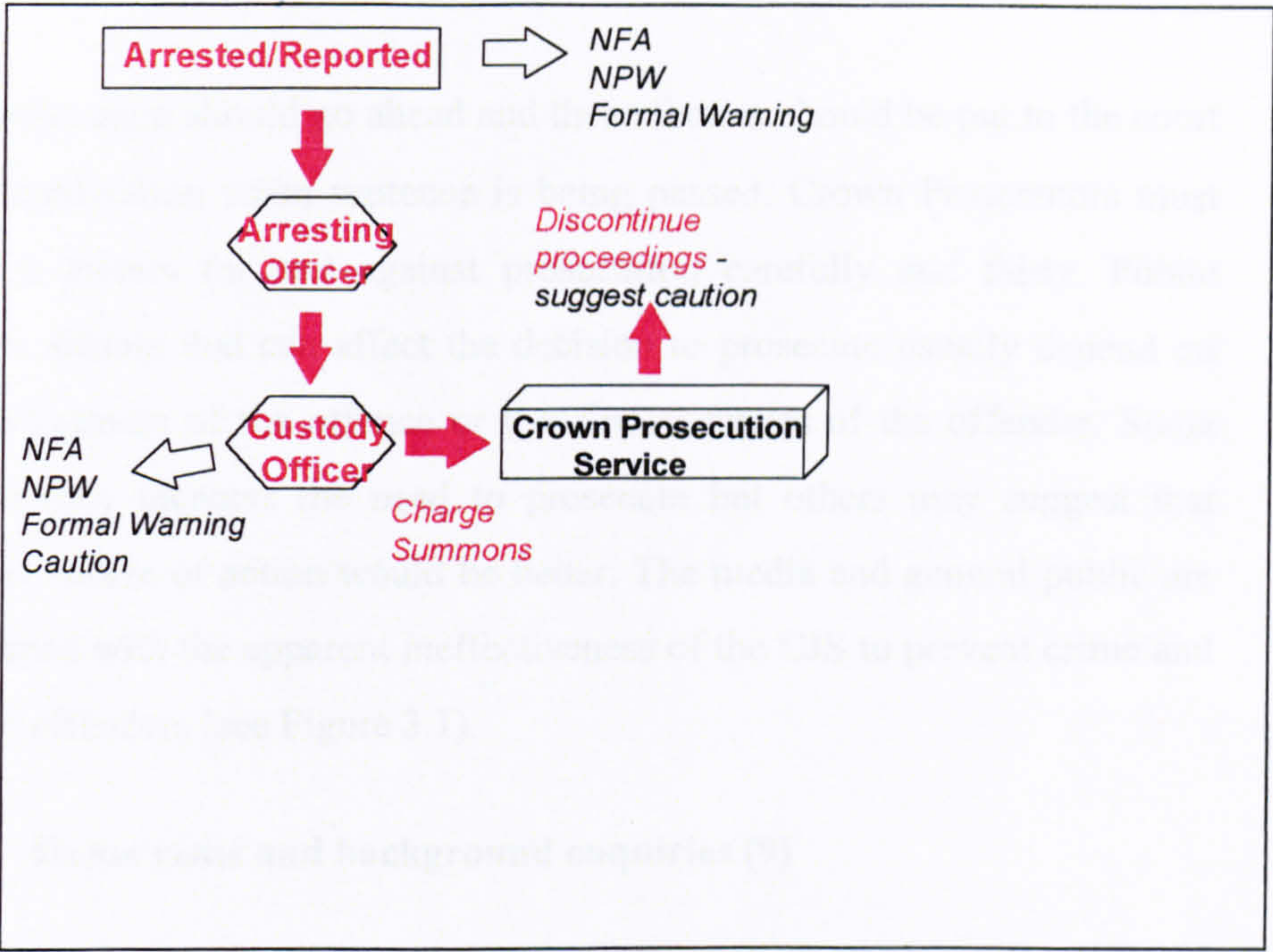


Figure 3.15 Crown Prosecution Service in the decision-making process

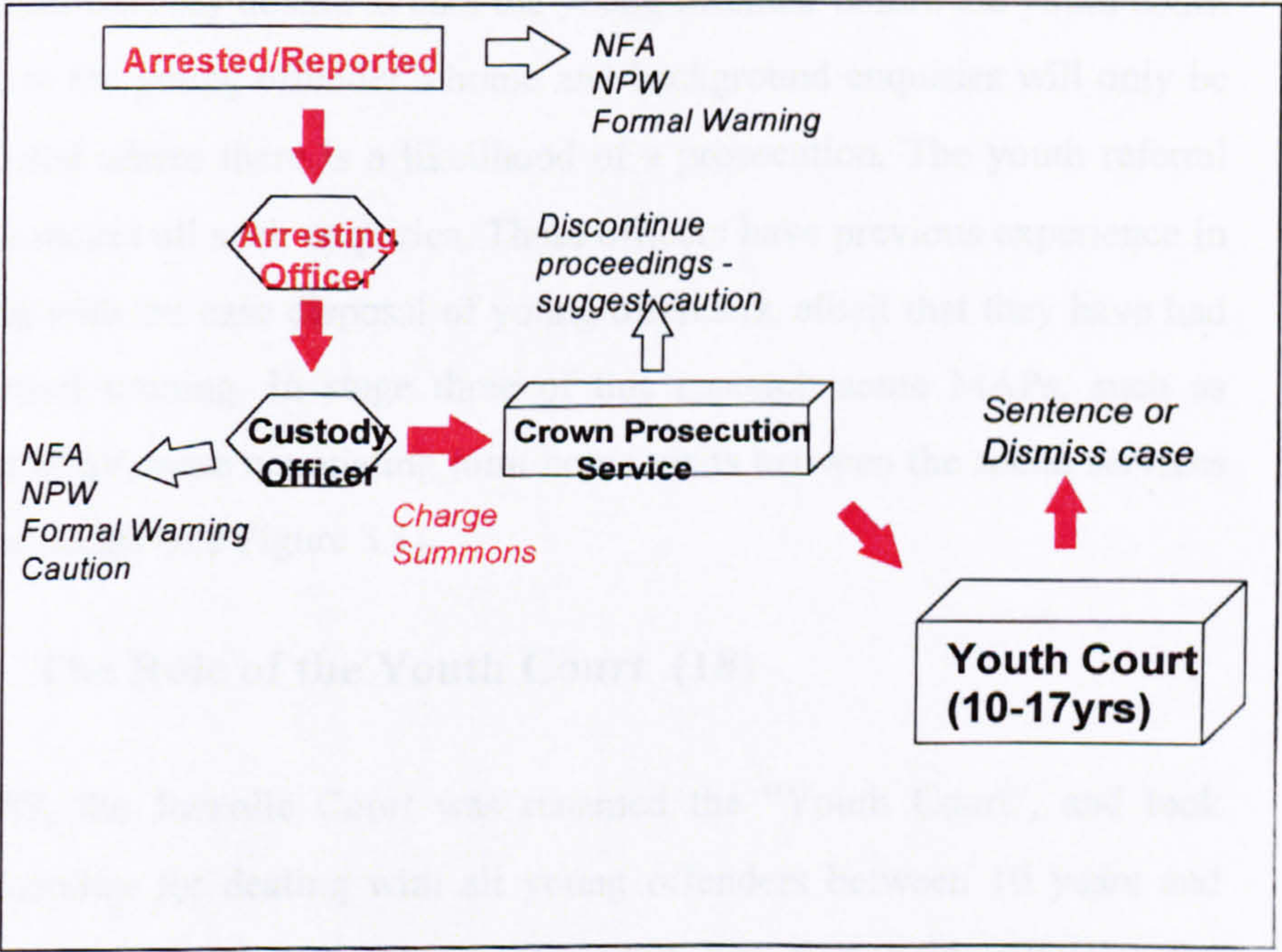


Figure 3.16 Youth Court in the decision-making process



the prosecution should go ahead and those factors should be put to the court for consideration when sentence is being passed. Crown Prosecutors must balance factors for and against prosecution carefully and fairly. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the offender. Some factors may increase the need to prosecute but others may suggest that another course of action would be better. The media and general public are concerned with the apparent ineffectiveness of the CJS to prevent crime and punish offenders (see Figure 3.1).

### **3.6.3 Home visits and background enquiries (9)**

The Crown Prosecution Service (CPS) expect that the police have considered all aspects of the offence and the offender's background on the first occasion they decide to take the young offender before the youth court. Visits to the young offender's home and background enquiries will only be conducted where there is a likelihood of a prosecution. The youth referral officer makes all such enquiries. These officers have previous experience in dealing with the case disposal of young offenders, albeit that they have had no formal training. In stage three of this research some MAPs, such as Barnet MAP, were negotiating joint home visits between the social services and the police (see Figure 3.1).

## **3.7 The Role of the Youth Court (18)**

In 1992, the Juvenile Court was renamed the "Youth Court", and took responsibility for dealing with all young offenders between 10 years and under 18 years of age. The youth court has five paid officials: the magistrates' clerk, a crown prosecutor, a defence lawyer (paid from legal aid), an usher and one or more officers from youth justice service and probation. This is in addition to the magistrates, parent and young offender.



Police officers do not attend the youth court unless asked to appear as witnesses. The magistrates are considered to be the seventh gate keeper to controlling the flow of young offenders into the CJS (see Figure 3.10 and Figure 3.11). The Youth Court look to the probation service or the youth justice service for advice on young offenders. The Youth Court can dismiss the case or sentence the young offender. These are a few of the sentencing options; an absolute discharge, a conditional discharge, a fine, a supervision order, an attendance centre order, a community service order, a probation order, a combination order, custody or commit to the crown court for sentence.

The Youth Court is aware of the role of the MAP and supports any case disposal decision-making that reduces the likelihood of re-offending without the need for a prosecution in court. When cases circumvent the MAP the likely outcome is a dismissal at court (see Figure 3.16). The use of cautioning by the police and MAPs in the 1980s and 1990s as a means of case disposal for young offenders to reduce re-offending has not been successful. Variations within and between police forces have been caused by a myriad of changes to legislation, policy and procedures. There are numerous organisations and people involved in this activity many of who hold a worldview that is much different from those they are seeking to assist. For example, an arresting officer could hold the view that the MAP is non-effective. Possibly believing that to process young offenders through the MAP would be a waste of his time. In an effort to obtain a prosecution an arresting officer might attempt to circumvent the Criminal Justice Unit and the MAP. This action would reduce the number of case disposal options available to the young offender (see Figure 3.17). The likely outcome in these cases is that the Crown Prosecution Service would discontinue the prosecution, or that the case would be dismissed at Youth Court. There is a considerable cost attached to such activity, both financial and human. However many lessons have been learned in this research from



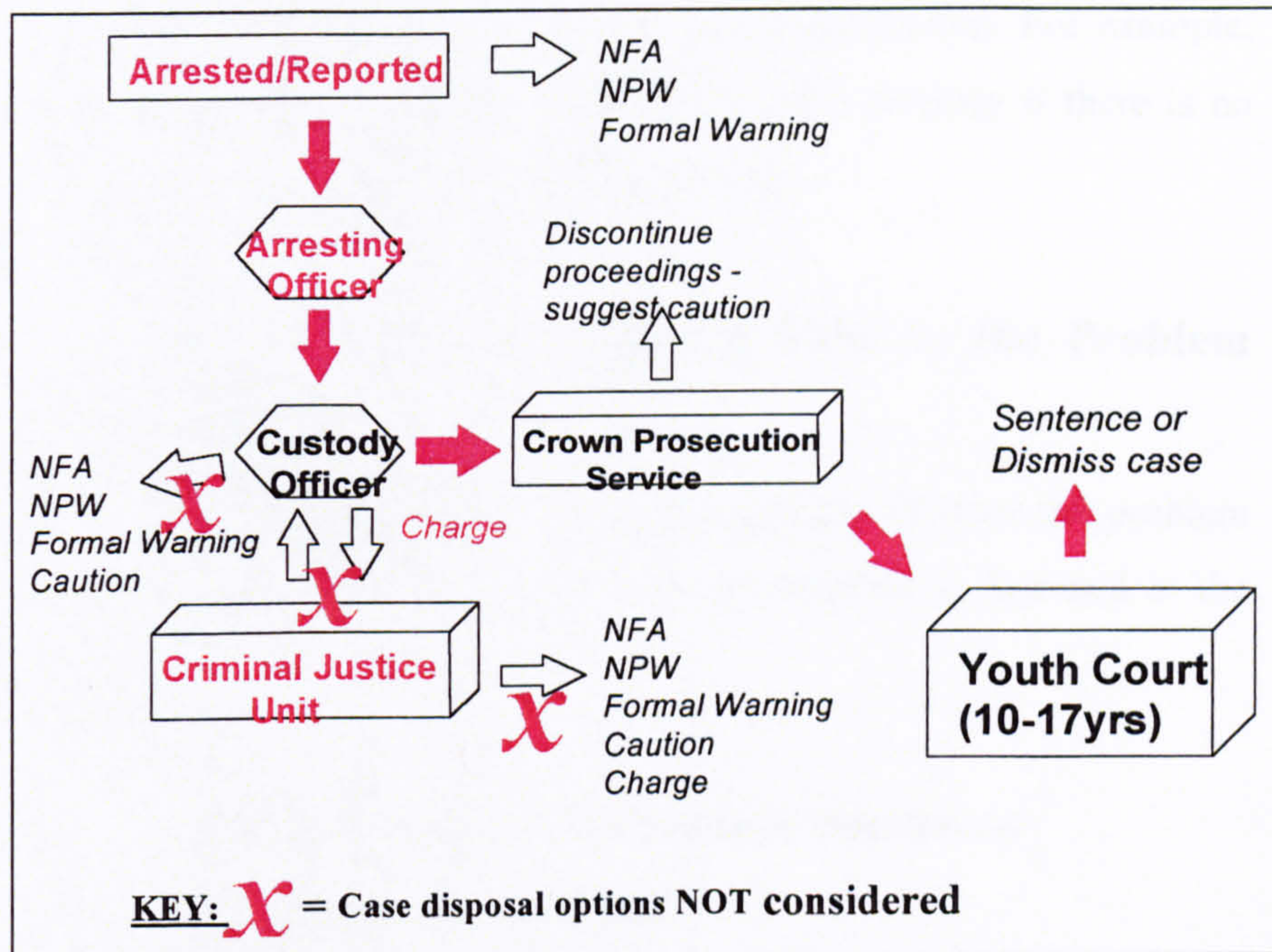


Figure 3.17 MAP and CJU NOT in the decision-making process

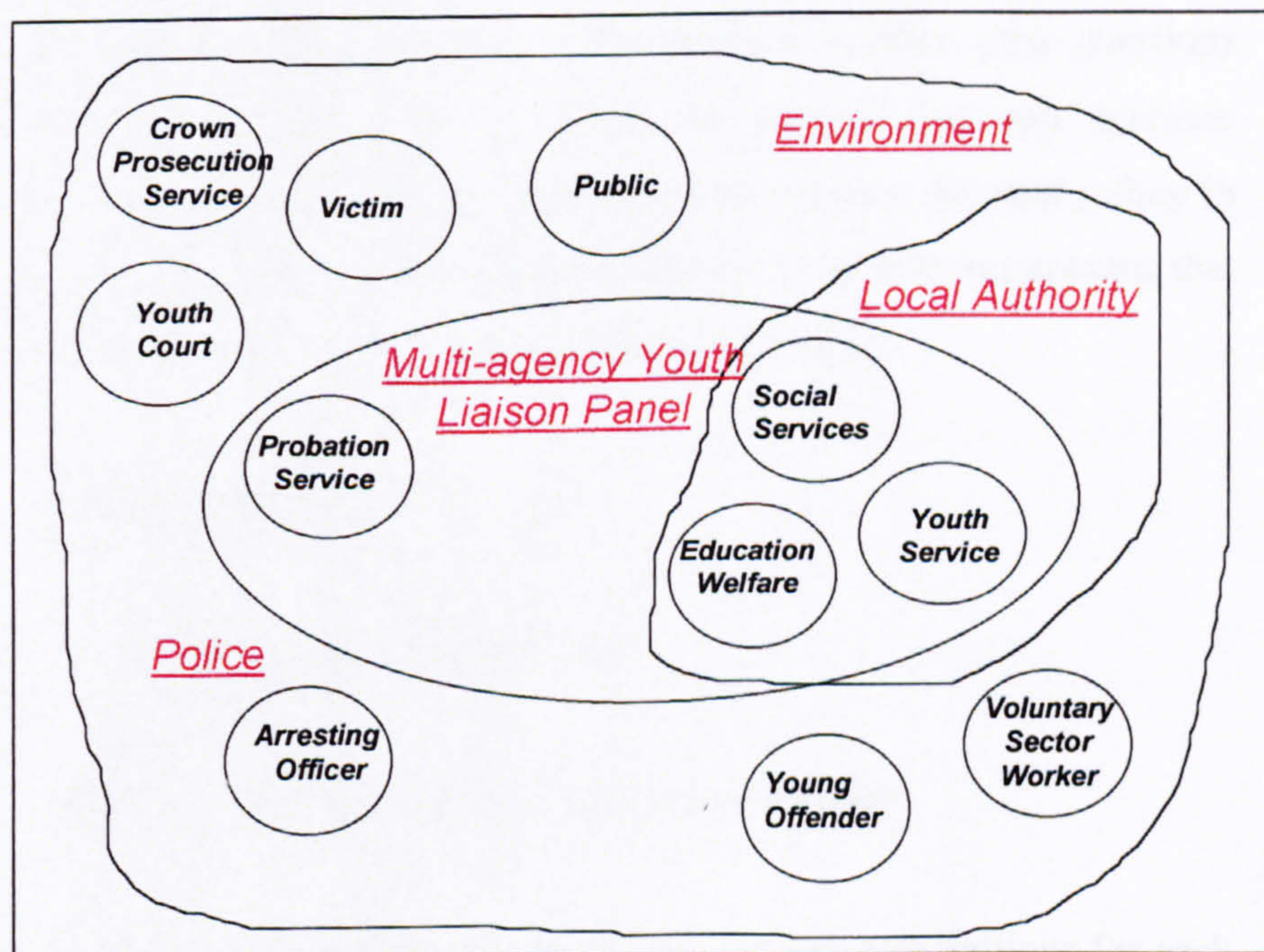


Figure 3.18 No police involvement on the MAP



understanding the tasks and issues of this problem situation. For example, agreement to improve the problem situation is most unlikely if there is no police involvement in the MAP (see Figure 3.18).

### **3.8 The Outcomes of Applying SSM to the Problem Situation**

This section will describe the outcomes of applying SSM to the problem situation and, an interpretation of the problem situation as depicted in the rich picture.

#### **3.8.1 An Interpretation of the Problem Situation as Depicted in the Rich Picture**

To assist with an interpretation of the rich picture Figure 2.1 (see Appendix A2.1 and Appendix A2.2) there follows an account of the strengths and weaknesses in the lines of communication between those involved in the problem situation. These iterations of the problem situation raise questions about the consultation with the MAP, the conflict between agencies involved with the MAP and, the implementation of case disposal policy in the MPS. It seemed logical, therefore, to propose three relevant systems that stress this. The three relevant systems were identified as:

- 1. Consultation System,**
- 2. Conflict Reduction System, and**
- 3. The System to Implement Case Disposal Policy**

The next stage of the SSM approach was to create root definitions for each RS as follows:

### 3.8.1.2 The “Consultation System” Root Definition

*"A consultation system owned by the Metropolitan Police Service and operated by members of the Barking MAP to provide consultation in the decision-making of case disposal for young offenders by means of well attended and properly resourced regular meetings of the MAP in order to divert young offenders from the criminal justice system within legal constraints".*

In this context *consultation* is defined as:

*"An act or procedure of consulting, that is, to refer to someone for advice or information in making decisions".*  
(Collins, 1979:323)

Smyth and Checkland (1976) devised a method for checking whether root definitions were well formulated called the ‘CATWOE’ criteria. The mnemonic stands for Customers (C), Actors (A), Transformation Process (P), Weltanschauung (W), Owners (O) and Environmental Constraints (E). If all these elements could be readily identified in the root definition then there was a good chance that the RD was viable. The author discovered that when he used the mnemonic CATWOE the importance of the transformation process (T) in testing the RD was not emphasised. Checkland (1981) summarised the work of Smyth and Checkland (1976), stating that:

“ The core of a root definition of a system will be a *transformation* process (T), the means by which defined inputs are transformed into defined outputs. The transformation will include the direct object of the main activity verbs subsequently required to describe the system.”(Checkland, 1981: 224)



Checkland (1981) stated that *ownership* was the next criterion, followed by *actors, customers, environmental constraints, and Weltanschauung*. Checkland suggested that as there was likely to be more than one possible Weltanschauung (W), a separate root definition ought to be prepared for each (W) considered relevant. The author developed his own mnemonic, TWO ACE for testing the RD. It was a good aide memoir to remembering the CATWOE criteria but most importantly it highlighted the importance of the transformation process (T) and Weltanschauung (W) in testing the RD. TWO ACE was considered a more appropriate test for the RD and has contributed to the knowledge of SSM (see Chapter 9).

#### Transformation process

The conversion of input to output:

*"From decision-making without consultation  
to decision-making with consultation."*

#### Weltanschauung

The worldview that makes T meaningful in context:

*"That multi-agency consultation in the youth justice system increases  
chances of diversion of young offenders from the criminal justice system."*

#### Owner

Those who could stop T

*"The Metropolitan Police Service."*

#### Actors

Those who would do T

*'Gatekeepers' in the criminal justice system:  
"YACS, Social Services, Probation Services,  
Education Welfare Service & Youth Service  
in the London Borough of Barking."*

#### Clients/Customers

Those who benefit from T or are the victims of T;

*"The young offender, victims of young offenders."*

#### Environmental Constraints

Elements outside the system which it takes as given:

*"Resources to divert."*



This RD satisfies the TWO ACE criteria. The verbs were isolated from this RD and expanded to provide the basic conceptual model (CM) as shown in Figure 3.19.

### **3.8.1.3 The “Consultation System” Conceptual Model**

1. Identify legal constraints
2. Publish policy & guidelines for decision-making within legal constraints
3. Define parties involved in MAP tasks
4. Decide criteria for young offender referrals within legal constraints
5. Hold regular well resourced meetings of the MAP to consider young offender referrals
6. Assess costs of community-based activities
7. Provide community-based support activities;
8. Define performance criteria 1 – 7 above;
9. Monitor 1 – 7 above;
10. Take controlling action to ensure that the consultation system works.

To a certain extent the CM fulfilled the expectations of its root definition. The same procedure was adopted in defining a second root definition for the conflict reduction RS.

### **3.8.1.4 The “Conflict - Reduction” Root Definition**

*"A system for conflict-reduction among MAP members owned by the Metropolitan Police Service and operated by members of the Barking MAP to deal with the conflict of attitudes between police and other agencies by means of well attended and properly resourced regular meetings of the MAP in order*

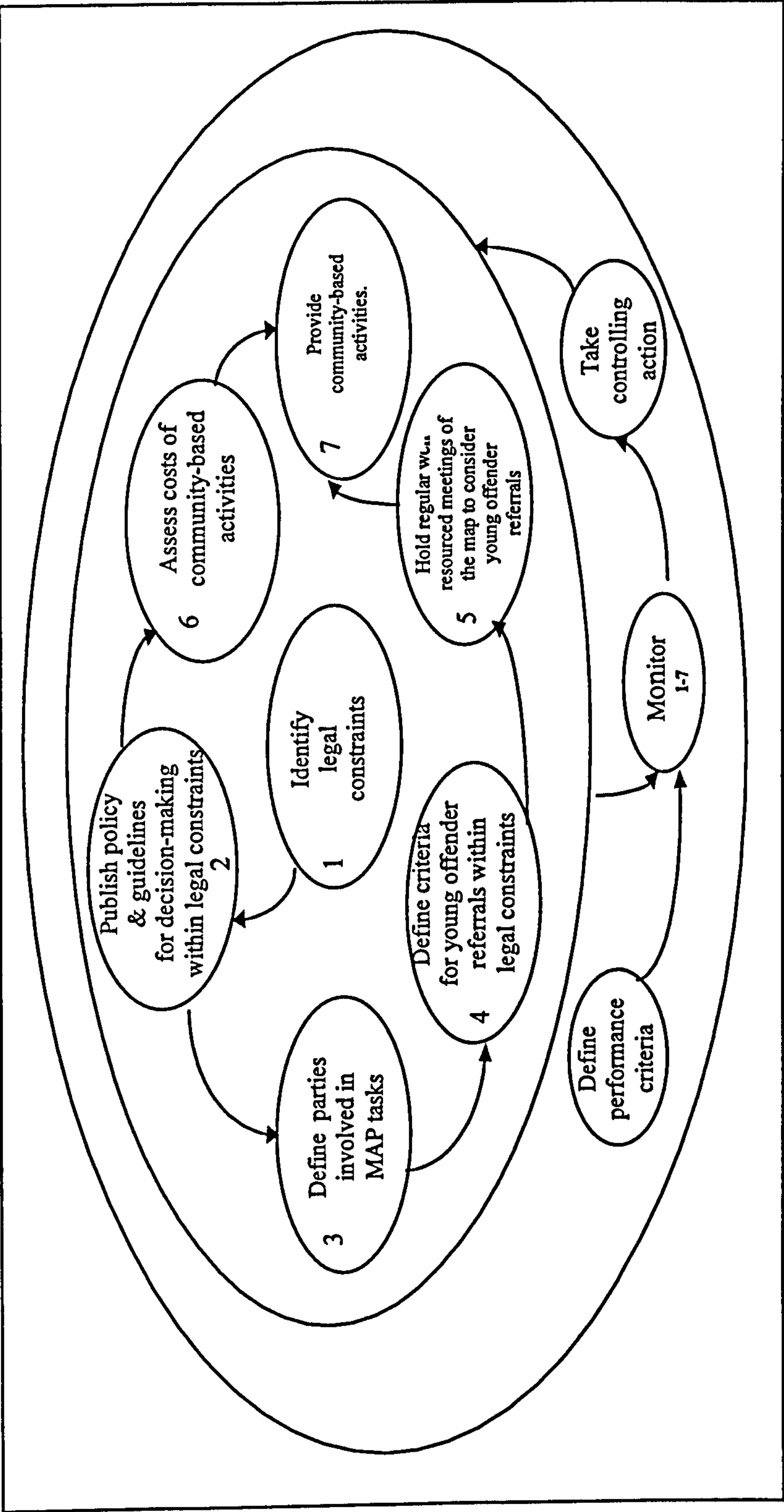


Figure 3.19 Conceptual model of a consultation system



*to improve the co-operation between the police and other agencies in the criminal justice system so as to lead to more informed decision-making about young offender case disposal."*

In this context *conflict* is defined as:

*"A state of opposition between ideas, interests which lead to disagreement and tension in making decisions."*  
(Collins, 1979:316)

As stated above, TWO ACE was found to be the most appropriate test for the RD.

#### Transformation process

The conversion of input to output:

*"From destructive conflict to healthy conflict between Barking MAP members."*

#### Weltanschauung

The worldview that makes T meaningful in context:

*"That reducing conflict of attitudes between agencies involved in the youth justice system leads to more informed decision-making about young offender case disposal."*

#### Owner

Those who could stop T

*"The Metropolitan Police Service."*

#### Actors

Those who would do T

'Gatekeepers' in the criminal justice system:

*"YACS, Social Services, Probation Services, Education Welfare Service & Youth Service in the London Borough of Barking."*

#### Clients/Customers

Those who benefit from T or are the victims of T;

*"The young offender, victims of young offenders  
and members of Barking MAP."*

#### Environmental Constraints

Elements outside the system which it takes as given:

*"Basic fundamental differences between police and other agencies  
ideologies."*

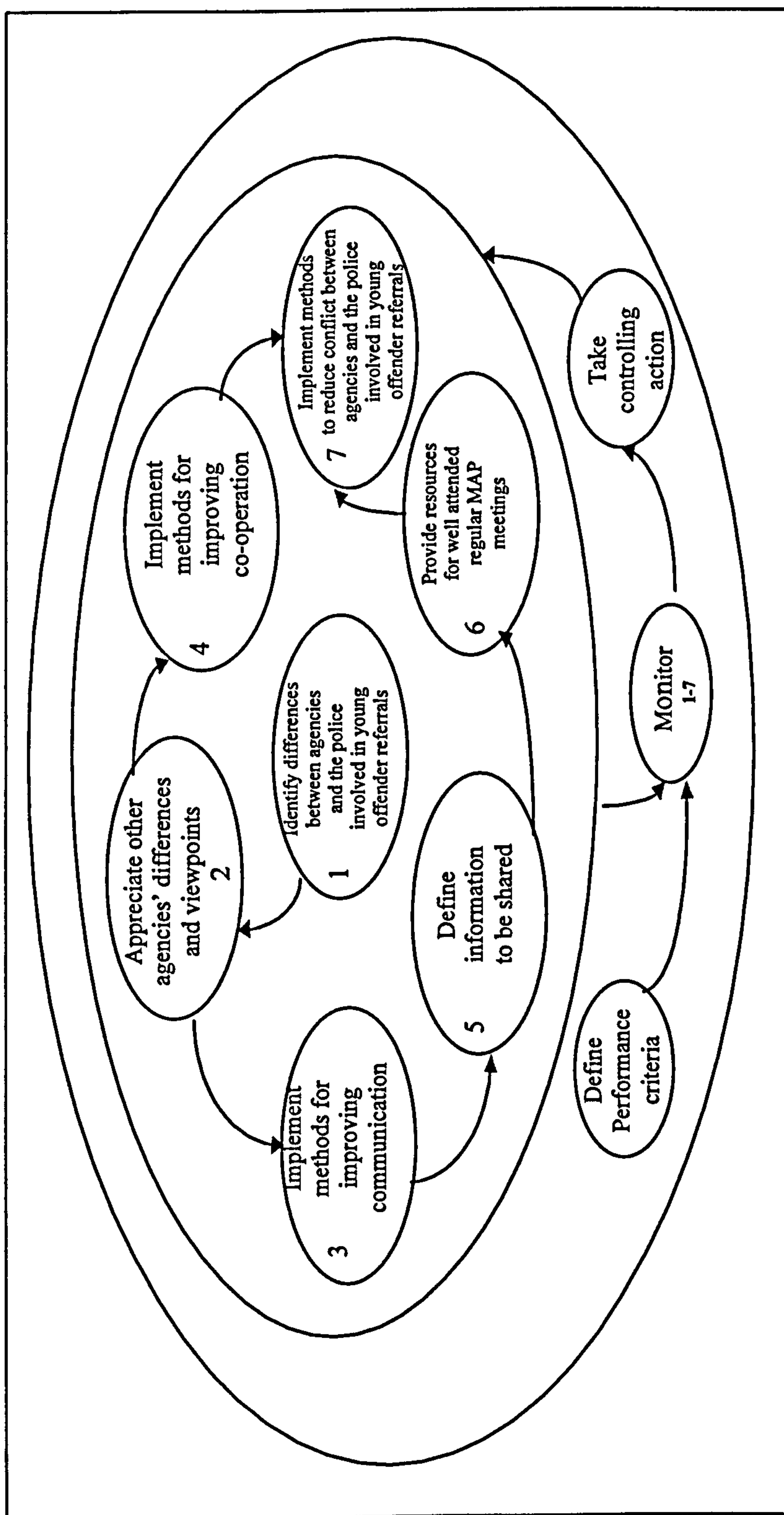
This RD also satisfies the TWO ACE criteria. Again, the verbs were isolated from this RD and expanded to provide the basic conceptual model as shown in Figure 3.20.

### **3.8.1.5      The "Conflict - Reduction" Conceptual Model**

1.      Identify differences between agencies and the police involved in young offender referrals;
2.      Appreciate other agencies' differences and viewpoints;
3.      Implement methods for improving communication;
4.      Implement methods for improving co-operation;
5.      Define information to be shared;
6.      Provide resources for well attended regular MAP meetings;
7.      Implement methods to reduce conflict between agencies and the police involved in young offender referrals;
8.      Define performance criteria 1 – 7 above;
9.      Monitor 1 – 7 above;
10.     Take controlling action to ensure that the conflict reduction system works.

To a certain extent this CM also fulfilled the expectations of its root definition.





### **3.8.1.6      The System to Implement Case Disposal Policy Relevant System**

The use of SSM was found to be an appropriate methodology to implement the recommendations for case disposal policy in the MPS, and there follows a discussion on root definitions, conceptual models and CATWOE or TWO ACE below.

Relevant system to implement case disposal policy;

*“ A system owned and operated by members of the Metropolitan Police Service to implement case disposal policy.”*

### **3.8.1.7      The System to Implement Case Disposal Policy Root definition**

Root definition of a system to implement case disposal policy:

*“ The system identifies the likely difficulties to be encountered in implementing a case disposal policy aimed at improving decision-making in case disposal. Also, the system identifies the likely conflict to be encountered between the police and other agencies in the criminal justice process.”*



### **3.8.1.8      The System to Implement Case Disposal Policy Conceptual Model**

Conceptual model of a system to implement case disposal policy (see Figure 3.21):

- 1 Identify differences between agencies and the police involved in case disposal;
- 2 Appreciate other agencies' differences and viewpoints;
- 3 Implement methods for improving communication;
- 4 Implement methods for improving co-operation;
- 5 Define information to be shared;
- 6 Provide resources for implementing the change in case disposal policy;
- 7 Implement methods to reduce conflict between agencies and police involved in case disposal;
- 8 Define performance criteria 1 – 7 above;
- 9 Monitor 1 – 7 above;
- 10 Take controlling action to ensure that the system to implement case disposal policy works.

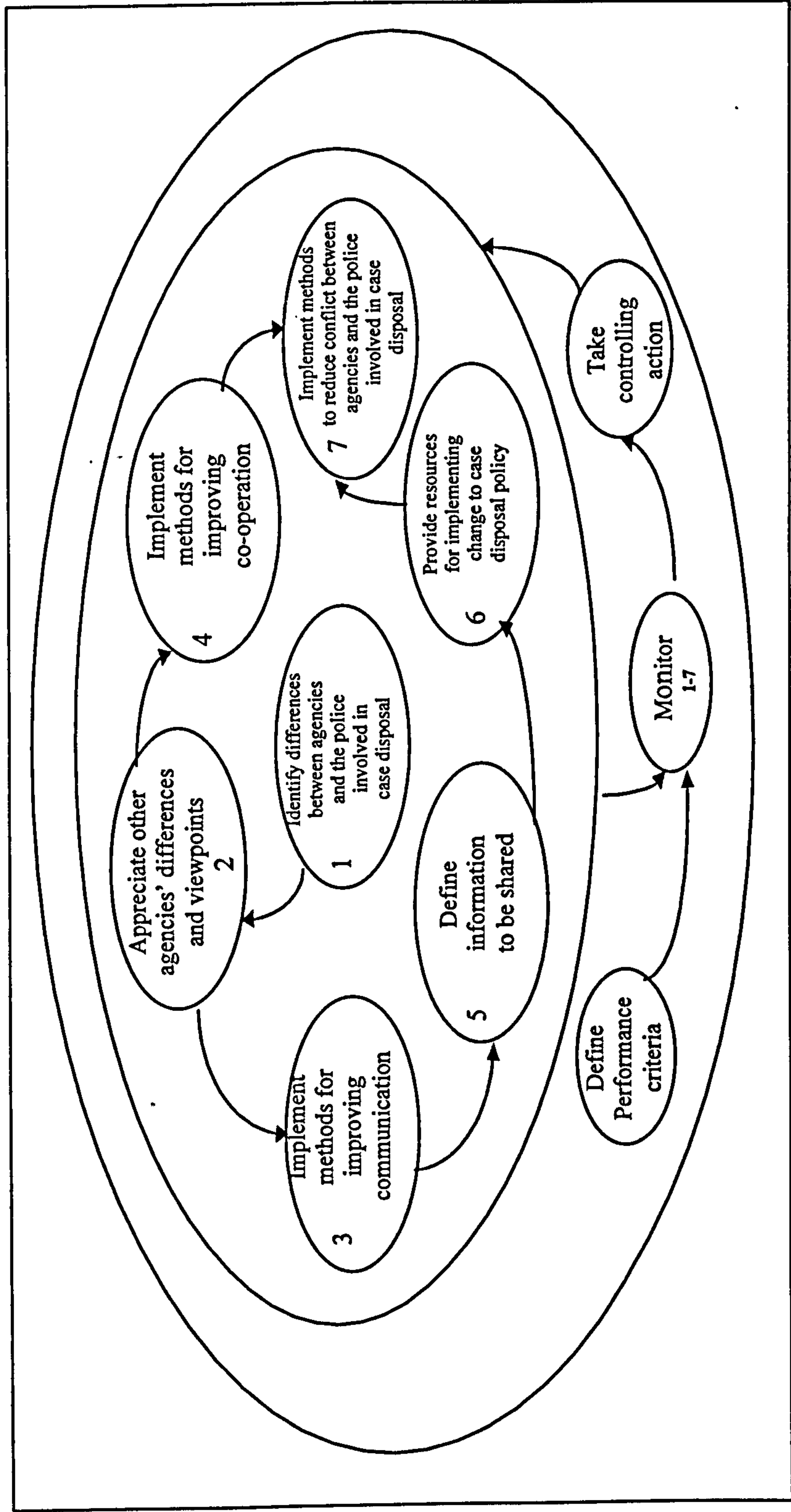


Figure 3.2.1 Conceptual model of a system to implement case disposal policy



### 3.8.1.9 CATWOE / TWO ACE

#### Transformation process

The conversion of input to output

*"From an organisation without a practising and effective case disposal policy for young offenders to an organisation with a practising and effective case disposal policy for young offenders."*

#### Weltanschauung

The worldview that makes T meaningful in context:

*"The use of 'gravity factors' is likely to improve the effectiveness of case disposal decision-making of young offenders in the MPD."*

#### Owner

Those who could stop T:

*"The Metropolitan Police Service."*

#### Actors

Those who would do T, the 'gatekeepers' in the criminal justice process:

*"Police (YACS/CJUs), CO30 Criminal Justice Unit, MAP members."*

#### Clients/Customers

Those who benefit from T or are the victims of T:

*"The police service, CPS, Youth Courts, Social Services, Probation Services, Education Welfare Service & Youth Service in the borough, the victim, the community and the young offender, "*

#### Environmental Constraints

Elements outside the system which it takes as given:

*"The legal position of case disposal of offenders"*

### 3.8.1.10 Generating an Agenda for Change

Checkland insists that the comparison stage proper should be conducted with the principal actors in the problem situation so that a debate resulting in agreement about 'desirable and culturally feasible' changes will be generated. This was carried out with the actors and owners of the system and

an agenda of possible change discussed. Each conceptual model stand up to scrutiny when checked against the RD.

The activities highlighted in Table 3.2, Table 3.3 and Table 3.4 were discussed with the owner and actors in this case study. They were agreed to them forming an agenda for systemically desirable and culturally feasible changes to improve the problem situation. The agenda formed the background of recommendations submitted to the MPS policy makers and is discussed more fully in Chapter 8.

Activities in the conceptual model of a Consultation System compared with the real situation (see Table 3.2). They were included on an agenda for systemically desirable and culturally feasible changes to improve the problem situation.

Activities in the conceptual model of a system for Conflict Reduction among MAP members compared with the real situation (see Table 3.3). They were included on an agenda for systemically desirable and culturally feasible changes to improve the problem situation.

Activities in the conceptual model of a system for Implementing Case Disposal Policy among MAP members compared with the real situation (see Table 3.4 and Table 8.1). They were included on an agenda for systemically desirable and culturally feasible changes to improve the problem situation.

This section contained a description of some basic systems science ideas and why methodologies from the softer end of that theoretical spectrum are particularly appropriate in dealing with problems arising in complex human activity systems.



Activity in Conceptual Model	Exist or not in real situation?	How is it done?	Who is doing it?	Comments: Good/ Bad?	Alternative Include on Agenda?
1. Identify legal constraints	Yes/No A,C,I,&Q	Steering group Identify legal constraints	SSM Analyst	Fair - could be improved	Yes
2. Publish policy & guidelines for decision-making within legal constraints	Yes/No A,C,I,&Q	Steering group issue policy & guidelines	New Scotland Yard/some steering groups	Fair, need revising	Yes
3. Define parties involved in MAP tasks	No A,C&O	Steering group control MAP to report regularly etc	SSM analyst	Bad	Yes
4. Define criteria for young offender referrals within legal constraints	Yes/No A,C,I,O &Q	Steering group issue policy & guidelines	New Scotland Yard/some steering groups/MAPs	Fair - could be improved	Yes
5. Hold regular well resourced meetings of the MAP to consider young offender referrals	Yes A,C&O	Soc. Ser ad hoc on part of others; local resources	Committed MAP members	Poor monitoring	Yes
6. Assess cost of community-based activities	Yes A,C&I	Steering group issue policy & guidelines	MAP members	Good-could include others; VSS etc.,	Yes
7. Provide community – based activities	Yes/No A,C,I &O	Regular meetings	Police/Youth Justice Team accommodation	Fair - good/could be better resourced & attended	Yes
8. Define performance criteria 1-7 above	No C&SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes
9. Monitor 1-7 above	No C&SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes
10. Take controlling action to ensure that the consultation system works	No C&SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes

**Table 3.2      Activities in the conceptual model of a Consultation System**

Source of information in real situation above:  
**Key:**    A        = Archive data  
              C        = Case Study  
              I        = Interviews  
              O        =Observation  
              Q        =Questionnaire  
              SSM     =Soft Systems Methodology

Activity in Conceptual Model	Exist or not in real situation?	How is it done?	Who is doing it?	Comments: Good/ Bad?	Alternative Include on Agenda?
1. Identify differences between agencies and the police involved in young offender referrals	No A,C,I ,O& Q	Observe/ Disagree/ Recommendation	SSM analyst	Badly	Yes
2. Appreciate other agencies' differences and viewpoint	No A,C,I ,O& Q	Not done - agree by steering group	No one	Bad - leads to mistrust	Yes
3. Implement methods for improving communication	No A,C,I ,O& Q	Steering group decision! Job Descrip Analysis - Joint training	No one	Good - but need resources & funding 'partner-ship'?	Yes
4. Implement methods for improving co-operation	Yes A,C,I ,O& Q	Police admin - could be shared computer data	No one	Good - but need resources & funding 'partner-ship'?	Yes
5. Define information to be shared	Yes A,C,I ,O& Q	By attending regular meetings	Individually -but are they taking it back to parent organisation?	Fair - could be improved	Yes
6. Provide resources for well attended regular MAP meetings	Yes A,C,I ,O& Q	Regular meetings	Police accommodation	Fair-good/could be better resourced & attended	Yes
7. Implement methods to reduce conflict between agencies and the police involved in young offender referrals	Yes/No C & SSM	Mutual trust/rapport with individual over a period of time	Some MAP members	Fair - could be improved	Yes
8. Define performance criteria 1-7 above	No C & SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes
9. Monitoring 1-7 above	No C & SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes
10. Take controlling action to ensure that the conflict reduction system works	No C & SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes

**Table 3.3 Activities in the conceptual model of a Conflict Reduction System**

Source of information in real situation above:

**Key:** A = Archive data  
C = Case Study  
I = Interviews  
O = Observation  
Q = Questionnaire  
SSM = Soft Systems Methodology



Activity in Conceptual Model	Exist or not in real situation?	How is it done?	Who is doing it?	Comments: Good/ Bad?	Alternative Include on Agenda?
1. Identify differences between agencies and the police involved in case disposal	No A,C,I ,O& Q	Observe/ Disagree/ Recommendation	SSM analyst	Badly	Yes
2. Appreciate other agencies' differences and viewpoint	No A,C,I ,O& Q	Not done - agree by steering group and MAP members	SSM analyst	Bad - leads to mistrust	Yes
3. Implement methods for improving communication	No A,C,I & O		No one	Awaits – communication could be better	Yes
4. Implement methods for improving co-operation	No A,C,I & O	Each agency to make policy for sharing information at MAP meetings	None - each agency should be doing it.	Awaits – co-operation could be better	Yes
5. Define information to be shared	No A,C,I & O	Each agency to make policy for sharing information at MAP meetings	None - each agency should be doing it.	Lack of definition leads to conflict	Yes
6. Provide resources for implementing change to case disposal policy	No A,C,I & O	Each agency to make policy for allocation of resources	MPS produced Case Disposal Manual	Lack of resources leads to conflict	Yes
7. Implement methods to reduce conflict between agencies and the police involved in case disposal	No C&SSM	Mutual trust/rapport with individual over a period of time	Some MAP members	Fair - could be improved	Yes
8. Define performance criteria 1-7 above	No C&SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes
9. Monitoring 1-7 above	No C&SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes
10. Take controlling action to ensure that the system to implement case disposal policy works	No C&SSM	Steering group control MAP to report regularly etc	Some MAPs are	Fair - could be improved	Yes

**Table 3.4 Activities in the conceptual model of a system to implement case disposal policy**

Source of information in real situation above:

**Key:** A = Archive data  
C = Case Study  
I = Interviews  
O = Observation  
Q = Questionnaire  
SSM = Soft Systems Methodology

A description of the methodology selected and how the research was carried out within it was given. There followed a detailed description of the various stages of the methodology. An agenda for change was discussed with the owner and actors in this case study. They agreed that the agenda was both systemically desirable and culturally feasible, and would lead to an improved problem situation. The agenda formed the background of recommendations submitted to the MPS (see Table 8.1).

### **3.9 Summary**

In this chapter, the problem situation has been outlined and a brief description given of the issues involved:

- MPS policy and procedure toward young offender case disposal.
- The role of the Criminal Justice Unit Manager (CJUs).
- The role of the Youth and Community Section (YACS).
- The role of the Multi-Agency Youth Liaison Panel (MAP).
- The role of the Crown Prosecution Service (CPS).
- The role of the Youth Court.

The use of cautioning by the police and MAPs in the 1980s and 1990s as a means of case disposal for young offenders to reduce re-offending has not been successful. Variations within and between police forces have been caused by a myriad of changes to legislation, policy and procedures. There are numerous organisations and people involved in this activity many of who hold a worldview that is much different from those they are seeking to assist. The likely outcome in these cases is that the Crown Prosecution Service would discontinue the prosecution, or that the case would be dismissed at Youth Court. There is a considerable cost attached to such activity, both financial and human. However many lessons have been learned in this research from understanding the tasks and issues of this



problem situation. The author presented a definition as to when a MAP's decision-making would be considered effective and non-effective. That definition was to prove useful throughout this research when comparing outcomes of MAP decision-making.

During the period of this research the Metropolitan Police Service, Crown Prosecution Service, Youth Court, Probation Service, Social Services, Education Welfare and Youth Service have all been through considerable change. Indeed, the MPS has had three re-organisations in this period. These changes to the organisations, and the people involved, have had an impact on how MAPs deal with victims and young offenders.

The following chapter describes the elements and requirements of whole methodological approach the research design.

## CHAPTER 4

### 4.0 RESEARCH METHODOLOGY

*This chapter: (1) Gives a chronology of the research; (2) Describes the use of archive data research; (3) Describes the use of interviews; (4) Describes the use of questionnaires; (5) Describes the use of observations; (6) Describes the use of case studies; and (7) Describes the use of SSM. All will be explained to enhance our understanding of the problem situation and inform soft systems methodology.*

#### 4.1 A Chronology of the Research

The research commenced at a time when the Royal Commission on Criminal Justice and the Home Affairs Select Committee were investigating the most appropriate response to dealing with young offenders. In addition, the Metropolitan Police Service was awaiting the outcome of the Sheehy Inquiry, the restructuring of the MPS and the Policing Charter. Furthermore, all of these issues had implications for the future role of YACS, and indeed, the future role of MAPs. The MPS was also conducting a thorough review of its policy on offender case disposal. The author was a member of the offender case disposal working party and found that many issues identified in this research were linked with offender case disposal.

The author's status within the MPS assisted in gaining access to many agencies in the youth justice system in London and the Home Counties. The information gathered was to prove invaluable in this thesis. Despite the reservations of some individuals in the youth justice system, there was a determination at most levels to improve the problem situation.

The research was conducted between 1992 and 1999, and was divided into three stages (see Figure 4.1).



	YEAR									
	'90	'91	'92	'93	'94	'95	'96	'97	'98	'99
<u>Author's Role</u>	Preliminary Study			Stage One	Stage Two	Stage Three				
	•Community Liaison Officer & YACS  •Member of Case Disposal Working Party			•Full & Part-time research •Member of Case Disposal Working Party  •Gave evidence to MPS Restructuring Team	•Part-time research  •NSPIS Criminal Justice - PITO  •Agenda for change Recommendations to MPS	•Part-time research  •NSPIS Training - NPT  •Evaluated improvements				
<u>Legislative &amp; Organisational Change</u>	•Children Act 1989  •HOC 14/85  •HOC 59/90			•Criminal Justice Act 1991  •Juvenile Court (under 17yrs)  •Inconsistency in Cautioning	•Youth Court (under 18yrs)  •HOC 18/94	•Crime & Disorder Act 1998				•Youth Offender Teams (YOTs)
	•MPS Re-organisation 8 Areas				•MPS Re-organisation 5 Areas	•MPS Re-organisation 3 Areas				

Figure 4.1 Chronology of research – timescale

### ***Stage One:***

The stage one objective was:

*“To evaluate the decision-making system used by Multi-Agency Youth Liaison Panels involved in case disposal procedures for young offenders in the Metropolitan Police District”.*

Stage one commenced when the author was released from his parent organisation in October 1992 for one-year full-time research. During that time he took part in selected courses on research methodologies and techniques. In October 1993, the author returned to his organisation and continued with stage one as a part-time researcher.

### ***Stage Two:***

The stage two objective was:

*“To make recommendations for improvements in the decision-making system”.*

Stage two commenced in January 1994 and was completed in December 1995. The author made recommendations to the MPS and they were implemented. The implementation is discussed more fully in Chapter 8.

### ***Stage Three:***

The stage three objective was:

*“To evaluate the consequences of implementing those improvements”.*



Stage three commenced in January 1996 and was completed in August 1998, although data was still being collected in August 1999. The results and recommendations are more fully discussed in Chapters 5, 6, 7, and 8.

#### **4.1.1 Literature Review**

The research began with a literature search of the following areas: police cautioning; MAPs; decision-making by individuals and groups; and soft systems methodology (SSM). The methodology and techniques used are mapped out in chronological order against each stage of the research in Figure 4.2. There followed a critical review of the literature to identify the theories involved and place the research into context and this was presented in Chapter 2.

#### **4.1.2 Archive Data Research**

In stage one the author identified the most appropriate means of collecting raw data from the MAPs. A search of archive data and reports to T.O.30 Branch at New Scotland Yard revealed difficulties in monitoring and evaluating MAPs. There was not sufficient time to visit every MAP to conduct the research. The YACS (who were responsible for the MAPs) did not have the time or resources to perform the research. The Performance Indicator Bureau of the MPS was to become the main source of information. However, their data collection on MAP consultation had commenced in March 1992 and ceased in August 1998.

The data was analysed to identify which decisions the MAPs were making. This information was used to identify which MAPs were to take part in a case study to observe their decision-making process and procedures (see Figure 1.1). The results of the archive research are presented in Chapter 5.

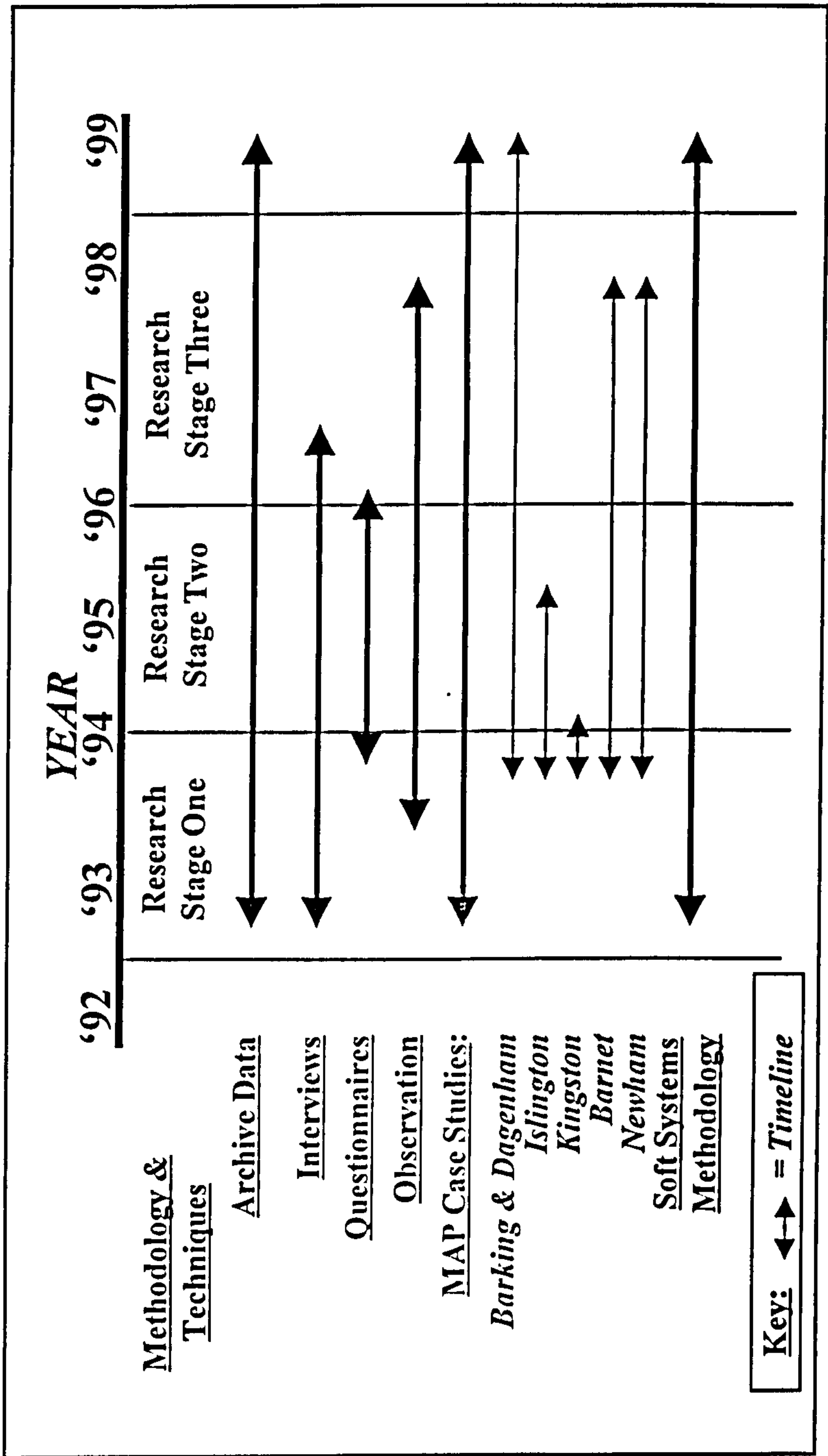


Figure 4.2 Chronology of research – methodology and techniques



### **4.1.3 Interviews**

During the research the author heeded the advice of Bell (1987:70) in the planning and preparation for interviews. The author designed a mixture of structured and semi-structured interviews to identify the decision-making process and procedures adopted by all MAPs, YACS and CJUs in the Metropolitan Police District. The qualitative and quantitative data collected was analysed on the computer software package SPSS (Statistical Package for Social Sciences) and informed the design of the questionnaires. The interviews also helped to identify best practice and inform SSM in its application to improve the problem situation (see Figure 1.1). The face to face discussions with all interviewees created an environment of trust that was to remain throughout the case studies and research.

The structured interviews consisted of a list of open and closed questions relating to attitudes to a number of issues of MAP members, YACS officers and CJU managers (see Figure 6.1). The questions were structured to assist in making sense of the decision-making issues involved. The interviews were tape recorded and transcribed by the author.

The major advantage of the interview was its adaptability. The way in which interviewees responded (tone of voice, facial expression, hesitation) provided the author with information that a written response would conceal. In addition, the author was able to respond to this immediately. It is accepted that interviews are time consuming, highly subjective and fraught with problems. However, to reduce the danger of bias, care was taken in the preparation and structure of the interviews and in the analysis of data produced. The results of the interviews are presented in Chapter 6.

#### 4.1.4 Questionnaires

During the research the author heeded the advice of Bell (1987:58) in the planning and preparation for questionnaires. The author designed, piloted, and used questionnaires to perform a survey of all MAPs, YACS and CJUs in the Metropolitan Police District to identify the decision-making process and procedures adopted (see Appendix A1.1).

As discussed in Chapter 2, the author was interested in identifying which MAP representatives understood the terms ‘welfare model’ and ‘justice model’. Were the social service and probation service representatives more likely to understand the terms than the police service or the youth worker? Would a lack of understanding of the terms lead to possible conflict at MAP meetings? These were some of the reasons for including Question 47 to Question 51 (see Appendix A1.1).

Questionnaires were a good way of collecting certain types of information quickly and relatively cheaply. However, the author had to ensure that an appropriate question type was selected, frame the questions in an appropriate manner, design the questionnaire carefully, pilot the questionnaires and organise the effective distribution and return of the questionnaires. This is discussed fully in Chapter 6.

The qualitative and quantitative data was collected and again analysed using the computer software package SPSS. The questionnaires consisted of 56 questions relating to MAP, YACS and CJU managers’ attitudes to a number of issues. Ethnographic data such as age, gender and occupation were also obtained.

The questions have been grouped into ten specific topics to assist in making sense of the issues involved with MAP decision-making. The topics are:



- Steering Group; Policy; Terms of reference; Document; Guidelines;
- Role within MAP; support from parent organisation;
- Monitoring and Evaluation;
- Administrative support for MAP;
- Receipt of information prior to MAP meeting; number of cases considered at MAP meeting; average length of time spent deciding each case; sufficiency of time to decide each case;
- Agreement concerning MAP's recommendation; factors that interfere between the methods of working in each agency; procedure when there is disagreement concerning a recommendation; percentage of recommendations accepted by police; MAP recommendations; support offered by MAP.
- MAP meeting process; decision-making aids; use of Police Form 78 for decision-making; Home Office Circular 59/90; code for Crown Prosecutors; decision-making criteria; improvements to MAP's decision-making; role of Crown Prosecution Service;
- Issue of 17 year old offenders;
- Issue of Intermediate Treatment; Criminal Justice System/Process; welfare model; justice model; support for welfare or justice model;
- Training; and Further suggestions.

The results, which are reported in Chapter 6, provided some interesting insights into the attitudes of MAP members. They also provided further evidence of the questionnaires' reliability and validity. Responses to the questionnaires are shown in Appendix A1.2. The results were used to inform SSM and to suggest ways of improving the manner in which young offenders are dealt with in the MPS (see Figure 1.1).

#### **4.1.5 Observations**

During the research the author heeded the advice of Bell (1987:88) when planning and preparing to observe MAP meetings. It was essential to identify what action was being taken at MAP meetings and to record data

about the meetings. It was impossible to record everything that was occurring, so the author needed to be clear about the areas that he was interested in:

- The content of the MAP meeting
- The processes involved during the MAP meeting
- The interaction between the individuals concerned
- The nature of the contributions from individuals
- Some other specific aspect of the MAP meeting.

The author had to decide whether to observe the MAP meeting in person, from outside the MAP meeting, or from within as a participant. Other ways of observing MAP meetings could include vicarious observation through the use of audio or video recordings of the MAP meeting or both. Audio and videotapes capture a large amount of information, however, that would need to be carefully analysed. The author decided that he would observe the MAP meetings as a non-participant.

The author was aware that there are several ways of structuring an observation sheet. They depended on whether the author was observing individuals or groups and on the context in which the MAP meeting took place.

Analysis of the data was likely to be a complex affair. It was made easier by the use of structured observation sheets when recording individual and group behaviour.

The results of the observations are discussed more fully in Chapter 7, and helped to inform the case studies and SSM (see Figure 1.1).



#### **4.1.6 Case Studies**

From the data and information gathered during archiving, interviewing, analysis of questionnaires and observations, four MAPs were identified to take part in a case study. They were Barking and Dagenham, Islington and Kingston and Redbridge where the author could observe the decision-making process and procedures. Although Kingston and Redbridge were only visited once, the author visited Barnet where he assisted to set up a MAP.

There are many published schedules and accounts of different methods of observing individuals and groups in different contexts. For example; Flanders (1970), Simon and Boyer (1975), Wragg and Kerry (1978), Galton (1978), Cohen (1976), Hopkins (1985), and Williams (1984), several of which are based on a system of interaction-process analysis devised by R.F.Bales (1950). Bales's system attempted to describe the behaviour of individuals in groups. He devised a method of classifying or coding, which enabled the observer to record under one of twelve headings which he considered were sufficiently comprehensive to classify different types of behaviour likely to occur in any group. Since 1950 many different types of categories have been devised, some relatively simple and others extremely complicated. The Flanders system, which was derived from the Bales method of classifying behaviour, is one of the best known. Flanders (1970) devised ten categories that the observer used as a basis for categorising and recording what took place. The problem about Flanders-type systems is that the categories are quite complex, have numbers of sub-sections and inevitably involve the observer making some value judgements as to which category is closest to particular types of observed behaviour. This takes a considerable amount of practice. The more complicated the system of categories, the harder it is to manage. The Open University proposed a much simpler system, though based on the principles of Bales/Flanders (Bell

1987). Six categories were proposed to assist the observer to classify behaviour in meetings. These categories describe the kind or style of behaviour engaged in, not the content of what is being said. Bell (1987) suggests that managing systems of this kind requires practice and careful consideration beforehand about how certain behaviour will be classified, but once the technique has been mastered, it can produce useful data about the behaviour of individuals in groups. The author used the six category behaviour observation sheets (Bell, 1987) to record data about the MAP meetings (see Figure 7.1 and Figure 7.2).

As the use of audio and video recordings was not permitted, the author had to be clear about what he was interested in: the content of the MAP meeting; the processes involved during the MAP meeting; the interaction between individuals concerned and the nature of the contributions from individuals.

It was decided to get the Barking and Dagenham MAP members to think about and consider the aims and objectives of their MAP. The author used the nominal group technique (NGT) to assist in this and the results are discussed more fully in Chapter 7. Barking and Dagenham MAP group met a total of six occasions to discuss their procedures and practice and attempted to amend their MAP's practice and procedure in the light of their work. This was in addition to the MAP meeting regularly to discuss young offender case referrals.

The results of the case studies are discussed more fully in Chapter 7, and help to inform SSM (see Figure 1.1).

#### **4.1.7 Soft Systems Methodology (SSM)**

The gathering of data and information during the archiving, interviewing, analysis of questionnaires, observations, and case studies facilitated the use of Soft Systems Methodology (SSM) (see Fig. 1.1). A full explanation as to



why SSM was chosen is given in Chapter 3, with the results of implementing an agenda for change given in Chapter 8. SSM was found to be an appropriate methodology to generate an agenda for change, and with which to implement the recommendations for case disposal policy in the MPS.

## **4.2 Summary**

This chapter presented the elements and requirements of the research design set against a timescale that outlined the chronology of the research into stages one, two and three.

There was a discussion of the multi-methodological approach and a description given of the archive data research, the interviews, the questionnaires, the observations, the case studies, and SSM. They were presented in the context of informing Soft Systems Methodology.

The following chapters detail the analysis performed and the results attained.

## CHAPTER 5

### 5.0 EMPIRICAL RESEARCH I: ARCHIVE DATA

*This chapter: (1) Covers the knowledge gained during archive data research; and (2) Describes how the results enhance our understanding of the problem situation.*

#### 5.1 Introduction

This chapter presents an overview of the archive data and how it informed SSM. Over the seven year period of this research there has been a need for the continual collection of data and information to inform SSM. The term ‘archive data research’ was found to be an appropriate nomenclature for that process. There is a discussion as to how the police decision-making predicates that of other CJS agencies, and therefore the need to monitor the outcome of each agency in the CJS to obtain a true picture of young offender case disposal in the CJS. There is a discussion on the criteria that the police, and the MAP, use in their decision-making. There is an analysis of the decision-making to show differences across the MPD. There is a discussion on the MPS guidelines on MAP and the responses to them. The author identifies the need to use the MPS Form 79A to monitor MAP decision making. There is a discussion on the effects of the MPS reorganisation upon data collection.

In this section the author intends to outline the results of the archive data search in stage one, asking, “what was going on?” There is an explanation as to how the continual collation of archive data in stage two, and stage three, helped to inform the problem situation. Finally, there is a discussion as to how the results were used throughout all three stages of this research (see Figure 1.1).



## **5.2 The Archive Data**

One of the first tasks to perform in this research was to obtain a list of MAPs operating in the MPS as at 1.10.1992 (see Figure 5.1). The MPS data on case disposal for young offenders was analysed in order to identify whether practice reflected policy and to identify a MAP for case study.

### **5.2.1 Police Decision-Making Predicates Other CJS Agencies**

In Chapter 3, reference was made to the gatekeeping role performed by a variety of actors in the CJS. There was scant information and very little data available as to how the output of one agency affected the input of another. While it was accepted that the police decision-making predicated that of the CPS, who in turn predicated the input for the youth courts and crown courts, there was no overall collation of the data. Each agency viewed the collection of their information as separate. In stage one it was possible to collect data from each agency and produce a chart outlining the decision-making criteria for each agency (see Figure 5.2). There are five case disposals available to the police decision-maker, they are: (i) 'Formal warning', (ii) 'NFA' (no further action), (iii) 'NPW' (not proceeded with), (iv) 'Caution', and (v) 'Recommend Prosecution'. The first four options are used when diversion from prosecution is being considered. However, the fifth option allows the young offender to enter into the CJS (see Figure 3.14).

The police decision-maker would identify the criteria most appropriate for the case disposal and record the details. For example, some 58 per cent of police decisions that resulted in 'No Further Action' were due in part to 'insufficient evidence'. The remaining decisions were as follows: 17 per cent were considered 'not in the public interest'; nine per cent of cases the 'victim declined – to prosecute'; three per cent were 'trivial'; and the remaining 13 per cent shown as 'other'. Therefore, many police disposals were due to an insufficiency of evidence. For ease of reference the

MPS Area	Multi-agency Panel	Questionnaire	No Multi-agency Panel
1	Epping Forest Waltham Forest Redbridge Enfield Cheshunt Haringey Islington	Pilot MAP / CJU Pilot MAP/ CJU MAP MAP Pilot	
2	Hackney Tower Hamlets Barking & Dagenham Havering	MAP/ CJU MAP/ CJU Pilot MAP/ CJU	Newham
3	Lewisham Bromley Bexley	MAP/ CJU MAP/ CJU MAP/ CJU	Greenwich Southwark
4	Lambeth Croydon Sutton Merton	MAP/ CJU MAP/ CJU MAP MAP	Epsom & Ewell Reigate & Banstead
5	Wandsworth Kingston Hounslow Richmond Spelthorne	MAP/ CJU Pilot MAP/ CJU MAP/ CJU MAP	Elmbridge
6	Kensington & Chelsea Ealing Hillingdon	MAP/ CJU MAP/ CJU MAP/ CJU	Hammersmith & Fulham
7	Brent Harrow Camden	MAP/ CJU MAP/ CJU Pilot	Barnet Hertsmere
8	Westminster	MAP/ CJU  (NB: Respondents to the Pilot, MAP & CJU questionnaires.)	

**Figure 5.1      List of MAPs in the MPS as at 1.10.1992**



Decision Maker Case Disposal	POLICE DECISION MAKING					CPS DECISION			MAGISTRATES' COURT DECISION			CROWN COURT DECISION	
	Formal Warning	NFA	NPW	Caution	Recommend Prosecution	Discontinue	Withdrawn	Prosecute	Dismissed	Sentence	Acquittal	Sentence	
D e c i s i o n - M a k i n g  C r i t e r i a	Admits +	Admits or	Admits or	Admits +	Admits or	Admits or	Admits or	Admits or	Admits or	Admits or	Admits or	Admits or	
	Sufficient evidence but no REAL prospect of conviction +	Insufficient evidence 58% or	Insufficient evidence or	Sufficient evidence but no REAL prospect of conviction +	Sufficient evidence and REAL prospect of conviction or	Insufficient evidence to provide a real prospect of conviction	Insufficient evidence to provide a real prospect of conviction	Sufficient evidence and REAL prospect of conviction	Offence not proved	Offence proved	Offence not proved	Offence proved	
					Not recorded/part of other offence or								
		Essential legal element missing or	Essential legal element missing or		Parent of juvenile refuse caution or	Essential legal element missing identification evidence weak or	Essential legal element missing identification evidence weak	Parent of juvenile refuse caution	Essential legal element missing identification evidence weak		Essential legal element missing identification evidence weak		
	Victim agrees course of action +	Victim declined 9% or	Victim declined or	Victim agrees course of action +	Victim requires compensation or	Victim declined	Victim declined	Victim requires compensation	Victim declined	Victim requires compensation	Victim declined	Victim requires compensation	
	Minor offence +	Trivial 3% or	Trivial or	Minor offence +	Serious offence or	Not a serious offence	Not a serious offence	Serious offence	Minor offence	Seriousness of offence	Minor offence	Seriousness of offence	
	Offence does not justify court hearing +	Offence does not justify court hearing or	Offence does not justify court hearing or	Offence does not justify court hearing +	Offence does not justify court hearing or	Offence does not justify court hearing	Offence does not justify court hearing	Offence does not justify court hearing	Offence does not justify court hearing	Offence does not justify court hearing	Offence does not justify court hearing	Offence does not justify court hearing	
	Formal warning is an appropriate approach +	Not in the public interest 17% or	Not in the public interest or	Caution is an appropriate approach +	In the public interest or	Not in the public interest	Not in the public interest	In the public interest	Not in the public interest	Offence is an appropriate approach to the offence	Not in the public interest	Offence is an appropriate approach to the offence	
		defendant already sentenced or convicted or	defendant already sentenced or convicted or		Previous history of offending or	defendant already sentenced or convicted	defendant already sentenced or convicted	Previous history of offending	defendant already sentenced or convicted	Previous history of offending	defendant already sentenced or convicted	Previous history of offending	
	Formal warning likely to dissuade future offending +	Prosecution unable to proceed or	Prosecution unable to proceed or	Caution likely to dissuade future offending +		Prosecution unable to proceed	Prosecution unable to proceed	Offence likely to dissuade future offending	Prosecution unable to proceed	Offence likely to dissuade future offending	Prosecution unable to proceed	Offence likely to dissuade future offending	
	Other	Other 13%	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	

Figure 5.2 Police Decision-Making Predicates Other Agencies in the Criminal Justice System

percentages are displayed against the criteria under the heading 'Police Decision Making – NFA' in Figure 5.2.

The author found that while agencies track and record their own case disposal results this did not include the outcome of other agencies. No agency would accept a responsibility for tracking or recording the outcome of cases by other agencies in the CJS. For example, the CPS was concerned with the large number of cases that were being referred from the police. The CPS was content that the police were able to divert a large proportion of young offenders from prosecution, since this action reduced the CPS's ever-increasing workload. Although the MPS had a legal responsibility for ensuring that criminal records were correct and up to date, they have to rely on the courts and CPS to inform them of their case disposal results.

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify that for every 100 young offenders arrested, by the MPS in 1992, only 31 were likely to have been prosecuted (see Figure 5.3). Research and analysis of the CPS data by the author indicated that the CPS prosecuted only 21 young offenders (67 per cent). Further analysis showed that the CPS had withdrawn seven cases (20 per cent), and had discontinued three cases (12 per cent) (see Figure 5.3). Information as to the outcome of cases at the youth court and crown court was limited. To increase his understanding of the problem situation it was necessary to analyse the outcome of cases at the youth court and crown court. However gaining access to the data was more problematical. The author wrote to the Clerk to the Justices for Barking Magistrates' Youth Court (Rowe, 1993a). The author was allowed access to analyse the data (Wright, 1993). He was able to show that 12 of the 21 prosecuted (59 per cent) young offenders would have been sentenced to one or more of the following: a fine, supervision order, probation order, or sent to a young offender's institution. One case was dismissed and one given a conditional discharge or an



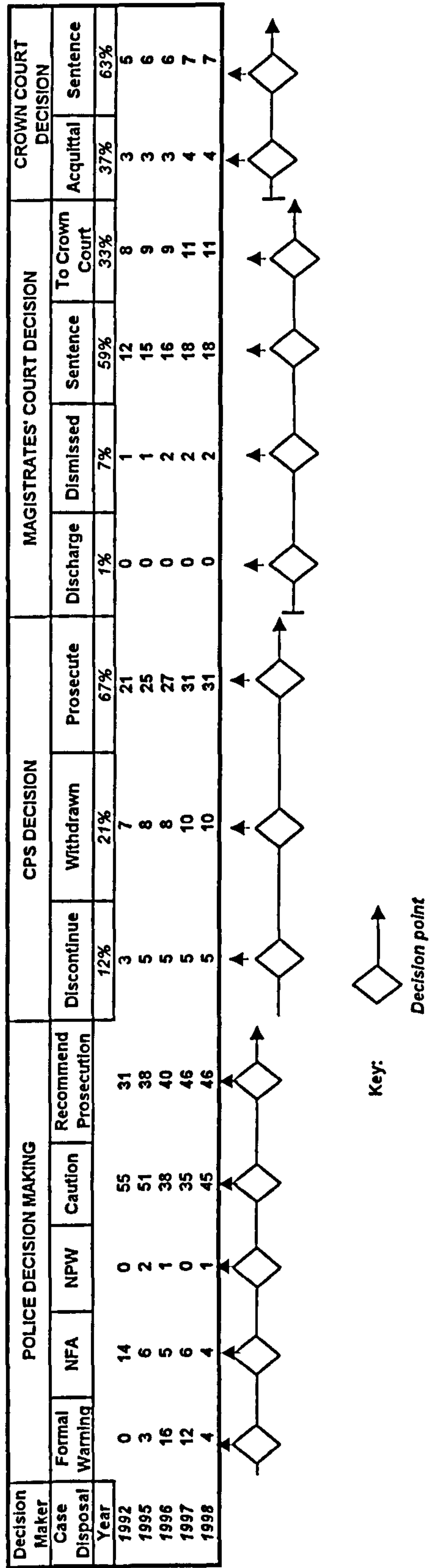


Figure 5.3 Likely Outcome of 100 Young Offenders Arrested by Police and Dealt with by Other Agencies in the CJS

absolute discharge (see Figure 5.3). A further 8 of the 21 prosecuted (33 per cent) were referred to the crown court. Therefore, of the original 100 young offenders arrested, it was likely that only twelve would be found guilty at the youth court, with a further eight committed to crown court for a decision (see Figure 5.3).

Throughout stage two and stage three data was collated on the number of young offenders diverted or prosecuted by the MPS. This data has been included in Figure 5.4 and shows a steady increase of police young offender prosecutions by 12 per cent between 1992 and 1998. The introduction of 'gravity factors' (see Chapter 8), as a consequence to recommendations at stage two, appear to have been a contributing influence on the increased number of prosecutions and consequent decrease in cautions by 14 per cent over the same period. Assuming the other agencies applied the same case disposal criteria as in 1992, they too were likely to show a steady increase in the number of young offenders passing through their gates for prosecution.

### **5.2.2 Decision-Making in Young Offender Case Disposal**

In stage one of the research the total number of young offenders dealt with between January 1991 and December 1991 within the Metropolitan Police District (MPD) was identified and the outcomes of those cases analysed (see Table 5.1). The total figure was 24,074, however this did not contextualise the case disposal decision-making. Further examination of the data revealed that 8405 (35 per cent) young offenders were prosecuted, 11729 (49 per cent) received a 'caution', and in 3940 (16 per cent) cases it was decided to take 'no further action'.

When these figures were compared with previous years they revealed a decrease in the number of prosecutions by almost 30 per cent between 1979 and 1992. However, as can be seen from Figure 5.5, the total decrease is



Case Disposal	1992	1993	1994	1995	1996	1997	1998
Prosecutions	34	37	38	38	37	39	46
% change		3	1	0	-1	2	7
Cautions	49	53	53	52	41	38	35
% change		4	0	-1	-11	-3	-3
Other	17	10	10	10	22	23	19
% change		-7	0	0	12	1	-4

Figure.5.4      Percentage increase in MPS young offender prosecutions

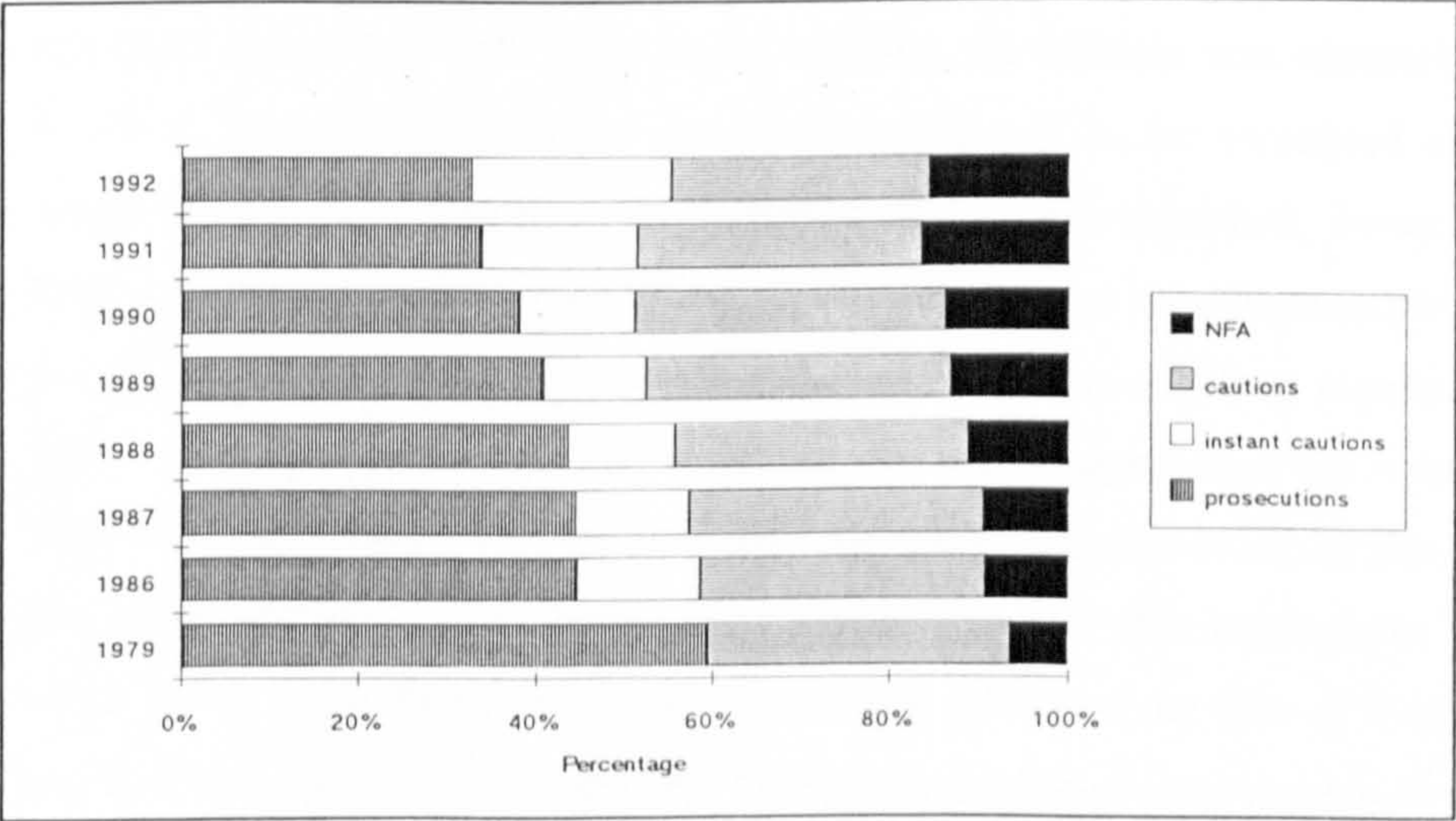


Figure.5.5      Young offender referrals for MPD 1979 and 1986 to 1992

almost commensurate with the total number of instant caution disposals that were introduced in the MPD in October 1984.

<u>How dealt with:</u>	
Prosecution	8405
Caution	11729
No further action	3940
<b>Totals</b>	<b>24,074</b>

Table 5.1 Young Offenders in the MPD in 1991  
(Source: Metropolitan Police)

**5.2.3 MPS Reorganisation and the Review of YACS**

As stated in Chapter 3, in 1986 the MPS re-organised and moved from four to eight geographical areas, each with its own headquarters (see Figure 3.2). Prior to that re-organisation the YACS were organised on a borough basis and made decisions concerning young offender case disposal on behalf of the chief superintendent upon whose division the offence was committed. Following the re-organisation the YACS continued to be organised on a borough basis working for the divisional chief superintendent, however, they were responsible to Area Headquarters. Each Area was responsible for the payment of overtime, mileage and other matters including supplying each YACS with the necessary resources. It was accepted that the role of YACS would need to be reviewed and the author was involved in this. In stage one and stage two, the author gave evidence of this research to the MPS Service Restructuring Team, as the MPS reviewed the role of YACS, and the whole structure of the MPS. During the taking of interviews and the collation of information it became clear to the author that neither Area Headquarters, nor YACS, considered the structure as appropriate. Indeed, a number of YACS were moved from Area responsibility to the direct charge of the divisional chief superintendent. During all stages of this research many YACS remained responsible for young offender referrals and liaison



with agencies inside their borough until the CJU manager took over the role and responsibility .

#### **5.2.4 MPS (TO30) MAP Guidelines**

In 1986, Territorial Operations Branch (TO30 [now CO30]) at New Scotland Yard issued guidelines for the implementation of MAPs. TO30 recognised that the effectiveness of such MAPs should be monitored and suggested that monitoring take place on an annual basis and that information to be forwarded to TO30.

An examination of TO30 documentation revealed that between 1986 and 1993 twenty-four MAPs (80 per cent) reported to T.O.30 Branch in accordance with the guidelines. The reports varied in content from a brief one-page summary to eight full-size annual reports including tables and graphs. Some MAPs went further than the guidelines and produced data on age, gender, and ethnicity of young offenders and postal areas of where offences were committed.

#### **5.2.5 Responding to MPS (TO30) MAP Guidelines**

T.O.30 Branch, had expected that every YACS and MAP would supply them with the numbers of referrals to YACS and the numbers cautioned and prosecuted. However, only 11 MAPs (45 per cent) supplied some information, but no YACS report included information on the number of young offenders who re-offended after caution or prosecution. One of the problems of compiling the data was the definition of re-offending from the time of the young offender's last disposal. The Home Office considered that the re-offending period should be two years from the last conviction. This may be a sufficient benchmark for a 24-year-old offender, since two years represents 8 per cent of a 24-year-old's life, as compared with 14 per cent of a 14-year-old's life. During the present study a period of six months was suggested as quite long enough for measuring re-offending purposes.

Whatever the period is agreed upon it is essential to monitor and evaluate the re-offending following each case disposal. The effectiveness of MAPs is discussed more fully as a case study in Chapter 7.

The discussion above concerns data supplied to T.O.30 Branch by YACS from police records, however, information concerning caution support activities; whether the individual attended; failed to attend; and numbers re-offended is not in the police domain. The police rely upon other agencies on the MAP to supply them with this data. In the present study it was suggested that MAP members may withhold details of the outcome of 'caution support' for fear that the police may decide to prosecute if the young person re-offends; that is not be given a second chance. Only two MAPs (8 per cent) supplied details of re-offending in such cases. The MAP steering group were ideally placed to require such information to be collected by the other agencies and, made available for decision-making and monitoring purposes.

### 5.2.6 Islington and Enfield MAPs

The workload of Islington's MAP was monitored and analysed by a representative of the Rainer Foundation. Although the MAP had only been in operation since September 1992, its annual report highlighted some good practices and procedures including details of all YACS referrals.

Enfield's MAP report highlighted the outcome of decisions to prosecute as indicated in Table 5.2. It is up to each individual MAP, and their steering group, to monitor the effectiveness of the MAP. The author suggests that the gathering and presenting of data, as in Table 5.2, would benefit every MAP decision-maker. An examination of the data revealed that, between 1989 and 1991, the Youth Court (*Juvenile Court*) had increased the percentage of Conditional Discharges from 16 per cent to 43 per cent. Whereas the number of Supervision Orders had decreased from 42 per cent to 17 per cent, and Community Service Orders had increased by 6 per cent. It is



Outcome of main offence	1989		1990		1991	
	Nos	%	Nos	%	Nos	%
Bind Over	0	0%	2	3%	1	2%
Conditional Discharge	14	16%	24	39%	22	43%
Fine	19	24%	6	10%	6	12%
Compensation Order	0	0%	2	3%	1	2%
Attendance Centre Order	3	4%	0	0	3	6%
Deferred Sentence	0	0%	1	2%	1	2%
Supervision Order	33	42%	21	35%	9	17%
Community Service Order	6	8%	3	5%	7	14%
Young Offender Institution	5	6%	2	3%	1	2%
<b>Total</b>	<b>80</b>	<b>100</b>	<b>61</b>	<b>100</b>	<b>51</b>	<b>100</b>

**Table 5.2 Outcome of main offence for each referral for Enfield (1989; 1990 & 1991) Source: Enfield,1992**

Reason for decision to caution		Numbers cautioned (24.1.91 - 22.7.91)
a.	Nature/Gravity	5
b.	Nature/Nos. previous offences	0
c.	Number of offences	0
d.	Different nature	3
e.	Time Lapse	3
f.	Age/Maturity	2
g.	Offender's attitude	1
h.	Welfare need	3
i.	Parent's attitude	1
j.	Out of character	2
k.	Placed on new order	1
l.	Denial	0
m.	Not known	0
<b>Total</b>		<b>21</b>

**Table 5.3 Reasons for decision to caution Spelthorne (1991)  
Source: Spelthorne Young Offender's MAP (22.7.91)**

suggested that if every MAP had monitored the outcome of their decisions, as Enfield had, then an evaluation of every MAP's effectiveness would have been possible. This was not the case, although during stage three of the research there appeared to be a move towards improved performance management and monitoring.

### **5.2.7 MPS Form 79A**

The variations in the available data supplied to T.O.30 Branch did not help the author in the present study, after all, he was expecting at least five full years of archive data collection. In reality MAPs have been rather autonomous in their development and allowed discretion in the use of case disposal decision-making. All MAPs adopted the case conference style, as opposed to the tribunal style, and all decisions were forwarded to the Performance Indicator Bureau (PIB), New Scotland Yard, on Form 79A. The information contained on Form 79A consisted of bio-data on the young offender, as well as, the reason for the main decision to charge, summons, or take no further action. The form does not ask for the reason for a caution. The only MAP to record the reason for cautioning young offenders was Spelthorne for a six month period between 24 January 1991 and 22 July 1991 (see Table 5.3 below).

The Spelthorne MAP identified the decision-making criteria that they used in deciding their young offender case disposal. However, there was no indication of 'public interest' or 'victim's viewpoint' in their decision-making criteria (see Figure 5.2). At the end of stage three, Spelthorne MAP and the local police had progressed to confronting young offenders with the consequences of their crime, for example a young person who had received a caution for shoplifting, was confronted by the store manager and a family member.



### **5.2.8 Emerging Issues in Stage One**

In stage one, the most appropriate way to evaluate the effectiveness of MAPs was examined. The author was interested in answering the following questions: What affect, if any, had the MAP made to the MPS prosecution rate of young offenders? It had been noted that there had a been a steady reduction in the prosecution of young offenders since 1986 (see Figure 5.5), was this as a direct result of consultation with the MAP and diverting young offenders from the courts? Was it due to the effects of the Police and Criminal Evidence Act, 1984? Or was it some other reason? Likewise, there had been an increase in 'no further action' since 1986, could this be attributed to the effectiveness of the MAP diverting cases from the criminal justice system? The author established that the information published in the Commissioner's Annual Reports could not answer these questions. The author contacted the PIB of the MPS to analyse the number of cases in which MAPs had recommended a caution or no further action in lieu of prosecution. It should be noted that the preferred option for the police, in cases that they refer to the MAP, are that all cases are suitable for 'prosecution'. It is up to the MAP members to convince the police representative that an alternative disposal is more appropriate in the circumstances.

The author discovered that once PIB had collated the information that they required, they published it every three months in the format below:

1. Main decision - immediate charge, subsequent charge, summons, immediate caution, subsequent caution and no further action,
2. Home Office Offence Groups,
3. All referrals by age,
4. First referrals by age,
5. All referrals by days from arrest to decision,
6. All referrals by days from arrest to date case papers received, and

7. All referrals by days from date case papers received to decision.

The published information as listed at 1 – 7 above, was analysed by the author and found to be a useful source of archive data. However, if the YACS required further information they had to contact PIB themselves. The author discovered that this rarely happened and that YACS were relied upon to monitor their own workload that included monitoring MAP cases. Although PIB were available for consultation about the YACS workload, they had many other responsibilities with which to prioritise.

In stage three of the research, some YACS had begun to track their young offender referrals using a bespoke computer software package, for example Kingston's MAP. However, this did not include monitoring the effectiveness of their MAP and required extensive 'back-record file conversion' before it could produce meaningful information. In stage three, the MPS ceased using Form 79A and began to rely on corporate computer software to monitor young offender referrals. Although this action did not affect this research, it would prove difficult to collate MAP information in the future. However, the monitoring of the MAP has been left to the criminal justice manager and the new Youth Offender Teams (YOT).

### **5.2.9 MPS Form 79A Revisited**

The author returned to PIB to analyse the data supplied by each YACS on Form 79A concerning MAP. The form was revised in March 1992 and asked two specific questions about the MAP (see Table 5.4 below).

Although the author was grateful to PIB for allowing access to the data on Forms 79A he was prevented under the Data Protection Act 1984 from 'turning numbers into names', that is identifying the individual in order to monitor the outcome of each decision. Unfortunately, the author did not have sufficient time or resources to attend to each YACS and check through



each individual record by hand. The author discovered that YACS were unable to release staff to complete a detailed analysis of the outcome of all cases dealt with by each MAP in the MPD.

- 1. MAP consulted?  
*(if just informed - 'No')*  
1 Yes            2 No            [   ]
- 2. If MAP consulted, was recommendation accepted?  
1 Yes            2 No            [   ]  
*(It is obvious that 2. is only completed if 1. is a Yes [ 1 ]).*

Table 5.4      Extract from Metropolitan Police Form 79A

The author used the data available at PIB to identify the main decisions to show the percentage number of young offender referrals in 1991 compared to 1992 (see Figure 5.6). The author obtained a *t-test* value of *t*(-8.1) with a critical value of 2.57, at 5 degrees of freedom, that led the author to conclude that there is a significant relationship between young offender referrals in 1991 compared with 1992. There was a two per cent increase of immediate charges and a seven per cent increase in instant cautions on the previous year. What were the reasons for these decisions? Although this resolution of analysis gave more information it failed to identify whether a MAP was consulted, whether the MAP’s recommendation was accepted, and the reason for the main decision. To understand the role that the MAP had within the decision-making process more information was required than provided in Figure 5.5. As stated above, Form 79A was modified in 1992 making it difficult to compare 1991 figures with 1992.

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify that in 1992, MAPs were consulted

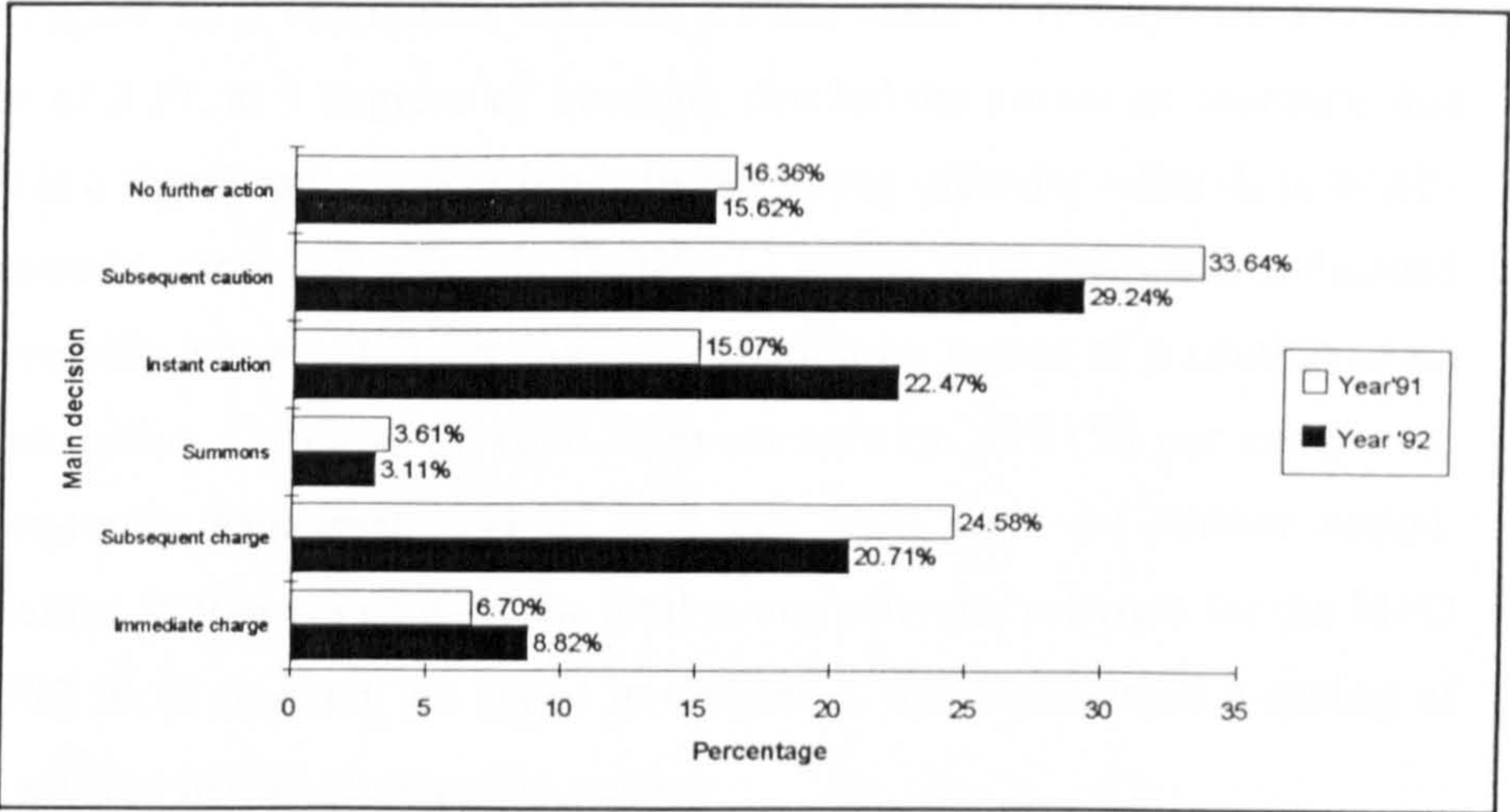


Figure.5.6 Young offender referrals for MPD in 1991/1992

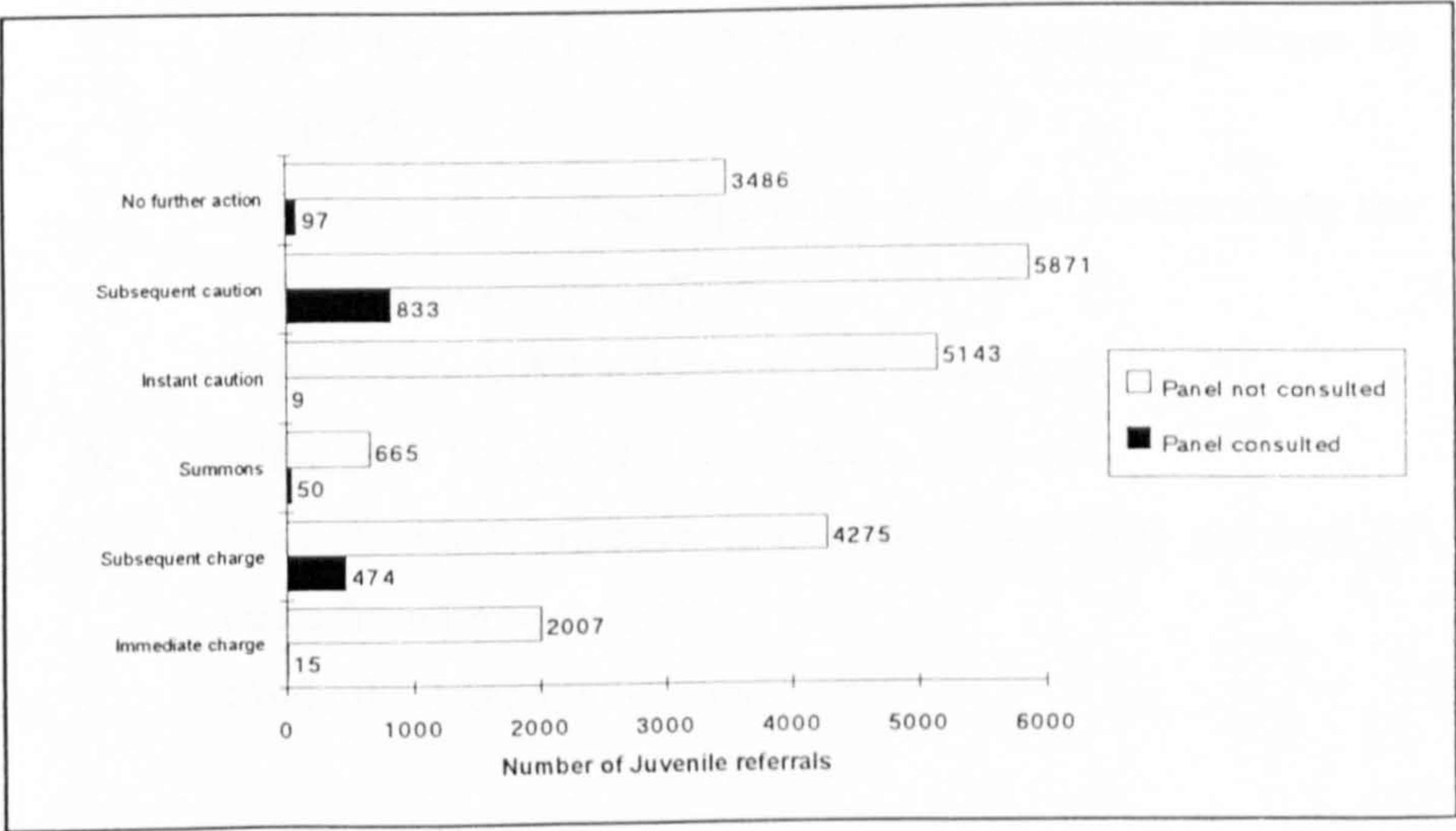


Figure.5.7 Young offender referrals for MPD in 1992 showing whether or not the MAP was consulted



concerning 1478 young offenders whom the police were likely to prosecute (see Figure 5.7). The author obtained a *t-test* value of  $t(-4.6)$  with a critical value of 2.57, at 5 degrees of freedom, that led the author to conclude that there is a significant relationship between young offender referrals to MAPs compared to no MAP referrals. In 939 (63 per cent) of cases it was decided to divert the young offender from prosecution by means of a caution or no further action. Of those diverted from prosecution 833 (56 per cent) were subsequently cautioned, and 97 (5.5 per cent) were no further action. Therefore, 939 (4 per cent) of the total young offender referrals for the MPD in 1992 were diverted. As stated in chapter 3, this represented a saving of £2.4 million in CJS prosecution costs.

#### **5.2.10 Issues Concerning the Cost of MAP**

Some questions began to emerge from the analysis:

1. What was the cost of the MAP decision-making process?
2. Could the cost of the MAP decision-making process be reduced?
3. What were the cost savings to the MPS and further along the criminal justice system?
4. How did the MAP make their main decision?
5. What were the reasons for the main decision?
6. Was the MAP effective in reducing sixty-three per cent of cases from prosecution?
7. Could this situation be improved?

### **5.3 Re-examination of Reasons for Main Decision in Young Offender Referral Data**

The author re-examined the 1991 and 1992 young offender referral data to commence answering these questions, and they will be fully discussed in Chapter 7.

The percentage of young offender referrals prosecuted in 1991 was 35 per cent, however this had reduced by 2 per cent to 33 per cent in 1992, whereas cautions had increased almost 3 per cent from 49 per cent in 1991 to 52 per cent in 1992 (see Figure 5.8). There was also a 5 per cent reduction in the total number of young offenders arrested in 1992 compared with 1991. The author obtained a *t-test* value of  $t(0.49)$  with a critical value of 2.57, at 5 degrees of freedom, that led the author to conclude that there is no significant relationship between young offender referrals in 1991 compared with 1992.

The author was interested in an increase in the number of immediate charges (+25 per cent) and immediate cautions (+42 per cent). There was also a decrease in the number of subsequent charges (-20 per cent) and subsequent cautions (-17 per cent) (see Figure 5.8). This led the author to investigate; firstly, the reasons for the main decisions to charge, summons, caution, and to take no further action; and secondly, the reason why the police referred their cases to the MAPs. The author discovered that although Form 79A asks for reasons behind the main decision to charge, summons and no further action it does not ask for reasons behind the main decision to caution either immediately or subsequently.

### **5.3.1 Main Reason for Decision to Immediately Charge**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to immediately charge a young offender in the MPD in 1992. Of the 2011 young offenders immediately charged 1025 (51 per cent) was because they had a 'previous history of offending'. Whereas 576 (29 per cent) thought the offence was 'serious', 315 (16 per cent) stated 'other', and 80 (4 per cent) charged the young offender because they denied the offence (see Figure 5.9 and Table 6.12). The author obtained a *t-test* value of  $t(-$



Case Disposal	1991		1992		% Change
	Nos.	%	Nos.	%	%
<b>Prosecutions</b>	<b>8405</b>	<b>35</b>	<b>7439</b>	<b>33</b>	<b>-2</b>
Immediate Charge	1615	7	2011	9	2
Subsequent charge	5919	25	4716	21	-4
Summons	871	4	712	3	-1
	Nos.	%	Nos.	%	%
<b>Cautions</b>	<b>11729</b>	<b>49</b>	<b>11753</b>	<b>52</b>	<b>3</b>
Immediate Caution	3630	15	5152	23	8
Subsequent Caution	8099	34	6601	29	-5
	Nos.	%	Nos.	%	%
<b>No Further Action</b>	<b>3940</b>	<b>16</b>	<b>3537</b>	<b>16</b>	<b>0</b>
	Nos.	%	Nos.	%	
<b>Totals</b>	<b>24074</b>	<b>100</b>	<b>22729</b>	<b>100</b>	

Figure.5.8      Comparison of main decision for young offender referrals for MPD in 1991 and 1992

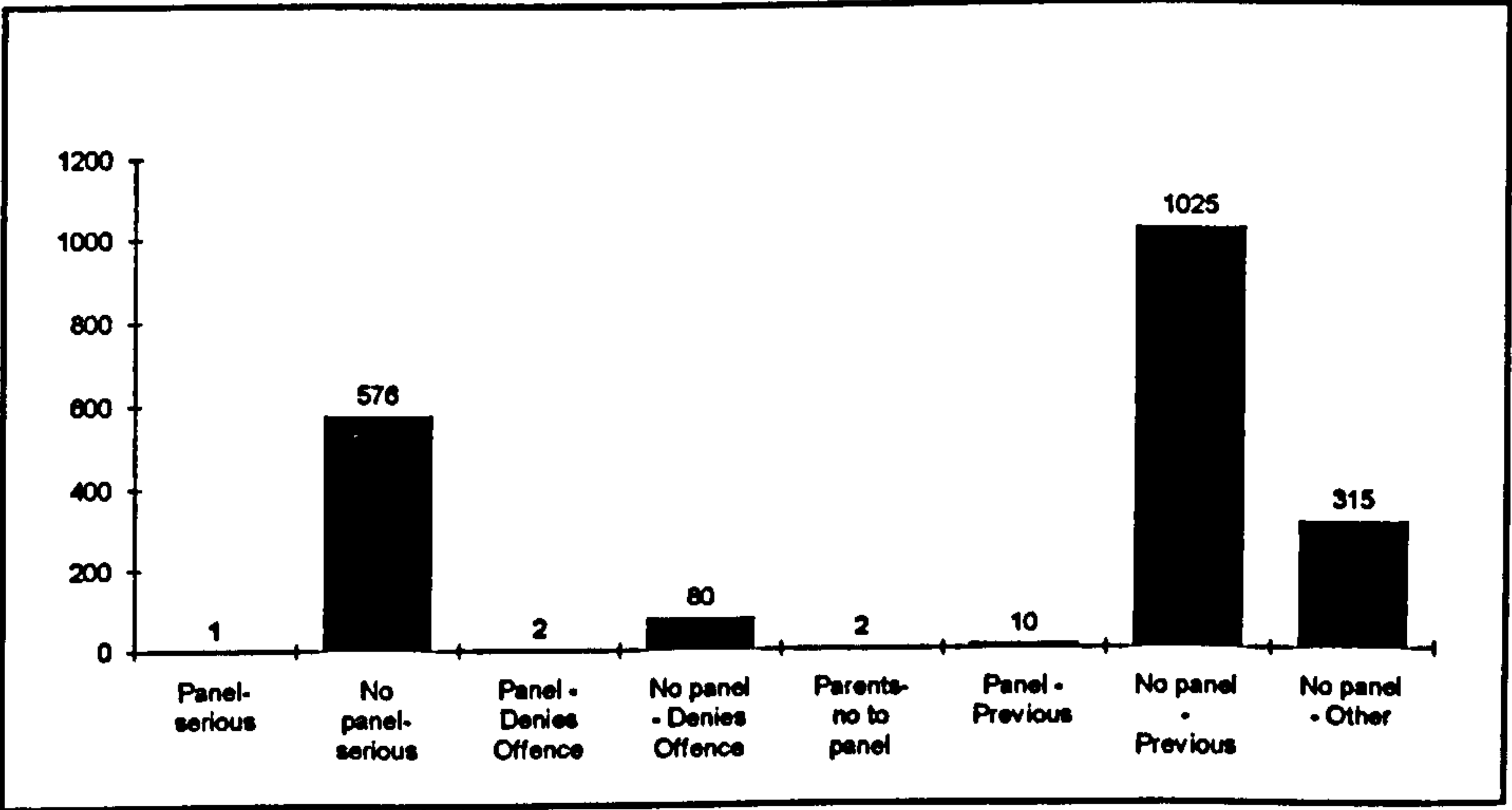


Figure.5.9      Main reason for decision to immediately charge young offender referrals in MPD in 1992

2.15) with a critical value of 2.57, at 5 degrees of freedom, that led the author to conclude that there is a significant relationship between young offender referrals to MAP compared to no MAP for immediate charge. Was there scope for that 16 per cent to be deferred to YACS for further enquiries and possible consultation between agencies?

As shown in Figure 5.2, the MPS decision-making predicates that of the CPS and Courts. The MPS's involvement in the MAP process was perceived by certain members of the organisation as a cost. They were not enthusiastic about spending their own budget on an activity that reduced the spend of other criminal justice agencies. The MPS was the lead agency in the MAP process and they had the expense of resourcing the MAPs. The benefits of diversion were never explained to them and they considered that a diversion policy was not desirable.

In stage three it was shown that the MAP could effectively defer 20 young offenders from the CJS, at a cost of £27K, thereby saving the CJS £50K. Had the 315 (16 per cent) been deferred, they would have cost £423K to process, with a saving of £788K to the CJS. The issue of incurring cost by one agency in the CJS, in some altruistic way to make savings for another agency in the CJS, is an important issue and will be discussed fully in Chapter 9.

Comments made during interviews in stage one suggested that many parents had refused to allow their son or daughter to take part in the YACS procedure or MAP. This was shown to be little more than rhetoric as only 12 (0.16 per cent) of young offenders were charged or summonsed for this reason out of a total number of 7439. It should be noted that parents and/or guardians could refuse to take part in the young offender referral procedure involving YACS and MAPs.



### **5.3.2 Main Reason for Decision to Subsequently Charge**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to subsequently charge a young offender in the MPD in 1992. Of the 4716 young offenders subsequently charged 2248 (48 per cent) was because the young offender had a 'previous history of offending'. In 1268 (27 per cent) of referrals the young offender was charged because they denied the offence. In 411 (9 per cent) of referrals the young offender was charged because of the 'serious' nature of the offence. The remaining 310 (7 per cent) of referrals the young offender was charged for 'other' reasons which were not specified (see Figure 5.10 and Table 6.12). The author obtained a *t-test* value of  $t(-2.29)$  with a critical value of 3.18, at 3 degrees of freedom, that led the author to conclude that there is a significant relationship between young offender referrals to MAP compared to no MAP for subsequent charge.

### **5.3.3 The MAP and the Main Reason for Decision to Subsequently Charge**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the 474 (10 per cent) cases referred to MAPs for a decision, some 433 (9 per cent) of the recommendations made by MAP were accepted. This represents an acceptance of 91 per cent of the MAP's recommendations. Analysis of the data indicated that 222 (5 per cent) of cases referred to the MAP for prosecutions were charged for 'previous history of offending'. A further 87 (2 per cent) were charged because they 'denied' the offence, 75 (2 per cent) were charged due to the 'serious' nature of the offence and 49 (1 per cent) were charged for 'other' reasons (see Figure 5.10 and Table 6.12).

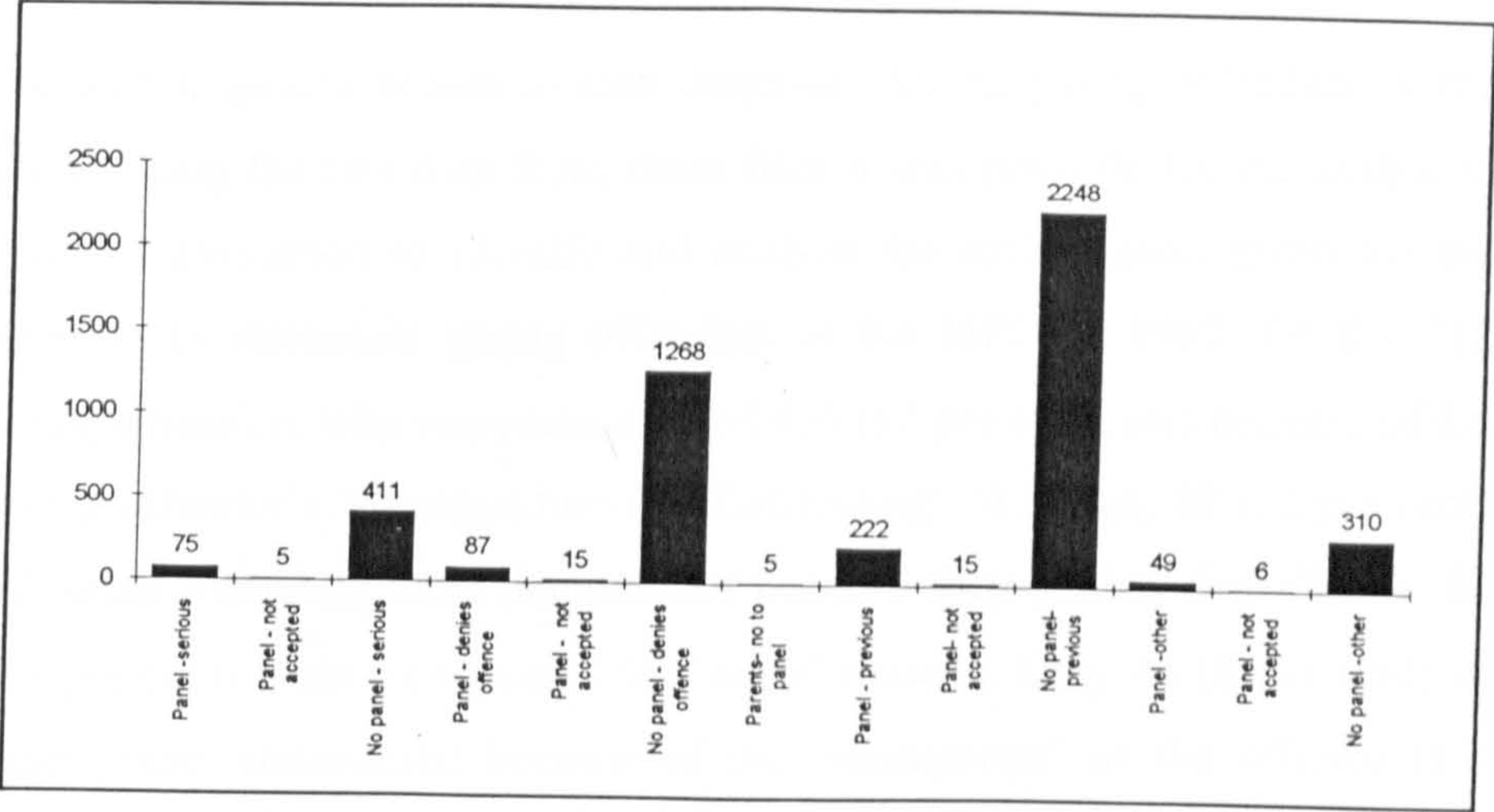


Figure.5.10 Main reason for decision to subsequently charge young offender referrals in MPD in 1992

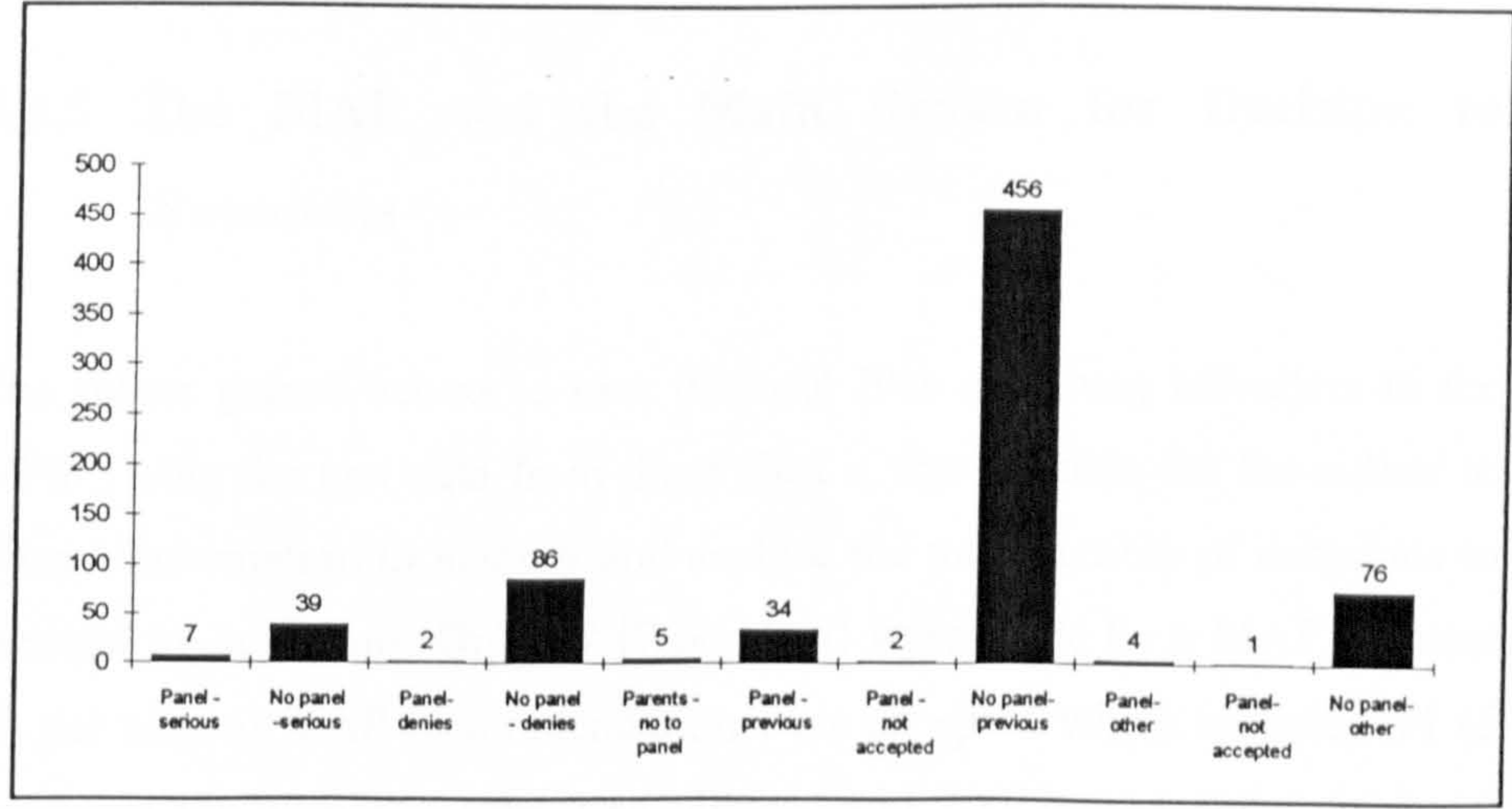


Figure.5.11 Main reason for decision to summons young offender referrals in MPD in 1992



#### **5.3.4 Main Reason for Decision to Summons**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to summons young offenders in the MPD in 1992. Of the 712 young offenders who were summonsed 456 (64 per cent) was because of the young offender's 'previous history of offending'. Whereas, 88 (12 per cent) of young offenders were summonsed because they denied the offence, 81 (11 per cent) were summonsed for 'other' reasons. Only 46 (6 per cent) of cases were summonsed because of the 'seriousness' of the offence (see Figure 5.11 and Table 6.12). The author obtained a *t-test* value of  $t(-1.68)$  with a critical value of 3.18, at 3 degrees of freedom, that led the author to conclude that there is a significant relationship between young offender referrals to MAP compared to no MAP for summons. Since summonsing, is in itself, a delay in appearance at Youth Court, the author believes that there is scope for some, if not all, of these cases to be referred to a MAP.

#### **5.3.5 The MAP and the Main Reason for Decision to Summons**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the total number of decisions to proceed by summons. Only 47 (7 per cent) were made by a MAP. Almost 94 per cent of MAP recommendation were accepted which included 34 (5 per cent) for 'previous offending history' and 7 (1 per cent) for 'serious' nature of the offence (see Figure 5.11 and Table 6.12).

### **5.3.6 Main Reason for Decision to Immediately Caution**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the number of immediate cautions given in the MPD in 1992. As expected, almost 5106 (99 per cent) of young offenders were given an 'instant caution' and not referred to the MAP (see Figure 5.12). As stated above, although there are no reasons given for cautioning a young offender, it should be based on the criteria as set out in Figure 5.2.

### **5.3.7 The MAP and the Main Reason for Decision to Subsequently Caution**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the number of subsequent cautions given by a MAP, in the MPD, in 1992. Of the 6601 young offenders subsequently cautioned, 5772 (87 per cent) were not referred to a MAP, whereas, 787 (12 per cent) were referred to a MAP and their decision was to caution (see Figure 5.13). The author could not discover whether any of these cautions were supported by community-based activity. It should be remembered that the police were considering prosecuting all 787 young offenders referred to the MAP. Therefore, the MAP had diverted all 787 young offenders from the CJS at a saving of almost £2m.

### **5.3.8 Main Reason for Decision to NFA**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to take no further action in the case of young offenders in the MPD in 1992. Of the 3537 young offenders, some 1842 (52 per cent) were



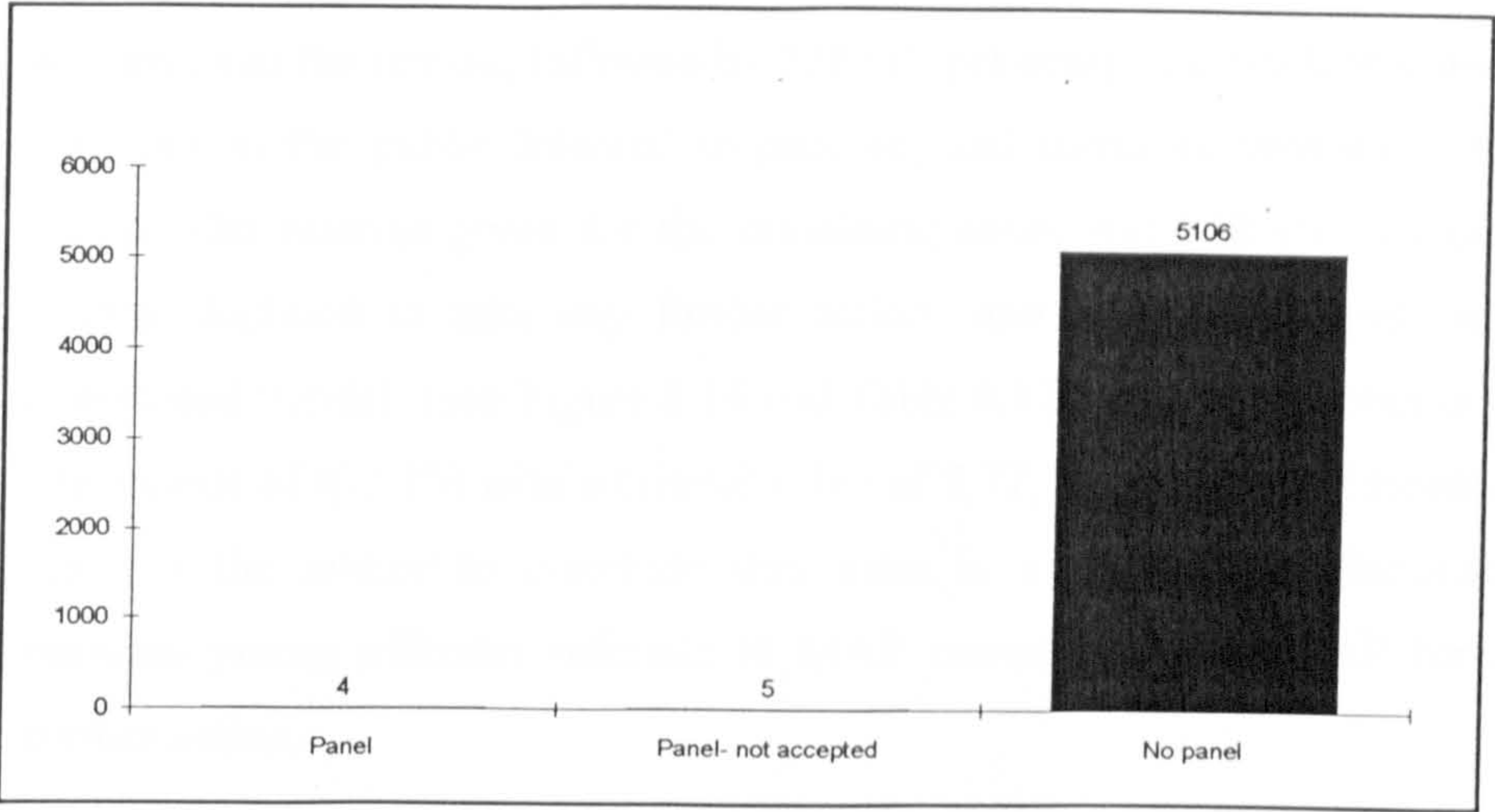


Figure.5.12    Total number of young offenders given an immediate caution in MPD in 1992

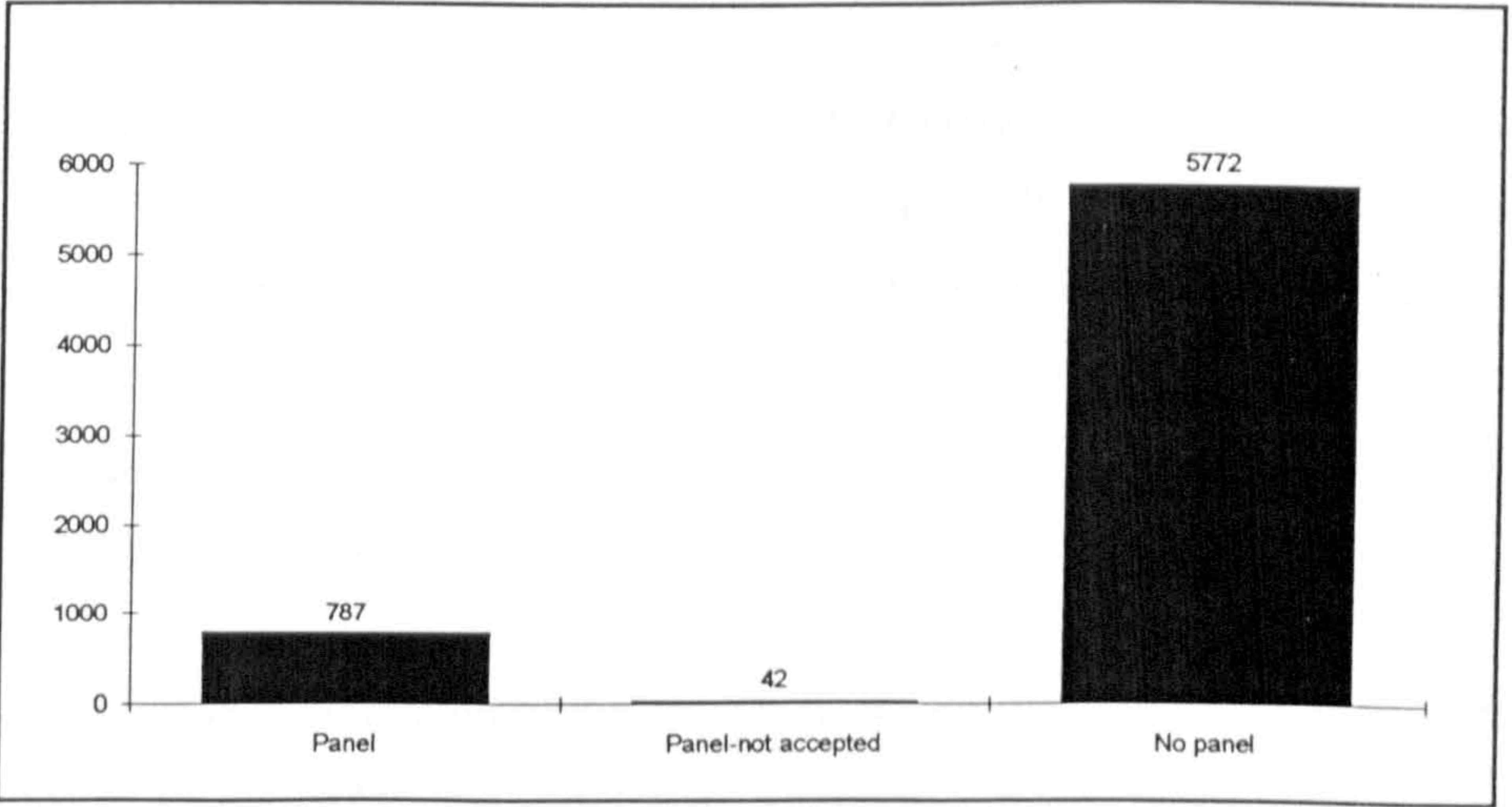


Figure.5.13    Total number of young offenders given a subsequent caution in MPD in 1992

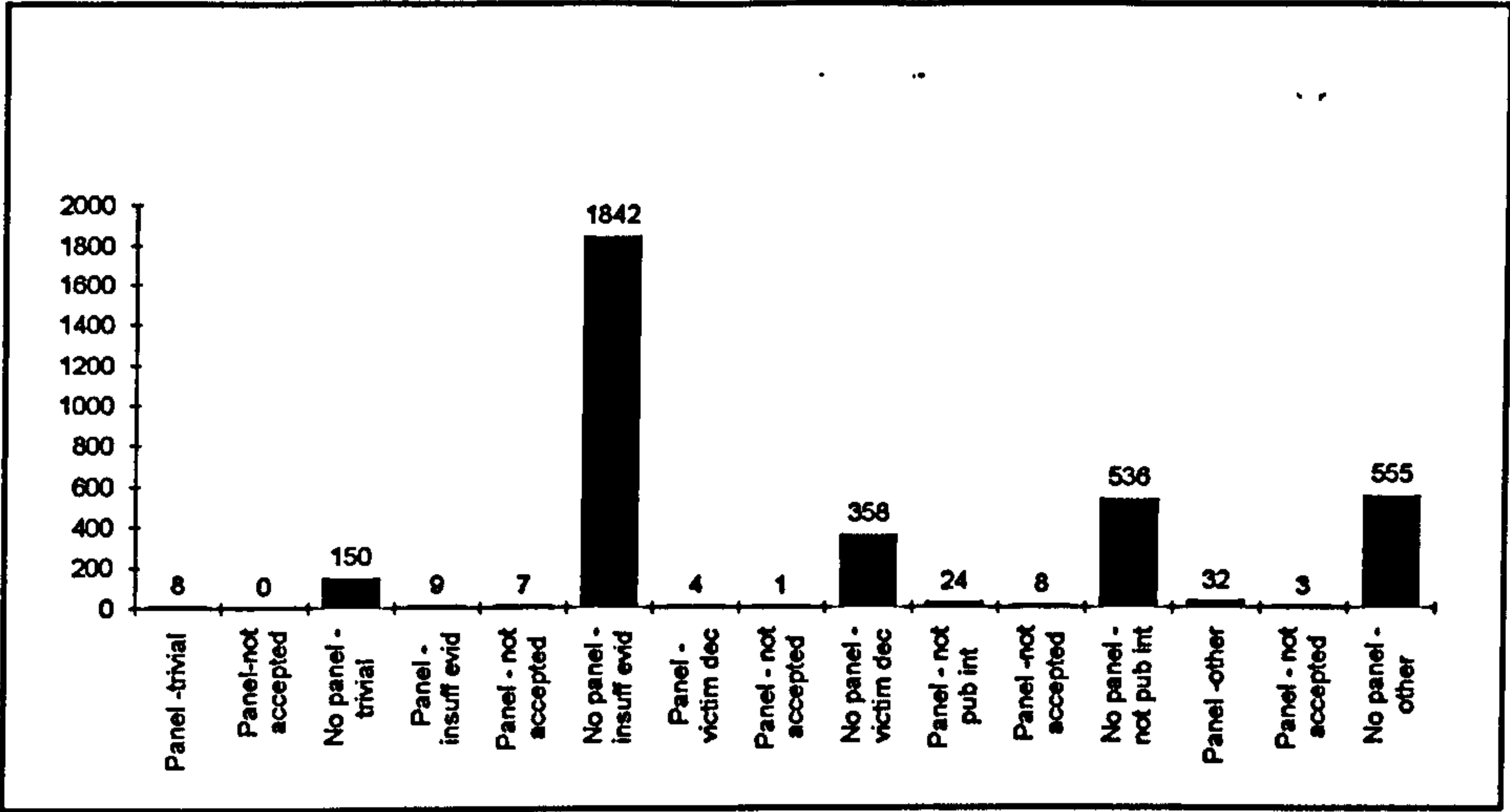
because of 'insufficient evidence'. Almost 555 (16 per cent) of cases 'other' was given as the reason, followed by 536 (15 per cent) of cases that stated it was 'not in the public interest' to proceed, and therefore take no further action. The reasons given for the remaining cases was 358 (10 per cent) 'victim declined to take any further action' and 150 (4 per cent) were considered 'trivial' (see Figure 5.14 and Table 6.12). The author obtained a *t-test* value of  $t(-2.15)$  with a critical value of 2.77, at 4 degrees of freedom, that led the author to conclude that there is a significant relationship between young offender referrals to MAP compared to no MAP for no further action.

### **5.3.9 The MAP and the Main Reason for Decision to NFA**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given by MAPs for the decision to take no further action in the case of young offenders referred to the MAP. Of the 96 (3 per cent) young offenders referred to the MAP, some 77 (80 per cent) of the MAP's recommendations were accepted. This included 24 (0.7 per cent) for 'not in the public interest' and 8 (0.2 per cent) were considered 'trivial'. It is interesting to note that 9 (0.3 per cent) cases referred to the MAP were considered to be 'insufficient evidence' despite the fact that there should have been a sufficiency of evidence before the case was referred to the MAP (see Figure 5.14 and Table 6.12).

Prior to the introduction of the gravity factor process in the MPS the author had observed MAP decision-making first-hand. It was noted that there was no decision-making tool to aid the MAP in coming to a decision. They relied on their own experiences. This was verified at interview and in answer to the questionnaire (see Table 6.12). Following the introduction of the gravity factor process in the MPS the number of cases considered for no further action reduced and this is discussed fully in Chapter 8.





**Figure.5.14**    Main reason for decision to take no further action in young offender referral cases in MPD in 1992

53.01%	Wandsworth
23.07%	Lewisham
22.16%	Havering
22.03%	Waltham Forest
20.07%	Lambeth
19.70%	Bromley
17.76%	Haringey
16.66%	Redbridge
16.47%	Kingston upon Thames
16.08%	Enfield
14.83%	Hounslow
14.45%	Kensington & Chelsea
13.64%	Tower Hamlets
13.03%	Croydon
11.9%	MPD Average
11.26%	Camden
11.11%	Richmond upon Thames
10.52%	Bexley
9.81%	Westminster
8.16%	Sutton
6.53%	Islington
6.28%	Hillingdon
6.28%	Hackney
6.25%	Barking & Dagenham
4.37%	Ealing
3.96%	Merton
2.65%	Hammersmith & Fulham
2.4%	Greenwich
1.56%	Brent
1.06%	Harrow
0.68%	Southwark
0.0%	Newham
0.0%	Barnet

**Table.5.5**    Subsequent caution as a main decision of MAP shown as a percentage of total subsequent cautions for each borough in MPD in 1992

Also, as the MAP had diverted 77 young offenders from the CJS this could be considered as a saving of some £193K. This brings the total possible savings to the CJS made by MAPs at almost £3million.

The role of the MAP was becoming a little clearer, although the author needed to identify reasons given for the main decision to caution young offender referrals in the MPD in 1992. The raw data at PIB was analysed to identify any variation in number of cautions given.

### **5.3. 10 Main Reason for Decision to Caution**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the variation in the number of subsequent cautions that were given by MAPs as a percentage of all subsequent cautions in 1992. The 32 London Boroughs were ranked as indicated in Table 5.5. The average for the MPD was 12 per cent and as can be seen 18 boroughs were below the average. Again, these included the London Boroughs of Barnet and Newham who do not have a MAP. Although the London Borough of Barking & Dagenham had a MAP, it only dealt with 5 per cent of the borough's referrals for 1992. Why was this? What were the reasons behind the variations? The final stage was to identify what percentage of all decisions did subsequent cautions represent. This considered YACS and MAPs for each borough. Most YACS covered more than one borough and therefore the police decision-maker would be the same person; would this make a difference?

They were then ranked as a percentage of all decisions (see Table 5.6), and the average for the MPD was 29 per cent. There were 16 boroughs below the average, for example the London Borough of Barnet's YACS was above average with 29 per cent and the London Borough of Newham's YACS was



42.89% Tower Hamlets
41.22% Croydon
40.85% Enfield
39.42% Bromley
37.22% Hammersmith & Fulham
35.76% Sutton
35.07% Lewisham
34.15% Kensington & Chelsea
33.10% Havering
32.53% Hillingdon
31.33% Islington
30.95% Merton
30.80% Ealing
30.05% Bexley
29.29% Barnet
29.14% Redbridge
29.08% MPD Average
27.56% Greenwich
26.72% Newham
26.62% Harrow
26.39% Camden
25.19% Southwark
25.06% Lambeth
24.68% Waltham Forest
24.66% Brent
24.03% Haringey
24.03% Hackney
23.54% Wandsworth
22.19% Kingston upon Thames
21.64% Westminster
21.29% Richmond upon Thames
20.29% Barking & Dagenham
17.86% Hounslow

Table.5.6      Subsequent caution as a main decision of YACS  
and MAP shown as a percentage of all decisions  
for each borough in MPD in 1992

just below average with 26 per cent. This compared with the London Borough of Barking & Dagenham's YACS and MAP that were below average with 20 per cent. Why was Barking & Dagenham continually below the MPD average? What were the differences between the decision-making of the YACS and MAP in Barking and Dagenham compared with Barnet and Newham that did not have MAPs? Were there any deficiencies in the decision-making of the MAP and, if so, could the situation be improved?

The author contacted the YACS at Barking & Dagenham only to discover that there had been a change in personnel and the monitoring has ceased. There was no steering group responsible for monitoring the MAP's workload or supplying resources for community-based support activities. Indeed, the MAP members were embarking on a review of the MAP and invited the author to assist them. This will be discussed more fully in Chapter 7.

## **5.4 Summary**

This chapter presented an overview of the archive data and how it informed SSM. Over the seven year period of this research there has been a need for the continual collection of data and information to inform SSM. The term 'archive data research' was found to be an appropriate nomenclature for that process. There was a discussion as to how the police decision-making predicates that of other CJS agencies and, could make considerable savings to those agencies, albeit at a cost to police. The need to monitor the outcome of each agency in the CJS was stressed, so as to obtain a true picture of young offender case disposal in the CJS. There was a discussion on the criteria that the police, and the MAP, use in their decision-making. The archive data was analysed and showed differences across the MPD. There was a discussion on the MPS guidelines on MAP and responses to them. The author identified the need to use the MPS Form 79A to monitor MAP decision making, and this continued throughout the research until the MPS



discontinued its use. There was a discussion on the effects of the MPS reorganisation upon data collection. The use of archive data enabled the author to address some of the concerns about the cost of MAP meetings; What was the cost of the MAP decision-making process? Could the cost of the MAP decision-making process be reduced? What were the cost savings to the MPS and further along the criminal justice system? How did the MAP make their main decision? What were the reasons for the main decision? Was the MAP effective in reducing sixty-three per cent of cases from prosecution? and Could this situation be improved? This analysis led to the identification of MAPs to be used in observation and case studies (see Chapter 7).

There was a discussion on the issues that were emerging at various stages of this research. In stage one, the most appropriate way to evaluate the effectiveness of MAPs was examined. What affect, if any, had the MAP made to the MPS prosecution rate of young offenders? There had a been a steady reduction in the prosecution of young offenders since 1986 (see Figure 5.5) was this as a direct result of consultation with the MAP and diverting young offenders from the courts? Was it due to the effects of the Police and Criminal Evidence Act, 1984? Or was it some other reason? Likewise, there had been an increase in 'no further action' since 1986, could this be attributed to the effectiveness of the MAP diverting cases from the criminal justice system? The information published in the Commissioner's Annual Reports could not answer these questions. The preferred option for the police, in cases that they refer to the MAP, are that all cases are suitable for 'prosecution'. It is up to the MAP members to convince the police representative that an alternative disposal is more appropriate in the circumstances.

It was ascertained that PIB only collated information that they required and published it every three months: the main decision (immediate charge, subsequent charge, summons, immediate caution, subsequent caution and no further action); Home Office Offence Groups; all referrals by age; first

referrals by age; all referrals by days from arrest to decision; all referrals by days from arrest to date case papers received; and all referrals by days from date case papers received to decision.

If the YACS required further information they had to contact PIB themselves. As this rarely happened YACS were relied upon to monitor their own workload which included monitoring MAP cases.

In stage three of the research, some YACS had begun to track their young offender referrals, however, this did not include monitoring the effectiveness of their MAP. The MPS ceased using Form 79A and began to rely on corporate computer software to monitor young offender referrals. Although this action did not affect this research, it would proved difficult to collate MAP information. The criminal justice manager is responsible for monitoring the MAP and the new Youth Offender Teams (YOT).

The author emphasised that at each stage of this research the gathering of archive data increased his understanding of the problem situation.

The following chapter details the analysis performed as a result of using interviews and questionnaires in this research.



## CHAPTER 6

### 6.0 EMPIRICAL RESEARCH II: INTERVIEWS AND QUESTIONNAIRES

*This chapter: (1) Covers the knowledge gained during interviews; (2) Covers the knowledge gained during questionnaires; and (3) Describes how the results enhance our understanding of the problem situation*

#### 6.1 Introduction

In this section the author intends to discuss the results of the qualitative and quantitative data gathered during the interviews in all three stages. Secondly, there is an explanation as to how the results of the quantitative and qualitative data from the MAP questionnaires and criminal justice unit questionnaires assisted the research into the case disposal decision-making for young offenders in the MPS. Finally, there is a discussion as to how the results were used in all three stages of this research (see Figure 1.1).

#### 6.2 Interviews

As discussed in chapter 4, the author heeded the advice of Bell (1987:70) in planning and preparing interviews. In order to improve his understanding of the problem situation the author decided to visit and interview a number of opinion formers. Also, he wanted to further his understanding of the decision-making processes of MAPs. During stage one, the author examined Metropolitan Police policy on young offender case disposal and designed a semi-structured interview. The list of questions in the interview was added to following each interview (see Figure 6.1). This formed the basis of the pilot questionnaire which in turn informed the MAP questionnaire and CJU questionnaires (see Appendix A1.1). Data gathered during these stages added to the rich picture and informed the problem situation.

1. What are the aims and objectives of your Multi-Agency Panel?
2. Is your Multi-Agency Panel responsible to a steering group?
3. Is there an agreed policy for your Multi-Agency Panel?
4. Do you consider your Multi-Agency Panel to be independent of the police?
5. Does your Multi-Agency Panel operate in a 'case conference' or 'tribunal' style?
6. What do you understand by diversion from court?
7. What do you understand by diversion from further involvement in crime?
8. What agencies are represented on your Multi-Agency Panel?
9. Who normally attends Multi-Agency Panel meetings?
10. What types of cases are referred to the Multi-Agency Panel?
11. What are the criteria for referring a case to the Multi-Agency Panel?
12. Which cases will not be referred to the Multi-Agency Panel?
13. What happens when a young offender lives outside the area where the offence occurred?
14. What recommendations for case disposal can your Multi-Agency Panel make?
15. What is the rank of the police representative who attends the Multi-Agency Panel meetings?
16. Is the police representative in a position to make an immediate decision on the recommendation of the Multi-Agency Panel at the meeting?

Figure 6.1 List of interview questions



17. Who attends Multi-Agency Panel meetings?
18. Does the offender or their representative attend Multi-Agency Panel meetings?
19. Who chairs the Multi-Agency Panel meeting?
20. Who provides the secretariat to the Multi-Agency Panel?
21. When do you receive details of the young offender's involvement in a case referred to the Multi-Agency Panel?
22. Who contributes the primary information at the Multi-Agency Panel meeting?
23. What information do you supply to the Multi-Agency Panel meeting?
24. Do you regard the information supplied at the Multi-Agency Panel meeting as confidential?
25. What is the procedure for disagreement within the Multi-Agency Panel meeting?
26. What is the role of the Crown Prosecution Service in the Multi-Agency Panel procedure?
27. Does your Multi-Agency Panel offer any activity to the young offender following a formal caution?
28. What resources are required for these activities?
29. Are the activities offered on the basis of voluntary participation?
30. How are the young offenders encouraged to participate in the activity?
31. Who monitors the attendance of the young offender in the activity?
32. Who monitors the work of the Multi-Agency Panel?
33. Are there any points that you wish to raise that I may have overlooked?

Figure 6.1 (continued)      List of interview questions continued

Representatives from every YACS covering the 32 Inner and Outer London Boroughs in the Metropolitan Police District and other personnel were interviewed. The following is a list of some of the locations and individuals visited and interviewed during the course of this research. The organisation to which interviewees belong has been indicated in brackets:

1. The Head of T.O.30 Community Involvement Branch (now CO30) (Police Service);
2. The Inspector with responsibility for MAP (Police Service);
3. The Head of S.O.5 Branch (Specialist Operations) the Central Young offender Index for the MPS (Police Service);
4. The Head of PIB and the officer responsible for monitoring Form 79 in the MPS (Police Service);
5. The officers in charge of young offender referral procedures at YACS in the MPS, Essex Police and Kent Police (Police Service);
6. The Head of the Home Office Department responsible for young offender cautioning (Other);
7. The Secretariat to the House of Commons Home Affairs Select Committee on young offender offenders (Other);
8. The Officer in charge of the Chartered Institute of Public Finance and Accountancy (Other);
9. The Head of the Kent Young Offenders Liaison Team Scheme (Police Service);
10. The Head of the Essex Criminal Justice Department (Police Service);
11. The Director of Diversion for Northamptonshire (Social Service);
12. A consultant on Youth Courts and young offenders (Other);
13. An adviser from the Rainer Foundation (Other);
14. Members of eight MAPs in inner and outer London: Barking and Dagenham; Barnet; Bromley; Hertsmere; Islington; Kingston; Lewisham and Redbridge (Police Service, Social Service, Probation Service, Education Welfare and Youth Service);



15. The Head of the Crown Prosecution Service for Inner London Youth Courts (Other);
16. The Clerk to the Justices Barking Magistrates' Court (Other/Lawyer);
17. Project Manager MPS Corporate Information Services (Police Service);
18. Head of the Co-ordination of Computerisation to the Criminal Justice System (CCCJS) (Other);
19. Secretariat to Integration of Business Information Systems in the Criminal Justice System (IBIS) (Other);
20. Head of the Lord Chancellor's Department (Other);
21. Head of the Local Police Systems Directorate, PITO (Police Service);
22. Chair ACPO Crime Committee – Cautioning Policy (Police Service);
23. Head of the Criminal Justice Unit, MPS (Police Service);
24. Secretariat of Criminal Justice Unit, MPS (Police Service);

The duration of each interview was approximately two hours. The author asked prepared questions and took notes. Although the interview was semi-structured there was considerable opportunity for interviewees to expand on the answers. Almost 200 hours of formal interviews were conducted during this research which required a further 255 hours of interpretation and analysis. This figure does not include the four weeks of initial archive and raw data collection from PIB and TO 30 of the MPS.

Organisation	Number of representatives interviewed
Police Service	52
Probation Service	10
Social Services	12
Education Welfare	8
Youth Service	4
Other	12
<b>Total</b>	<b>98</b>

Table 6.1 List of MAP representatives interviewed

Contacts and information gathered during interviews led to other people being identified as a possible source of data. The opportunity of visiting and interviewing so many knowledgeable individuals was one of the many highlights of this research; the author feels that both he and the problem situation have been greatly enriched.

### **6.2.1 Ethnographic Data of Interviewees**

The largest number of interviewees, as indicated in Table 6.1 above, were from the police service (n52). This occurred because the majority of organisations interviewed were headed by the police service, as indicated in the list in paragraph 6.2 above. The second largest group was from the social services (n12), closely followed by the other (n12), probation (n10), education service (n8) and, youth service (n4). Although the sample from agencies other than the police is less than 30 the author believes that the total number (n98) is sufficiently representative of the population to use the information in the design of questionnaires.

### **6.2.2 Age and Gender of Interviewees**

The average age of an interviewee was 42 years (Mean 42.71; Std.Dev. 8.32; Min 25; Max 64: n98); and the 69 majority were males (70 per cent) with 29 females (30 per cent).

### **6.2.3 Length of Service of Interviewees**

The average length of service of an interviewee was 14 years (Mean 13.68; Std.Dev. 8.81; Min 1; Max 37: n85 (13 missing)). The author believes that the interviewees were likely to have sufficient knowledge of their own organisation so as to benefit the research into the problem situation.



#### **6.2.4 Responses to Interviews**

The responses to the closed question interviews was analysed (see Table 6.2). They can be read alongside the full list of open-ended interview questions at Figure 6.1 above. The author was surprised that only 49 (50 per cent) of interviewees had aims and objectives for their MAP, while 40 (41 per cent) of interviewees were uncertain. There was a general agreement amongst 78 (80 per cent) of the interviewees that the MAP had a policy. Question 2 indicates that 28 (almost 30 per cent) of interviewees stated that there was no steering group responsible for the MAP. It was encouraging that Question 11 to Question 13 indicate that 90 (92 per cent) of interviewees agreed on the criteria to refer a young offender to the MAP and on case disposal recommendations. Question 18 indicates that 95 (97 per cent) of interviewees agreed that the young offenders were not represented at the MAP meeting. Question 19 indicates that 80 (82 per cent) of interviewees stated who the MAP chairperson was. Question 22 indicates that 95 (97 per cent) of interviewees agreed that the police supplied the primary information to the MAP. Question 24 indicates that 90 (92 per cent) of interviewees agreed that the information supplied at the MAP meeting as confidential. Question 26 indicates that 90 (92 per cent) of interviewees agreed that the CPS had no role on the MAP. Question 30 indicates that 50 (51 per cent) of interviewees do not know how young offenders are encouraged to take part in activity following a caution. Question 31 indicates that 50 (51 per cent) of interviewees do not know who monitors the young offender's attendance. However responses to question 32 indicate that 60 (61 per cent) of interviewees agreed that the police monitored the MAP's work. These results enriched the author's understanding of the problem situation.

### **6.3 The Questionnaires**

Every YACS covering the 32 Inner and Outer London Boroughs in the Metropolitan Police District was interested in the outcome of this research (see MPS Map Figure 2.2 and Figure 5.1).

Question	Topic	YES		NO		DON'T KNOW		Total	
		%	n	%	n	%	n	%	n
1	Does your MAP have aims and objectives?	50	49	9	9	41	40	100	98
2	Does your MAP have a Steering Group?	31	30	29	28	41	40	100	98
3	Does your MAP have a policy?	80	78	8	8	12	12	100	98
4	Is your MAP independent of the police?	61	60	10	10	29	28	100	98
5	Does your MAP operate a case conference style?	97	95	0	0	3	3	100	98
6	Do you understand diversion from court scheme?	58	57	19	19	22	22	100	98
7	Do you understand diversion from crime scheme?	58	57	14	14	28	27	100	98
8	Are Social Services, Education and Police on MAP?	61	60	8	8	31	30	100	98
9	Do Social Services, Education and Police MAP normally attend MAP?	82	80	8	8	10	10	100	98
10	Does your MAP have a variety of cases referred from police?	87	85	0	0	13	13	100	98
11	Does your MAP have criteria for dealing with referrals?	92	90	0	0	8	8	100	98
12	Does your MAP have criteria for NOT dealing with referrals?	92	90	0	0	8	8	100	98
13	Does your MAP have criteria for dealing with Y/O who live outside your area?	92	90	0	0	8	8	100	98
14	Does your MAP make case disposal recommendations?	92	90	0	0	8	8	100	98
15	Is the police MAP representative an inspector?	61	60	15	15	23	23	100	98
16	Does the police representative make immediate decisions following recommendation by MAP?	61	60	10	10	29	28	100	98
17	Do all MAP representatives attend meetings?	82	80	8	8	10	10	100	98
18	Does the Y/O attend at MAP meeting?	0	0	97	95	3	3	100	98
19	Do you have a nominated MAP chair person?	82	80	10	10	8	8	100	98
20	Do you have a nominated MAP secretariat?	82	80	10	10	8	8	100	98
21	Do you have sufficient details of Y/O referred to MAP?	58	57	34	33	8	8	100	98
22	Do the police provide the primary information at MAP meetings?	97	95	0	0	3	3	100	98
23	Do you supply information at MAP meetings?	53	52	39	38	8	8	100	98
24	Does your MAP regard information as confidential?	92	90	3	3	5	5	100	98
25	Does your MAP have procedures for disagreement?	82	80	8	8	10	10	100	98
26	Does your MAP have role for the CPS?	3	3	92	90	5	5	100	98
27	Does your MAP offer Y/O activity after caution?	61	60	20	20	18	18	100	98
28	Does your MAP have resources for activity?	61	60	20	20	18	18	100	98
29	Does your MAP organise activities on a voluntary basis?	61	60	20	20	18	18	100	98
30	Does your MAP have encourage Y/O?	34	33	15	15	51	50	100	98
31	Does your MAP monitor the Y/O attendance?	34	33	15	15	51	50	100	98
32	Does your MAP monitor MAP work?	61	60	22	22	16	16	100	98
33	Do you have any other points?	26	25	64	63	10	10	100	98

Table 6.2 List of Responses to Closed Question Interviews



All of the 13 Inner London Boroughs YACS contacted showed an interest in the survey and the outcome of the analysis. Newham and Southwark stated that they did not have a MAP. The author, therefore, was anticipating 100 per cent response rate from 11 Inner London Boroughs.

*They are - Westminster; Camden; Islington; Hackney; Tower Hamlets; Lewisham; Lambeth; Wandsworth; Hammersmith & Fulham; Kensington & Chelsea; and Haringey.*

All of the 19 Outer London Boroughs YACS contacted showed an interest in the survey and the outcome of the analysis. Barnet, Elmbridge and Hertsmere stated that they did not have a MAP. The author, therefore, was anticipating 100 per cent response rate from 16 Outer London Boroughs.

*They are - Greenwich; Waltham Forest; Redbridge; Havering; Barking & Dagenham; Bexley; Brent; Croydon; Sutton; Kingston-upon-Thames; Richmond; Hounslow; Hillingdon; Ealing, Merton and Epping Forest.*

### **6.3.1 Pilot Questionnaire**

The issue of conflict and lack of consultation was a constant source of comment during the interview stage. The author wanted to test for any significant variations between and within MAP members across the MPS. However, he considered that the most appropriate way of gathering the information other than interviewing everyone would be to design a questionnaire.

The interview questions and archive data formed the basis of the questionnaire, however, it would be necessary to test the face validity of the questions and pilot the questionnaire on MAP members other than those interviewed or subject to a MAP or CJU questionnaire.

As discussed in chapter 4, the author heeded to advice of Bell (1987:58), in the design and preparation of the pilot questionnaire. The author administered it personally to each MAP member at the next available MAP meeting. Although this was time consuming it was necessary to give the questionnaire face validity and seven MAP were chosen (see Table 6.3).

The author handed out the pilot questionnaire following each MAP meeting and supervised its completion. The average time for completing the pilot was 15 minutes however the author was soon to find that once he sent the MAP or CJU questionnaires out to be completed in similar circumstances there was no control over their completion.

Figure 5.1 gives details of the way the questionnaires were used in its pilot form, MAP form and CJU form. Following an analysis of the results of the pilot questionnaire there were no changes and, was used again with the other MAPs. Because of policy and legislative changes the documents referred to in question 34 and question 39 were amended (see Table 6.16).

Pilot	Number of respondents to pilot questionnaire
Hertsmere	3
Barking & Dagenham	5
Islington	3
Kingston-upon-Thames	4
Redbridge	6
Epping Forrest	3
Elmbridge	1
<b>Total</b>	<b>25</b>

Table 6.3 List of MAP used in the pilot questionnaire



**6.3.1.1 Ethnographic Data of Respondents to Pilot Questionnaire**

The largest number of respondents to the pilot questionnaire, as indicated in Table 6.4 below, were from the police service (n8), closely followed by the social services (n6), youth service (n4), education service (n3), probation (n3), voluntary sector (n1). Although the sample from each agency is less than 30 the author believes the total number (n25) is sufficiently representative of the population to issue the questionnaire to all MAP members.

Occupation of MAP member	%	(N)
Police Service	32	(8)
Probation Service	12	(3)
Social Services	24	(6)
Education Service	12	(3)
Youth Service	16	(4)
Voluntary Sector: VSS etc.	4	(1)
Total	100	(25)

Table 6.4 Occupation of respondents to pilot questionnaire

The rank or position held by MAP members, as indicated in Table 6.5 below, suggests that the police MAP member is likely to be a sergeant, whereas other organisations are likely to be a higher rank. The author appreciates that the rank structure between organisations is not easily compared, however, the MAP member should be of sufficient rank or position to make an immediate decision at the MAP meeting and not defer the decision. Although this was a concern of MAP members it rarely happened. As a decision-maker, the inspector has a pivotal role in the use of ‘gravity factors’ (see Figure 8.2 and Figure 8.3) and will be discussed more fully in chapter 8. The author believes that the police decision-maker should be of inspector rank with the chief inspector on the steering group. This is

not a criticism of the individual police officers attending MAPs in the survey, but more of a desire for consistency of approach throughout the MPD. A constable or sergeant could attend the MAP and give necessary information, however, the police decision-maker at the MAP meeting should be of inspector rank. This had implications for the MPS when they transferred the responsibility of case disposal decision-making of MAPs from the YACS to the CJU. The CJU perceived the MAP as not their responsibility and not give it their full support. This is shown diagrammatically in Figure 3.11.

Rank	Total	Police	Prob:	SSD	Educ:	Youth	VSS
Constable	3	3	-	-	-	-	-
Sergeant	5	3	-	-	-	2	-
Inspector	9	2	2	2	1	1	1
Chief Insp	7	-	1	3	2	1	-
Other-higher	1	-	-	1	-	-	-
Totals	25	8	3	6	3	4	1
(n25)							

Table 6.5 Rank or position held by MAP member

### 6.3.1.2 Age and Gender of Respondents to Pilot Questionnaire

The average age of a MAP member was 41 years (Mean 40.91; Std.Dev. 8.93; Min 25; Max 58: n25); and the majority were male (64 per cent) with just over a third being female (36 per cent).

### 6.3.1.3 Length of Service of Respondents to Pilot Questionnaire

The average length of service of MAP member was 14 years (Mean 14.08; Std.Dev. 8; Min 2; Max 29: n25). The author believes that the MAP



member is likely to have sufficient maturity and knowledge of their own organisation so as to benefit the MAP's decision-making process.

#### **6.3.1.4 Responses to Pilot Questionnaire**

The responses to the pilot questionnaire have been included in Table 6.6, Table 6.7 and Table 6.8. They can be read alongside the questionnaire at Appendix A1.1. Question 9 indicates that 16 (almost 70 per cent) of respondents stated that there was no steering group responsible for the MAP (see Table 6.6). Question 17n indicates that 9 (almost 36 per cent) of respondents stated that they considered the 'offender's viewpoint' as '*more than significant*' when making a decision (see Table 6.7). Question 19 indicates that 10 (almost 42 per cent) of respondents stated that they receive information about the case '*a combination of 1 week and 2 to 3 days before the MAP meeting*' (see Table 6.8). Question 20 indicates that 9 (almost 36 per cent) of respondents stated that they considered two young offender cases at each MAP meeting. Question 21 indicates that 13 (almost 52 per cent) of respondents stated that they spend approximately 30 minutes '*deciding each case*'. Question 27 indicates that 19 (almost 80 per cent) of respondents stated that the MAP chairperson is not rotated amongst members. Question 39 indicates that 16 (almost 65 per cent) of respondents stated that they had read the Code for Crown Prosecutors. Question 47 indicates that 13 (almost 55 per cent) of respondents stated that they had not heard of the welfare model. Question 52 indicates that 12 (almost 50 per cent) of respondents stated that they had received no training for decision-making. The results enriched the author's understanding of the problem situation.

#### **6.3.2 Multi-Agency Youth Liaison Panel Questionnaire**

A letter was sent to every YACS that had responsibility for a MAP, asking that they distribute the questionnaire to each of their MAP members. As with the pilot, archive data and interviews had identified that five YACS had no MAP in their borough (see list at Figure 5.1 above). The author,

	YES		NO		DON'T KNOW		Total	
Question	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
1	84	21	12	3	4	1	100	25
2	83	20	8	2	8	2	100	24
3	68	17	20	5	12	3	100	25
4	73	16	9	2	18	4	100	22
5	68	17	28	7	4	1	100	25
6	14	3	73	15	14	2	100	20
7	67	16	29	7	4	1	100	24
8	78	18	17	4	4	1	100	23
9	29	7	67	16	4	1	100	24
11	68	17	28	7	4	1	100	25
14	4	1	96	23	0	0	100	24
15	86	19	14	3	0	0	100	22
18	87	21	12	3	1	0	100	24
22	100	25	0	0	0	0	100	25
27	21	5	79	19	0	0	100	24
30	70	14	15	3	15	3	100	20
32	25	6	75	18	0	0	100	24
34	17	4	83	19	0	0	100	23
38	67	16	33	8	0	0	100	24
39	64	16	36	9	0	0	100	25
43	60	14	10	2	30	8	100	24
45	96	24	4	1	0	0	100	25
47	48	12	52	13	0	0	100	25
49	44	11	52	13	4	1	100	25
52	48	12	48	12	4	1	100	25
53	70	16	9	2	22	5	100	23
54a	35	6	65	11	0	0	100	17
54b	0	0	100	15	0	0	100	15
54c	40	6	53	8	7	1	100	15

Table.6.6      Responses to Pilot questionnaire



Question:	Q17a		Q17b		Q17c		Q17d	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	0	0	60	15	64	16	8	2
Less significant	4	1	8	2	4	1	16	4
Significant	24	6	24	6	20	5	24	6
More significant	36	9	4	1	8	2	32	8
Very significant	36	9	4	1	4	1	20	5
Totals	100	25	100	25	100	25	100	25

Question:	Q17e		Q17f		Q17g		Q17h	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	0	0	12	3	0	0	0	0
Less significant	4	1	0	0	0	0	0	0
Significant	20	5	0	0	4	1	12	3
More significant	24	6	20	5	8	2	24	6
Very significant	52	13	68	17	88	22	64	16
Totals	100	25	100	25	100	25	100	25

Question:	Q17i		Q17j		Q17k		Q17l	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	4	1	0	0	20	5	8	2
Less significant	20	5	8	2	12	3	16	4
Significant	16	4	52	13	56	14	40	10
More significant	44	11	24	6	4	1	24	6
Very significant	16	4	16	4	8	2	12	3
Totals	100	25	100	25	100	25	100	25

Question:	Q17m		Q17n		Q17o		Q17p	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	4	1	0	0	0	0	4	1
Less significant	8	2	24	6	16	4	4	1
Significant	28	7	12	3	32	8	0	0
More significant	24	6	36	9	32	8	12	3
Very significant	36	9	28	7	20	5	80	20
Totals	100	25	100	25	100	25	100	25

Question:	Q17q		Q17r	
Level of significance	%	<i>n</i>	%	<i>n</i>
Not significant	20	5	0	0
Less significant	0	0	0	0
Significant	20	5	12	3
More significant	20	5	48	12
Very significant	40	10	40	10
Totals	100	25	100	25

Table.6.7      Responses to Pilot questionnaire  
Question 17a to 17r

Question 19		
Cases	% Responses	n
3 weeks before panel meeting	0	0
2 weeks before panel meeting	21	5
1 week before panel meeting	21	5
2/3 days before panel meeting	8	2
At the panel	8	2
Combination of 1 week & 2/3 days before meeting	42	10
Total	100	24

Question 20		
Cases	% Responses	n
1	12	3
2	36	9
3	12	3
4	8	2
5	4	1
6	0	0
8	8	2
10	12	3
Missing value	8	2
Total	100	25

Question 21		
Cases	% Responses	n
10	0	0
15	8	2
20	24	6
25	4	1
30	52	13
35	0	0
50	0	0
60	4	1
Missing value	8	2
Total	100	25

Question 23		
Cases	% Responses	n
No agreement	4	1
Little agreement	0	0
Neither	0	0
Much agreement	67	16
Total agreement	29	7
Total	100	24

Question 25		
% Cases	% Responses	n
75	0	0
80	0	0
85	0	0
90	4.5	1
95	27	6
99	27	6
99.9	5	1
100	36	8
Total	100	22

Question 40		
Cases	% Responses	n
Totally supported	84	21
Supported	16	4
Neither	0	0
Occasionally supported	0	0
Not supported	0	0
Total	100	25

Question 51		
Model	% Responses	n
Welfare model' only	0	0
Justice model' only	11	2
Both	47	9
Neither	0	0
Don't know	42	8
Total	100	19

Table 6.8 Responses to Pilot questionnaire - Questions 19 –21, 23, 25, 40 & 51



therefore, was anticipating 100 per cent return rate from the 25 remaining boroughs with a MAP consisting of five members (police; probation; social services, education and youth worker). The 25 individuals that had responded to the pilot questionnaire were excluded from taking part in the MAP survey. Stamped addressed envelopes were used and, there were 61 responses, which represented a 61 per cent response rate.

As stated above, the author soon realised that he had no control on the return or handing out of the MAP questionnaire, this was despite attaching an explanatory letter to each questionnaire. It was necessary to send out reminder letters to ask MAP members to complete and return their questionnaires. The author was unable to complete the analysis with the same control over the pilot; however, the author put extra pressure on the respondents and they returned their completed questionnaires.

The issue of conflict was a constant source of comment during the MAP questionnaire stage. The questionnaire enabled the author to increase his understanding of the problem situation and helped to inform the rich picture for the SSM.

### **6.3.2.1 Ethnographic Data of Respondents to MAP Questionnaire**

The largest number of respondents, as indicated in Table 6.9 below, was from the social services (n16) closely followed by the police service (n11), youth service (n11), education service (n9), probation (n8), voluntary sector (n2) and other unknown (n4). Although the sample from each organisation is less than 30 the author believes the total number (n61) is sufficiently representative of the population to use the data to make comparisons and recommendations.

The rank or position held by MAP members, as indicated in Table 6.10 below suggests that the police MAP member is likely to be a sergeant,

Occupation of MAP member	%	(N)
Police Service	18	(11)
Probation Service	13	(8)
Social Services	26	(16)
Education Service	15	(9)
Youth Service	18	(11)
Voluntary Sector: VSS etc.	3	(2)
Other unknown	7	(4)
Total	100	(61)

Table 6.9 Occupation of respondents to MAP questionnaire

RankTotal	Police	Prob:	SSD	Educ:	Youth	VSS	Other	
Constable	1	1	-	-	-	-	-	-
Sergeant	7	6	-	1	-	-	-	-
Inspector	14	2	2	4	2	2	2	-
Chief Insp.	23	2	3	8	5	5	-	-
Other 12	-	3	3	2	4	-	-	
Unknown	4	-	-	-	-	-	-	4
Totals	61	11	8	16	9	11	2	4

(n61)

Table 6.10 Rank or position held by MAP member



whereas other organisations are likely to be a higher rank. As discussed, above in the results of the pilot questionnaire, the rank structure between organisations is not easily compared, however, the MAP member should be of sufficient rank or position to make an immediate decision at the MAP meeting and not defer the decision. Although this was a concern of MAP members it rarely happened.

#### **6.3.2.2 Age and Gender of Respondents to MAP Questionnaire**

The average age of a MAP member was 43 years (Mean 43.67; Std.Dev. 6.97; Min 31; Max 64; n61); and the 51 majority were males (84 per cent) with only 10 females (16 per cent).

#### **6.3.2.3 Length of Service of Respondents to MAP Questionnaire**

The average length of service of MAP member was 14 years (Mean 13.84; Std.Dev. 8.93; Min 1, Max 37, n50 (11 missing)). As with the pilot study, the author believed that the MAP member was likely to have sufficient maturity and knowledge of their own organisation so as to benefit the MAP's decision-making process.

#### **6.3.2.4 Responses to MAP Questionnaire**

The responses to the MAP questionnaire have been included in Table 6.11, Table 6.12 and Table 6.13. They can be read alongside the questionnaire at Appendix A1.1. Question 9 indicates that 40 (almost 70 per cent) of respondents stated that there was a steering group responsible for the MAP (see Table 6.11). Question 17n indicates that 17 (almost 28 per cent) of respondents stated that they considered the 'offender's viewpoint' as '*very significant*' when making a decision (see Table 6.12). Question 19 indicates that 22 (almost 37 per cent) of respondents stated that they receive information about the case '*1 week before the MAP meeting*' (see Table

Question	YES		NO		DON'T KNOW		Total	
	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	
1	90	54	8	5	2	1	100	60
2	88	51	5	3	7	4	100	58
3	80	48	10	6	10	6	100	60
4	87	46	2	1	11	6	100	53
5	75	45	20	12	5	3	100	60
6	16	9	60	33	24	11	100	53
7	74	42	12	7	14	8	100	57
8	80	43	13	7	7	4	100	54
9	67	40	32	19	2	1	100	60
11	82	49	15	9	3	2	100	60
14	5	3	95	56	0	0	100	59
15	81	48	19	11	0	0	100	59
18	97	58	3	2	0	0	100	60
22	97	59	3	2	0	0	100	61
27	58	35	40	24	2	1	100	60
30	47	25	34	18	19	10	100	53
32	19	11	81	48	0	0	100	59
34	27	16	64	38	9	5	100	59
38	63	38	32	19	5	3	100	60
39	44	26	49	29	7	4	100	59
43	65	39	7	4	28	17	100	60
45	89	54	8	5	3	2	100	61
47	49	30	48	29	3	2	100	61
49	48	29	47	28	5	3	100	60
52	47	28	50	30	3	2	100	60
53	70	41	25	15	5	3	100	59
54a	38	16	60	25	2	1	100	42
54b	8	3	90	35	3	1	100	39
54c	24	10	74	31	2	1	100	42

NB: Question 38 was in relation to Home Office Circular 59/90

Table.6.11 Responses to MAP questionnaire



Question:	Q17a		Q17b		Q17c		Q17d	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	5	3	51	31	49	30	5	3
Less significant	6	4	16	10	15	9	6	4
Significant	17	10	21	13	21	13	28	17
More significant	35	22	6	4	10	6	40	25
Very significant	37	22	6	4	6	4	21	13
Totals	100	61	100	61	100	61	100	61

Question:	Q17e		Q17f		Q17g		Q17h	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	1	1	6	4	0	0	4	2
Less significant	2	1	5	3	0	0	1	1
Significant	18	11	15	9	2	1	11	7
More significant	29	18	20	12	21	13	24	15
Very significant	49	30	54	33	77	47	60	36
Totals	100	61	100	61	100	61	100	61

Question:	Q17i		Q17j		Q17k		Q17l	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	7	4	2	1	11	7	11	7
Less significant	17	10	10	6	21	13	18	11
Significant	26	16	37	22	44	27	38	23
More significant	35	22	27	16	17	10	24	15
Very significant	15	9	24	15	7	4	9	5
Totals	100	61	100	61	100	61	100	61

Question:	Q17m		Q17n		Q17o		Q17p	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	1	1	9	5	6	4	3	2
Less significant	7	4	16	10	11	7	3	2
Significant	33	20	21	13	37	22	4	2
More significant	31	19	27	16	24	15	16	10
Very significant	28	17	28	17	22	13	75	46
Totals	100	61	100	61	100	61	100	61

Question:	Q17q		Q17r	
Level of significance	%	<i>n</i>	%	<i>n</i>
Not significant	9	5	1	1
Less significant	4	2	2	1
Significant	15	9	15	9
More significant	24	15	38	23
Very significant	49	30	44	27
Totals	100	61	100	61

Table.6.12 Responses to MAP questionnaire -  
Question 17a to 17r

Question 19			
Cases	% Responses	n	
3 weeks before panel meeting	0	0	
2 weeks before panel meeting	10	6	
1 week before panel meeting	37	22	
2/3 days before panel meeting	32	19	
At the panel	2	1	
Combination of 1 week & 2/3 days before meeting	20	12	
Total	100	60	

Question 20			
Cases	% Responses	n	
1	0	0	
2	39	24	
3	10	6	
4	20	12	
5	8	5	
6	5	3	
8	10	6	
10	5	3	
Missing value	3	2	
Total	100	61	

Question 21			
Cases	% Responses	n	
10	7	4	
15	31	19	
20	21	13	
25	7	4	
30	18	11	
35	8	5	
50	2	1	
60	5	2	
Missing value	2	1	
Total	100	60	

Question 23			
Cases	% Responses	n	
No agreement	0	0	
Little agreement	7	4	
Neither	3	2	
Much agreement	75	45	
Total agreement	15	9	
Total	100	60	

Question 25			
% Cases	% Responses	n	
75	9	5	
80	7	4	
85	2	1	
90	18	10	
95	21	12	
99	18	10	
99.9	2	1	
100	25	14	
Total	100	57	

Question 40			
Cases	% Responses	n	
Totally supported	43	26	
Supported	43	26	
Neither	7	4	
Occasionally supported	3	2	
Not supported	3	2	
Total	100	60	

Question 51			
Model	% Responses	n	
Welfare model' only	4	2	
Justice model' only	8	4	
Both	44	23	
Neither	8	4	
Don't know	38	20	
Total	100	53	

Table 6.13 Responses to MAP questionnaire - Questions 19 –21, 23, 25, 40 & 51



6.13). Question 20 indicates that 24 (almost 39 per cent) of respondents stated that they considered two young offender case at each MAP meeting. Question 21 indicates that 19 (almost 31 per cent) of respondents stated that they spend approximately 15 minutes *'deciding each case'*. Question 27 indicates that 35 (almost 58 per cent) of respondents stated that the MAP chairperson is rotated amongst members. Question 39 indicates that 29 (almost 50 per cent) of respondents stated that they had not read the Code for Crown Prosecutors. Question 47 indicates that 30 (almost 50 per cent) of respondents stated that they had heard of the welfare model. Question 52 indicates that 30 (almost 50 per cent) of respondents stated that they had received no training for decision-making. The results enriched the author's understanding of the problem situation.

### 6.3.3 CJU Managers' Questionnaire

As stated above the author soon realised that he had no control on the return or handing out of the CJU questionnaire this was despite attaching an explanatory letter to each questionnaire. It was necessary to send out reminder letters to ask CJU managers to complete and return the questionnaires. The author was unable to complete the analysis with the same control over the pilot; however, following constant pressure some respondents did return their completed questionnaires.

Once again the issue of conflict was a commented on during responses to the CJU questionnaire. CJU managers perceived their role and responsibilities differently from those of the YACS. They considered that the MAP was not an activity that they needed to support as they were not given additional resources for the task. The CJU questionnaire enabled the author to increase his understanding of the problem situation and help to inform the rich picture for the SSM.

**6.3.3.1 Ethnographic Data of Respondents to CJU Manager Questionnaire**

At the time of conducting the criminal justice unit manager’s questionnaire there were only 25 CJUs in the MPS and, no other comparable units in the country. There were 19 respondents to the CJU questionnaire (n19), which represents a 76 per cent response rate, as indicated in Table 6.14 below. The response rate is considered to be sufficiently representative of the population to use the data to make comparisons and recommendations, since the totality of CJU managers was 25.

Occupation of CJU member	%	(N)
Police Service	100	(19)
Total	100	(19)

Table 6.14 Occupation of respondents to CJU questionnaire

The CJU manager’s rank is likely to be a chief inspector as indicated in Table 6.15 below.

Rank	%	(N)
Sergeant	26	(5)
Inspector	5	(1)
Chief Insp.	69	(13)
Totals (n19)	100	(19)

Table 6.15 Rank held by CJU manager

**6.3.3.2 Age and Gender of Respondents to CJU Questionnaire**

The average age of a criminal justice unit manager was 46 years (Mean 46.67; Std.Dev. 3.58: Min 37: Max 51: n18) all were male.



### 6.3.3.3 Length of Service of Respondents to CJU Questionnaire

The average length of service of a criminal justice unit manager was 26 years (Mean 26.64; Std.Dev. 3.83; Min 18; Max 31, n18 (1 missing)). The author believes that the criminal justice unit manager is likely to have sufficient maturity and knowledge of the MPS case disposal decision-making process, and that this should lead to greater consistency of approach throughout the MPD.

### 6.3.3.4 Responses to CJU Questionnaire

The responses to the CJU questionnaire have been included in Table 6.16, Table 6.17 and Table 6.18. They can be read alongside the questionnaire at Appendix A1.1. Question 9 indicates that 9 (almost 50 per cent) of respondents stated that there was a steering group responsible for the MAP (see Table 6.16). Question 17n indicates that 7 (almost 40 per cent) of respondents stated that they considered the 'offender's viewpoint' as '*significant*' when making a decision (see Table 6.17). Question 19 indicates that 5 (almost 37 per cent) of respondents stated that they receive information about the case '*1 week before the MAP meeting*' (see Table 6.18). Question 20 indicates that 10 (almost 27 per cent) of respondents stated that they considered ten young offender case at each MAP meeting. Question 21 indicates that 8 (almost 44 per cent) of respondents stated that they spend approximately between 20 and 50 minutes '*deciding each case*'. Question 27 indicates that 7 (almost 47 per cent) of respondents stated that the MAP chairperson is rotated amongst members. Question 39 indicates that 16 (almost 90 per cent) of respondents stated that they had read the Code for Crown Prosecutors. Question 47 indicates that 13 (almost 70 per cent) of respondents stated that they had not heard of the welfare model. Question 52 indicates that 10 (almost 53 per cent) of respondents stated that they had received training for decision-making. The results enriched the author's understanding of the problem situation.

Question	YES		NO		DON'T KNOW		Total	
	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
1	78	15	11	2	11	2	100	19
2	78	15	11	2	11	2	100	19
3	52	10	32	6	16	3	100	19
4	76	10	8	1	16	2	100	13
5	61	11	22	4	17	3	100	18
6	24	4	52	9	24	4	100	17
7	55	10	28	5	17	3	100	18
8	64	9	7	1	29	4	100	14
9	50	9	28	5	22	4	100	18
11	45	8	22	4	33	6	100	18
14	11	2	72	13	17	3	100	18
15	33	6	50	9	17	3	100	18
18	82	14	12	2	6	1	100	17
22	82	14	6	1	12	2	100	17
27	41	7	41	7	18	3	100	17
30	41	7	24	4	35	6	100	17
32	13	2	81	13	6	1	100	16
34	79	15	16	3	5	1	100	19
38	72	13	22	4	6	1	100	18
39	89	16	11	2	0	0	100	18
43	29	5	18	3	53	9	100	17
45	100	18	0	0	0	0	100	18
47	32	6	68	13	0	0	100	19
49	26	5	74	14	0	0	100	19
52	53	10	47	9	0	0	100	19
53	81	13	6	1	13	2	100	16
54a	24	4	71	12	5	1	100	17
54b	7	1	86	12	7	1	100	14
54c	34	5	53	8	13	2	100	15

NB: Question 34 was in relation to the 'Case Disposal Manual' and  
Question 38 was in relation to Home Office Circular 18/94

Table.6.16 Responses to CJU questionnaire



Question:	Q17a		Q17b		Q17c		Q17d	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	0	0	88	16	83	15	6	1
Less significant	6	1	6	1	11	2	6	1
Significant	11	2	6	1	6	1	50	9
More significant	67	12	0	0	0	0	32	6
Very significant	16	3	0	0	0	0	6	1
Totals	100	18	100	18	100	18	100	18

Question:	Q17e		Q17f		Q17g		Q17h	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	0	0	6	1	0	0	0	0
Less significant	0	0	0	0	0	0	12	2
Significant	6	1	0	0	0	0	28	5
More significant	28	5	6	1	33	6	24	4
Very significant	66	12	88	15	67	12	36	6
Totals	100	18	100	17	100	18	100	17

Question:	Q17i		Q17j		Q17k		Q17l	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	0	0	0	0	11	2	11	2
Less significant	6	1	11	2	22	4	11	2
Significant	38	7	33	6	39	7	50	9
More significant	50	9	56	10	28	5	22	4
Very significant	6	1	0	0	0	0	6	1
Totals	100	18	100	18	100	18	100	18

Question:	Q17m		Q17n		Q17o		Q17p	
Level of significance	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>
Not significant	0	0	11	2	0	0	6	1
Less significant	6	1	28	5	17	3	0	0
Significant	28	5	39	7	39	7	0	0
More significant	44	8	22	4	44	8	22	4
Very significant	22	4	0	0	0	0	72	13
Totals	100	18	100	18	100	18	100	18

Question:	Q17q		Q17r	
Level of significance	%	<i>n</i>	%	<i>n</i>
Not significant	0	0	0	0
Less significant	22	4	17	3
Significant	28	5	11	2
More significant	17	3	44	8
Very significant	33	6	28	5
Totals	100	18	100	18

Table.6.17 Responses to CJU questionnaire -  
Question 17a to 17r

Question 19			
Cases	% Responses	n	
3 weeks before panel meeting	21	3	
2 weeks before panel meeting	14	2	
1 week before panel meeting	37	5	
2/3 days before panel meeting	0	0	
At the panel	14	2	
Combination of 1 week & 2/3 days before meeting	14	2	
Total	100	14	

Question 20			
Cases	% Responses	n	
1			
2	22	4	
3			
4	22	4	
5	6	1	
6	17	3	
8	6	1	
10	27	10	
Missing value	0	0	
Total	100	23	

Question 21			
Cases	% Responses	n	
10	0	0	
15	17	3	
20	22	4	
25	17	3	
30	17	3	
35	5	1	
50	22	4	
60	0	0	
Missing value	0	0	
Total	100	18	

Question 23			
Cases	% Responses	n	
No agreement	0	0	
Little agreement	0	0	
Neither	0	0	
Much agreement	93	14	
Total agreement	7	1	
Total	100	15	

Question 25			
% Cases	% Responses	n	
75	6	1	
80	6	1	
85	0	0	
90	16	3	
95	28	5	
99	0	0	
99.9	22	4	
100	22	4	
Total	100	18	

Question 40			
Cases	% Responses	n	
Totally supported	31	5	
Supported	56	9	
Neither	0	0	
Occasionally supported	13	3	
Not supported	0	0	
Total	100	17	

Question 51			
Model	% Responses	n	
Welfare model' only	6	1	
Justice model' only	0	0	
Both	25	4	
Neither	0	0	
Don't know	69	11	
Total	100	16	

Table 6.18 Responses to CJU questionnaire - Questions 19 –21, 23, 25, 40 & 51



## 6.4 Summary

This chapter presented an overview of how interviews and questionnaires were used in this research to inform SSM. Over 98 representatives from various agencies within the CJS were interviewed. The questions were piloted and responses given. It was noted that the CPS had no role within the MAP and that 61 per cent of interviewees believed that the police monitored the MAP performance. The results from the interviews informed the questionnaires, observations, case studies and SSM. The results were discussed with opinion formers, actors and owners in the problem situation to ensure that the rich picture and root definitions were correct and to increase our understanding of the problem situation. This enabled an agenda for change to be generated and recommendations to be made. The questionnaires were piloted and used to survey the attitude of YACS, MAP members, and CJU managers concerning the role and responsibility of the MAP. There was a discussion concerning the respondent's views on the following: steering groups, the young offender's viewpoint, the number of cases disposals dealt with at each meeting, the length of the decision-making per case and the role of the MAP chairperson. It was discovered that only 50 per cent of respondents had heard the term 'welfare model' that influenced their understanding of diversion and led to possible conflict during MAP decision-making. The police service representatives did not have as good an understanding of the differences between the 'welfare model' and the 'justice model' as representatives of the other agencies. The police service representatives were unlikely to understand the philosophy underpinning diversion and the role that they had in predicating the decision-making of other agencies in the CJS. The majority had no training in decision-making or the use of a decision-making aid. The majority had not read the 'Code for Crown Prosecutors'. The results informed the observations, case studies and SSM. As above, the results were discussed with opinion formers, actors and owners in the problem situation. The following chapter details the analysis performed as a result of using observations and case studies in this research.

## **CHAPTER 7**

### **7.0 EMPIRICAL RESEARCH III: OBSERVATIONS AND CASE STUDIES**

This chapter: (1) Covers the knowledge gained during observations; (2) Covers the knowledge gained during case studies; (3) Describes how the results enhance our understanding of the problem situation; and (4) Describes the use of the Nominal Group Technique (NGT).

#### **7.1 Introduction**

In this section the author intends to describe how the results of the observations and case studies assisted the research into the case disposal decision-making for young offenders in the MPS, and were used throughout all three stages of this research (see Figure 1.1).

#### **7.2 Observations**

As discussed in chapter 4, the author heeded the advice of Bell (1987:88) when planning and preparing to observe MAP meetings. The author used observation techniques to observe the decision-making process of a MAP meeting to identify what action was taken, and to record data about MAP meetings. Interviews were conducted to provide important data and information, however they reveal only how people perceive what happens, not what actually happens. It was decided that direct observation might be more reliable than what people say in many instances.

It was considered necessary to gather information on the contribution made by each individual at the MAP meeting. It was decided to investigate the



content of the MAP meeting, although this was limited to individual behaviour following the pilot observation study.

As discussed in Chapter 4, there has been much criticism of Bales' model. Deaux et al (1993) and Chemers (1983 and 1987) supported Fielder's (1964) contingency model of leadership as an alternative inter-actionist approach. However, Bell (1987) cites the work of Flanders (1970) who adopted the Bales' (1950) model from twelve behaviour categories to six. The categories describe the kind or style of behaviour engaged in, not the content of what is being said. Bell (1987) suggests that managing systems of this kind require practice but once mastered, it can produce useful data about the behaviour of individuals in groups. The author had experience of using the Bell (1987) six-behaviour category observation sheet to observe meetings (see Figure 7.1). The behaviour categories are defined as 'proposing', 'supporting', 'building', 'disagreeing', 'giving information' and 'seeking information' (see Figure 7.2). The benefits of using the device were considered and the major benefit of using such a research tool was that the information gathered could highlight areas of conflict. The main disadvantage was that the content could not be captured at the same time. However, as the MAP members had considered that the anonymity of individual cases was of paramount importance, they would not give authority for the meetings to be recorded or content revealed.

The observation method was piloted at the Islington MAP meeting. It was subsequently revised to include individual behaviour only, as it was too difficult to cope with recording MAP activity and the individual. The author found that it was almost impossible to gather content information. Although each MAP secretariat supplied the author with a note of the meeting it was not possible to compare the observed record of events with the contents of the MAP meeting.

BEHAVIOUR	MAP MEMBER'S ORGANISATION					
	Social Services	Probation Services	Education Welfare	Youth Worker	Police	Other
CATEGORY						
Proposing						
Supporting						
Building						
Disagreeing						
Giving information						
Seeking information						
Total						

Figure 7.1 Six-behaviour observation sheet (Bell,1987)



<b>Category</b>	<b>Explanation</b>
<b>Proposing</b>	Any behaviour which puts forward a new suggestion, idea or course of action.
<b>Supporting</b>	Any behaviour which declares agreement or support with any individual or his idea.
<b>Building</b>	Any behaviour which develops or extends an idea or suggestion made by someone else.
<b>Disagreeing</b>	Any behaviour which states a difference of opinion or a criticism of another person's statement
<b>Giving information</b>	Any behaviour which gives facts, ideas or opinions or clarifies these.
<b>Seeking information</b>	Any behaviour which asks for facts, ideas or opinions from others.

Fig.7.2 Six Behaviour Categories (Bell,1987)

Another difficulty for the author was to remain objective when he observed the process that he was familiar with. It was decided that he would be a non-participant observer to ensure that he would consider the whole event and was in a position to complete the observation sheets objectively.

The author negotiated and obtained permission to observe each MAP meeting. He would introduce himself to the MAP and explain the purpose of the observation before each MAP meeting, and thank everyone for his or her help.

In stage one, the author attended a total of ten (10) two-hour meetings as follows: Islington (3), Redbridge (1), Kingston (1) and Barking & Dagenham (5). In stage two and stage three only three MAPs were observed a further six occasions, Islington (1), Barking & Dagenham (3), and setting-up a new MAP in Barnet (2). The author attended two (2) annual general meetings: Enfield MAP and Islington MAP. The author regrets that there was no opportunity to observe a MAP steering group meeting.

### **7.2.1 Results of the Observations**

Following each meeting the information contained on the behaviour sheets was analysed. The number of ticks in each box was converted into a scale of high, medium or low. Indicating that the observed behaviour in each of the six categories: *proposing*, *supporting*, *building*, *disagreeing*, *giving information* and *seeking information*, was consistently high, medium or low during the MAP meeting. The information gathered from each MAP meeting was aggregated into one sheet.

Observations were plotted on a graph to indicate the nature of the contribution made and by whom. The author decided that it would not be sufficient to merely present the information as observed. It would be



necessary to comment on the significance and draw inferences about the nature of individual contributions. Although analysis of the data was complex it was made easier by the use of the structured observation sheets when recording individual behaviour at each meeting and comparing the overall totals.

Representatives from the social services and the probation service were more likely to propose ideas and disagree than give or seek information. The education welfare and youth worker representatives were more likely to support and build on the comments of others. The police representative would propose, support, give and seek information (see Figure 7.3). The reason for disagreement was often with the legal labels given to the offences and the sufficiency of evidence. Conflict and tension at the MAP meeting was generally aimed at the arresting officer's action, legal label of offence and not the MAP police representative (see Table 6.2 and Chapter 8 below). Representatives from the social services and the probation service were consistent in their approach at every MAP meeting. Was there a hidden agenda? The observation sheets would not furnish such information. There appeared to be an acknowledgement amongst MAP members that the police used each meeting for the police purpose of justifying their decision, and any attempt to shift the focus was met with disagreement, and that was likely to lead to tension and conflict (see Table 6.2 and Appendix A1.2).

The author's choice of observation method used in this research was influenced by the principles outlined by Moreno (1970). In the early 1920s, Moreno was a psychiatrist working in Vienna at the same time as Freud. However, he rejected Freud's methods of psychoanalysis for two main reasons. Firstly, Moreno believed that people could be better helped through group work, rather than individual one-to-one therapy. Secondly, Moreno believed that therapy should be an active experience rather than based on talking alone. He believed that every human being is an actor in that they

BEHAVIOUR	MAP MEMBER'S ORGANISATION						
	Social Services	Probation Services	Education Welfare	Youth Worker	Police	Other	Total
CATEGORY							
Proposing	High	Medium	Medium	Low	High	Medium	Medium
Supporting	Low	Low	High	High	High	Medium	High
Building	Low	Low	Medium	Medium	Medium	Medium	Medium
Disagreeing	High	High	Medium	Medium	Medium	Low	Medium
Giving information	Low	Low	High	Medium	High	Low	Low
Seeking information	Medium	Low	Medium	Medium	High	Medium	Medium
Total	Low	Low	Medium	Medium	High	Medium	Medium

Figure 7.3 Analysis six-behaviour observation sheets obtained from MAP meetings and aggregated into one sheet (Bell,1987)



perform their own personal drama. He gave as an example that women play many roles, such as wife, mother, sister, daughter, nurse and teacher. It was Moreno that coined the terms 'role' and 'role-play'. Moreno observed the therapeutic effects of role-playing in a safe environment and thought that role reversal was an important process. He encouraged actors to try out roles that were the opposite of their usual roles. Moreno developed psychodrama to examine and work on unresolved relations with other people or personal issues. Moreno (1970) states that psychodrama takes place within a group setting and group sizes vary, but usually between 10 and 15 people. A single psychodrama session can span several hours, whereby one member of the group will elect to play out a chosen scenario, or drama, from a problem area in their life. Everyone in the group will then be assigned a specific role. Although psychodrama was not used in this research, the principles outlined by Moreno (1970) have influenced the author's choice of observation method.

The author has improved his understanding of the roles and relationships between MAP members, the dynamics of the MAP as a group and, witnessed tension and conflict. The work of Napier and Gershenfeld (1973) on the use of 'sociograms' for group observation was useful. They identified the difficulties of observing both the process and content at the same time. To understand the dynamics of a particular group it was important to observe the process. The instrument they used to measure interpersonal relations was called a 'sociogram'. They state that a sociogram is easy to design, administer and interpret, however it can also be misused or used too lightly in situations that may prove threatening (Napier and Gershenfeld, 1973:301).

Miles (1971) suggested that there is a risk when group members see how they are represented on a 'sociogram', as they might challenge the relationships. Miles states that careful planning and co-operation with

participants should reduce that risk and make everyone feel good (Miles,1971:119).

It was decided to record interactions between MAP members at some of the MAP meetings. However the behaviour observation sheet was not suitable. The author devised an 'interaction chart', based on a 'sociogram', that was a simple seating plan of the MAP meeting. An arrow and then additional arrowheads indicated communication between individuals. Ticks were placed next to individuals' names indicating communication to the whole MAP. This form of record provided the author with an indication of who generally interacts with whom. For example, the education welfare representative appeared to have a closer relationship with the police representative than the social services and the probation service representative. However the author is conscious that it is dangerous to jump to conclusions without more information than an interaction chart can provide. Such a chart does at least provide clues about relationships, and opens up areas for further investigation.

None of the MAP members had received any training in decision-making, although they had practised decision-making in their own organisation. There was no formal monitoring of the MAP decision-making, which meant that there was no means of feedback to those individuals involved in a MAP meeting. Moreover, there was no monitoring of the outcome of the MAP decision-making.

The use of observation techniques was a reliable means of gathering information on the contribution made by each individual at the MAP meeting. This information assisted the author to gain a greater understanding of the problem situation.



### **7.3 Case Studies**

The case study method would hopefully allow the author an opportunity to concentrate on a specific aspect of the MAP decision-making process and to identify any variations that would not have surfaced. In Chapter 5, the author described the reasons for decision-making in the MPD. This analysis identified the need to compare the decision-making in two non-MAP boroughs with that of Barking and Dagenham's MAP. The author decided to analyse the main reasons for decisions to charge, summon, caution and no further action in Newham and Barnet during 1992.

#### **7.3.1 Main Reason for Decision to Immediately Charge**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to immediately charge a young offender in the MPD in 1992. The main reason given to immediately charging a young offender because they had a 'previous history of offending'; in Barking & Dagenham was 75 per cent; Barnet 67 per cent; and Newham 33 per cent. This compared with 48 per cent in the MPD in 1992. The main reason given for immediately charging a young offender because the offence was considered 'serious'; in Barking & Dagenham were 16 per cent; Barnet 21 per cent; and Newham 57 per cent. This compared with 9 per cent in the MPD in 1992. The main reason given to immediately charging a young offender was because they 'denied' the offence; in Barking & Dagenham were 2 per cent; Barnet 2 per cent; and Newham nil. This compared with 27 per cent in the MPD in 1992. The main reason given to immediately charging a young offender as 'other'; in Barking & Dagenham were 7 per cent; Barnet 10 per cent; and Newham 10 per cent. These compared with 7 per cent in the MPD in 1992 (see Figure 7.4 and Table 7.1). The results indicated that a young offender with a

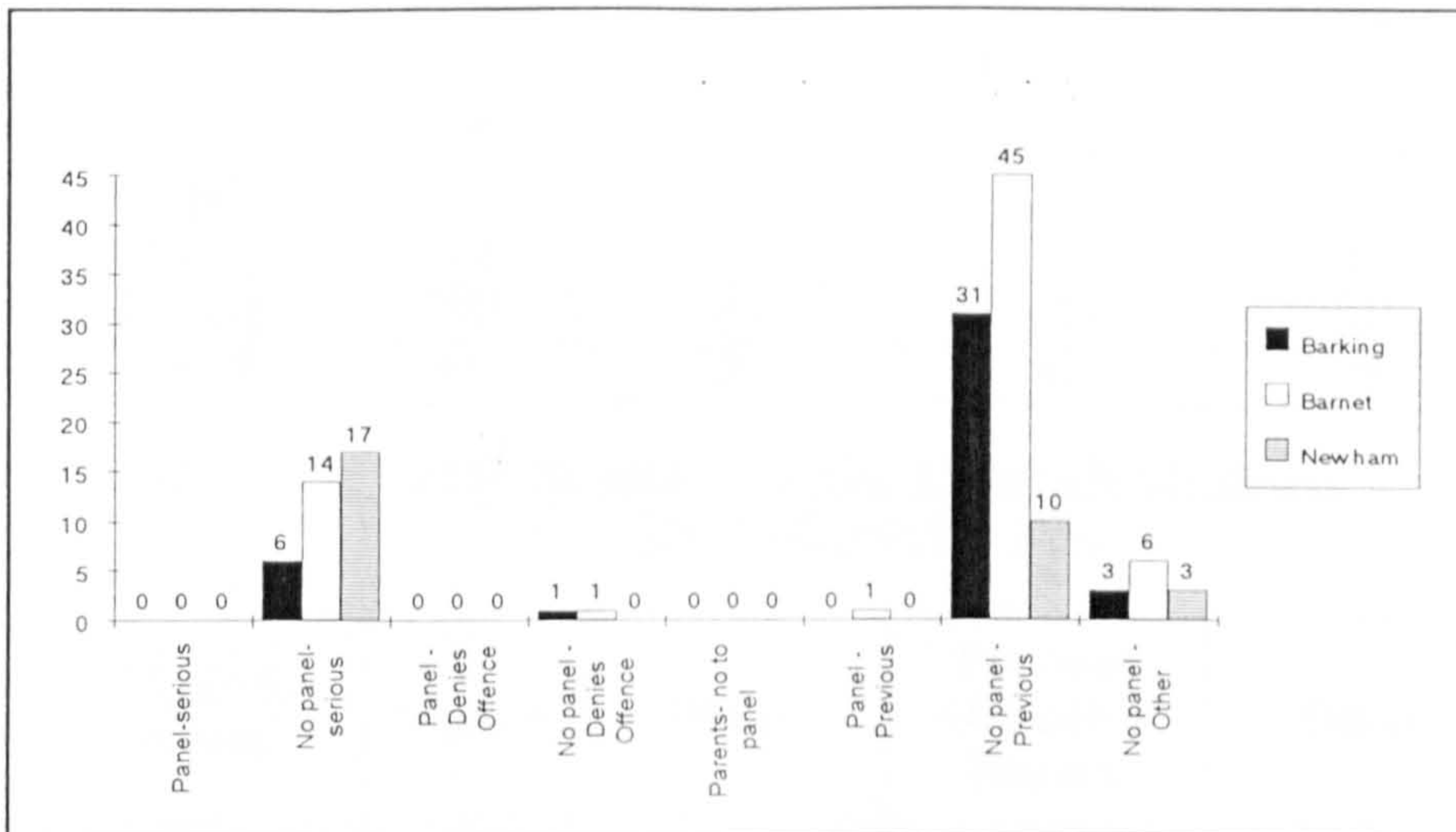


Figure 7.4 Main reason for decision to immediately charge young offender referrals in MPD in 1992

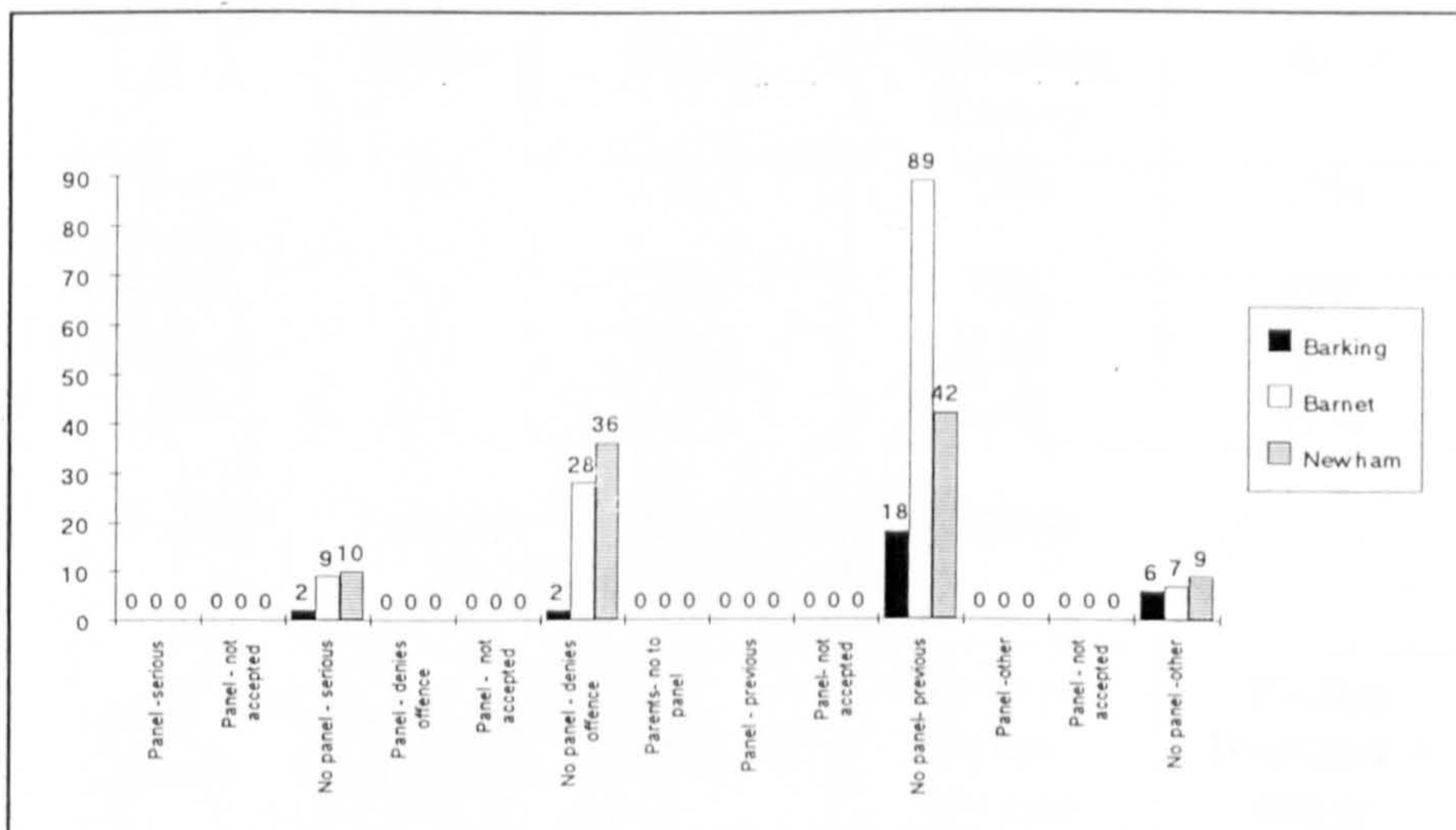


Figure 7.5 Main reason for decision to subsequently charge young offender referrals in MPD in 1992



<b>YACS &amp; Panel</b>	<b>Serious</b>	<b>Denies</b>	<b>Previous Offending History</b>	<b>Other</b>
<b>Barking &amp; Dagenham</b>	16%	2%	75%	7%
<b>Barnet</b>	21%	2%	67%	10%
<b>Newham</b>	57%	0%	33%	10%
<b>MPS</b>	9%	27%	48%	7%

Table 7.1      Main reason for decision to immediately charge young offenders in 1992

<b>YACS &amp; Panel</b>	<b>Serious</b>	<b>Denies</b>	<b>Previous Offending History</b>	<b>Other</b>
<b>Barking &amp; Dagenham</b>	7%	7%	64%	22%
<b>Barnet</b>	7%	21%	67%	5%
<b>Newham</b>	10%	37%	43%	9%
<b>MPS</b>	9%	27%	48%	7%

Table 7.2      Main reason for decision to subsequent charge young offenders in 1992

<b>YACS &amp; Panel</b>	<b>Serious</b>	<b>Denies</b>	<b>Previous Offending History</b>	<b>Other</b>
<b>Barking &amp; Dagenham</b>	4%	5%	72%	19%
<b>Barnet</b>	0%	0%	78%	22%
<b>Newham</b>	5%	29%	63%	3%
<b>MPS</b>	5%	12%	64%	11%

Table 7.3      Main reason for decision to summons young offenders in 1992

<b>YACS &amp; Panel</b>	<b>Insufficient Evidence</b>	<b>Trivial</b>	<b>Not in the Public Interest</b>	<b>Victim Declined / Other</b>
<b>Barking &amp; Dagenham</b>	53%	3%	8%	10% / 26%
<b>Barnet</b>	64%	13%	10%	0% / 13%
<b>Newham</b>	49%	0%	11%	7% / 8%
<b>MPS</b>	52%	4%	15%	10% / 16%

Table 7.4      Main reason for decision to NFA young offenders in 1992

‘previous history of offending’, and dealt with by the Barking & Dagenham YACS, was 27 per cent more likely to be immediately charged compared with the MPS average (see Table 6.12).

### **7.3.2 Main Reason for Decision to Subsequently Charge**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to subsequently charge a young offender in the MPD in 1992. The main reason given to subsequently charging a young offender because they had a ‘previous history of offending’; in Barking & Dagenham was 64 per cent; Barnet 67 per cent; and Newham 43 per cent. This compared with 48 per cent in the MPD in 1992. The main reason given to subsequently charging a young offender because they ‘denied’ the offence; in Barking & Dagenham was 7 per cent; Barnet 21 per cent, and Newham 37 per cent. This compared with 9 per cent in the MPD in 1992. The main reason given to subsequently charging a young offender because the offence was considered ‘serious’; in Barking & Dagenham was 7 per cent; Barnet 7 per cent; and Newham 10 per cent. This compared with 9 per cent in the MPD in 1992. The main reason given to subsequently charging a young offender as ‘other’: in Barking & Dagenham 22 per cent; Barnet 5 per cent; and Newham 9 per cent. These compared with 7 per cent in the MPD in 1992 (see Figure 7.5 and Table 7.2). The results indicated that a young offender with a ‘previous history of offending’, and dealt with by the Barking & Dagenham YACS, was 16 per cent more likely to be subsequently charged compared with the MPS average (see Table 6.12).

Barking & Dagenham MAP did not recommend any young offender to be subsequently charged in 1992. Whereas in the MPD ten per cent of cases



were referred to the MAP and 91 per cent of MAP recommendations accepted.

### **7.3.3 Main Reason for Decision to Summons**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to summons young offenders in the MPD in 1992. The main reason given to summoning a young offender because of the young offender's 'previous history of offending'; in Barking & Dagenham was 72 per cent; Barnet 78 per cent; and Newham 63 per cent were. This compared with 64 per cent in the MPD in 1992. The main reason given to summoning a young offender because they 'denied' the offence; in Barking & Dagenham was 5 per cent; Barnet nil; and Newham 29 per cent. This compared with 12 per cent in the MPD in 1992. The main reason given to summoning a young offender because of the offence was considered 'serious'; in Barking & Dagenham were 4 per cent; Barnet nil; and Newham 5 per cent. This compared with 5 per cent in the MPD in 1992. The main reason given to summoning a young offender for 'other'; in Barking & Dagenham was 19 per cent; Barnet 22 per cent; and Newham 3 per cent. These compared with 11 per cent in the MPD in 1992 (see Figure 7.6 and Table 7.3). The results indicated that a young offender with a 'previous history of offending', and dealt with by the Barking & Dagenham YACS, was 8 per cent more likely to be subsequently charged compared with the MPS average (see Table 6.12).

### **7.3.4 Main Reason for Decision to Immediately Caution**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the number of immediate

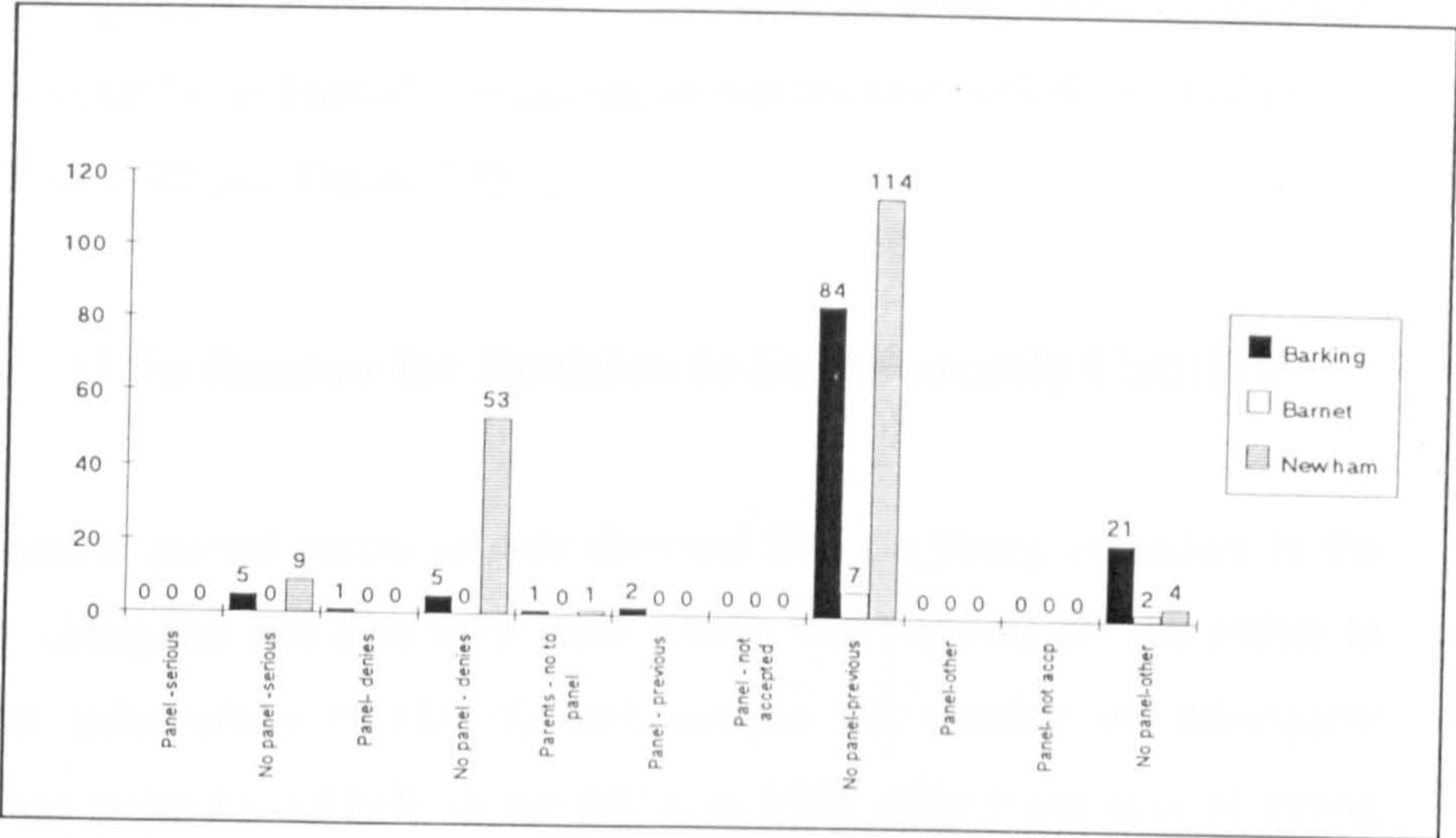


Figure.7.6 Main reason for decision to summons  
young offender referrals in MPD in 1992

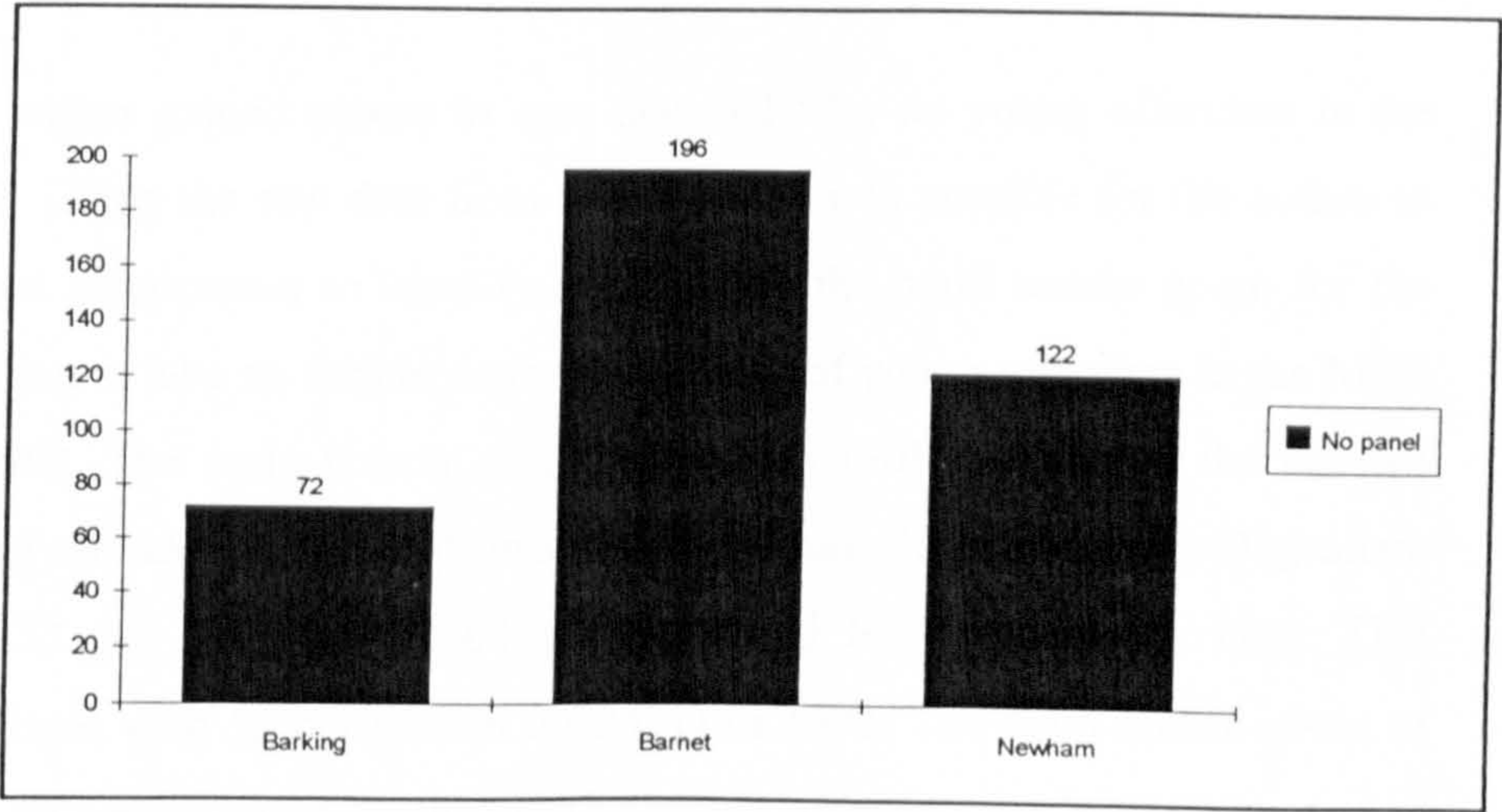


Figure.7.7 Total number of young offenders given  
an immediate caution in MPD in 1992



cautions given in the MPD in 1992. There were no young offenders referred to the MAP for an immediate caution, as was the case with the rest of the MPD, in 1992 (see Figure 7.7).

### **7.3.5 Main Reason for Decision to Subsequently Caution**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the number of subsequent cautions given by a MAP, in the MPD, in 1992. Only 6 per cent of young offenders referred to the Barking & Dagenham MAP were given a subsequent caution. This compared with 12 per cent for the rest of the MPD (see Figure 7.8). The result indicates that the Barking & Dagenham MAP, in line with the rest of the MPD, could increase the number of young offenders cautioned by 6 per cent.

### **7.3.6 Main Reason for Decision to NFA**

The author gained access to case disposal files on young offenders in the MPS. Using the raw data from those files it was possible for the author to extract information to identify and analyse the main reason given for the decision to take no further action in the case of young offenders in the MPD in 1992. The main reason given to take no further action in the case of young offenders because of 'insufficient evidence'; in Barking & Dagenham was 53 per cent; Barnet 64 per cent; and Newham 49 per cent. This compared with 52 per cent in the MPD in 1992. The main reason given to take no further action in the case of young offenders for 'other' reasons; in Barking & Dagenham was 26 per cent; Barnet 13 per cent; and Newham 8 per cent. This compared with 16 per cent in the MPD in 1992. The main reason given to take no further action in the case of young offenders because it was 'not in the public interest' to proceed; in Barking & Dagenham was 8

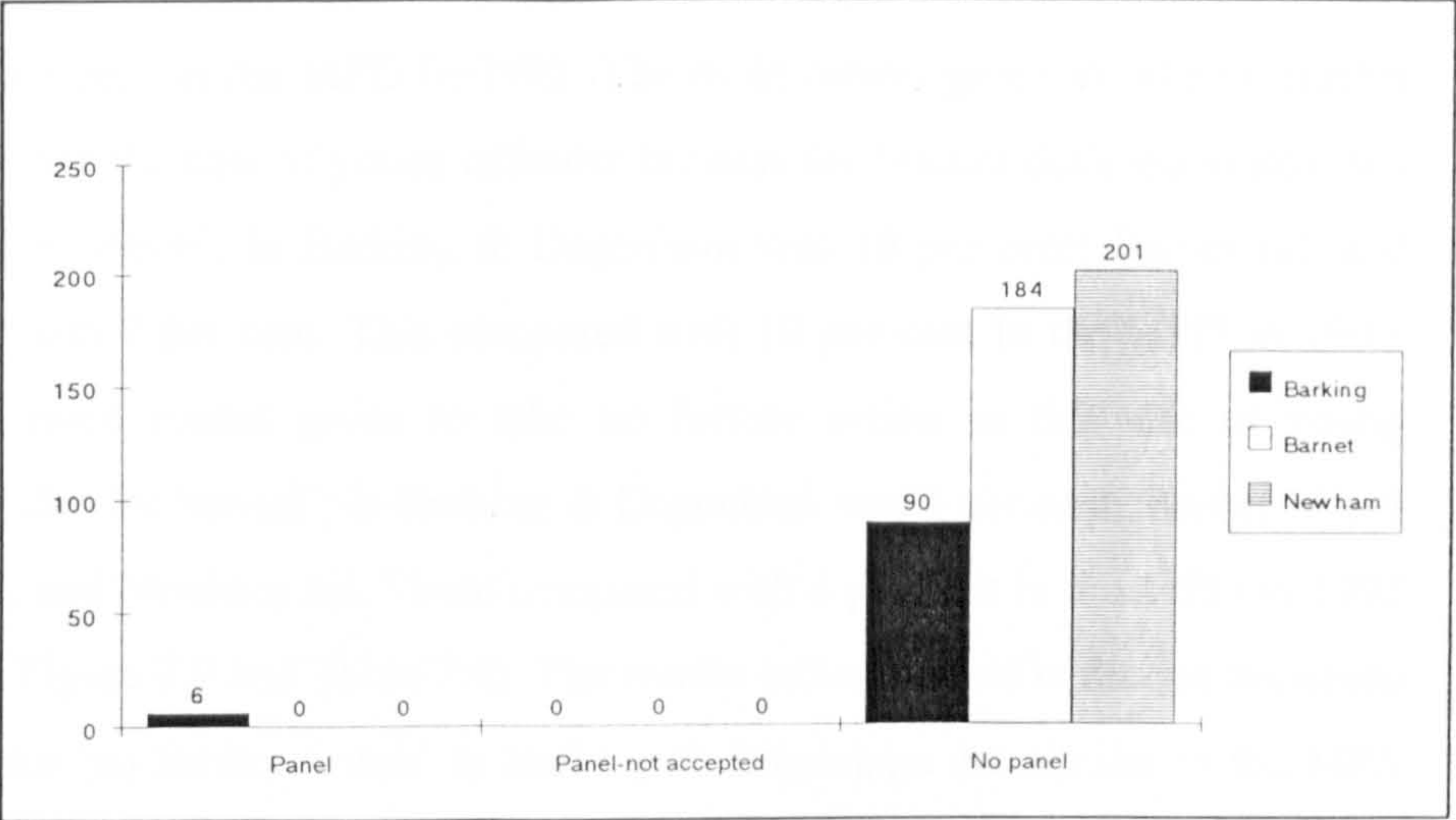


Figure 7.8      Total number of young offenders given  
a subsequent caution in MPD in 1992

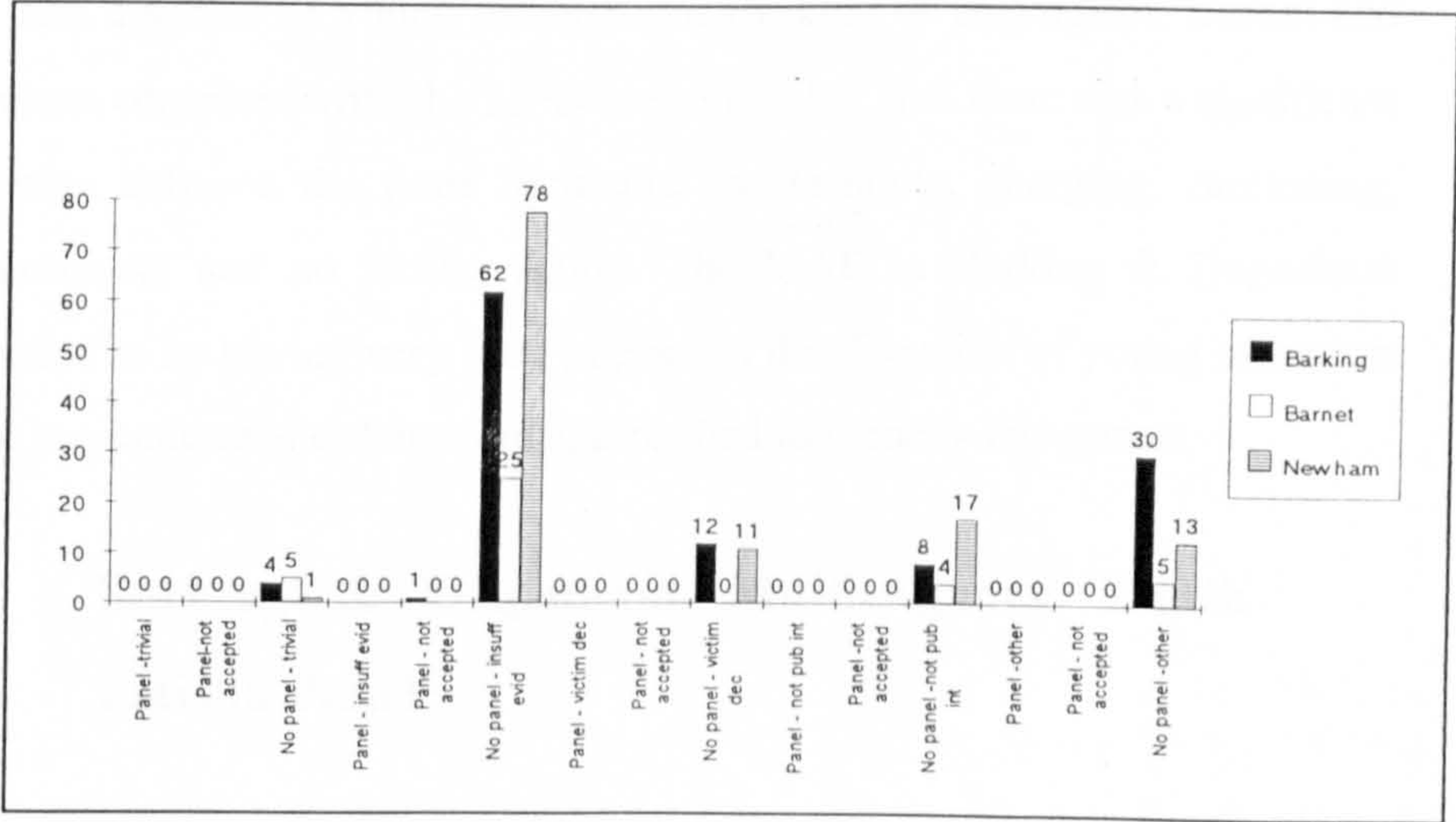


Figure 7.9      Main reason for decision to take no further action  
in young offender referral cases in MPD in 1992



per cent; Barnet 10 per cent; and Newham 13 per cent. This compared with 16 per cent in the MPD in 1992. The main reason given to take no further action in the case of young offender because the 'victim declined to take any further action'; in Barking & Dagenham was 10 per cent; Barnet nil; and Newham 7 per cent. This compared with 10 per cent in the MPD in 1992. The main reason given to take no further action in the case of young offender for 'trivial'; in Barking & Dagenham was 3 per cent; Barnet 13 per cent; and Newham nil. These compared with 4 per cent in the MPD in 1992 (see Figure 7.9 and Table 7.4). The results indicated that while the decisions to take 'no further action' in Barking & Dagenham are similar to the MPS average, there is concern that the 10 per cent increase for 'other' reasons could cover a multitude of situations (see Table 6.12).

### **7.3.7 Choice of MAP Case Study**

The research had highlighted that there were significant variations between the case disposal of young offenders in Barking & Dagenham, Barnet and Newham compared with the MPD average. Also, that there was a significant variation between the three boroughs, for example, charging, cautioning, summoning and no further action. The MAP in Barking & Dagenham appeared to be having very little impact on the diversion of young offenders from prosecution and they were approached to identify the reason.

## **7.4 Barking & Dagenham Multi-Agency Youth Liaison Panel**

As discussed above, the Barking & Dagenham MAP appeared to be having very little impact on the diversion of young offenders from prosecution. The Barking & Dagenham MAP was approached as a case study to identify the reason.

The Barking and Dagenham MAP consist of five permanent members from the YACS, Probation Service, Social Service, Education Welfare Service and the Youth Service. Each representative regularly attended a bi-weekly two-hour MAP decision-making session where they would consider the case disposal of young offenders. The MAP consisted of four males and one female and with the exception of the representative from the Probation Service they have known each other for many years. There are occasions when the YACS representative will be another police officer however there are no deputies for the other representatives.

Contact with the MAP had been through the YACS representative and the whole MAP agreed that the author could bring to the MAP an MPS-wide perspective to their review of multi-agency working in the London Borough of Barking and Dagenham. The YACS representative offered the MAP the services of a MPS facilitator however the Social Service and Probation Service representative had contacted an outside consultant to assist with the review of the MAP's work and to formulate guidelines for future multi-agency working. The meetings took place outside normal MAP decision-making sessions, although the author visited a number of these sessions to observe the MAP. Indeed, the author had visited a number of other MAPs during his research.

Over a period of six months the author and outside consultant met with the MAP on a number of occasions. Each meeting considered the content and process of the meeting before an agenda was set. There was a need to recap on the previous meeting and for representatives to update the MAP of specific issues with which they had been tasked with at the previous meeting. Although much time was spent recapping it was considered both necessary and useful to move the MAP towards a stage where they became cohesive and started to work as a team.



It was decided to get the Barking and Dagenham MAP members to think about and consider the aims and objectives of their MAP. The author wanted each Barking and Dagenham MAP member to consider the following:

- a). Did the Barking and Dagenham MAP have a mission statement?
- b). Was each member in agreement with:
  - i. The Barking and Dagenham MAP mission statement,
  - ii. The Metropolitan Police policy on young offenders,
  - iii. Home Office Circular 59/90,
  - iv. CPS Guidelines.
- c). What were the MAP's decision-making criteria?
- d). What training did the MAP receive?
- e). What were the MAP's procedures?
- f). How did the MAP receive referrals and what were the criteria?

The author considered the most appropriate means to obtain this information.

#### **7.4.1 Nominal Group Technique**

The Nominal Group Technique (NGT) was developed by Delbecq, Van de Ven and Gustafson (1975) and was considered a necessary and useful means to get the Barking and Dagenham MAP to generate ideas, and work with each other without stronger members of the MAP preventing others from contributing. After all, each member is from a different organisational culture. For example the police organisational culture is vastly different from that of the social services.

NGT allows people to contribute without criticism and enables some control to be exercised over those who might otherwise dominate a discussion. Also, it draws on those who might otherwise be reticent to comment. These features were all desirable in the context of this research.

A major benefit of this technique was its usefulness in collecting information on individual decisions and aggregating this information whilst controlling for the negative aspects of interaction. As the author had experience of the NGT it was decided to take the Barking and Dagenham MAP to an environment where the MAP could be free from the pressures of their own business environment and that of the general meeting place for MAP business.

The Police Staff College, at Bramshill, Hampshire, was used as an appropriate venue and environment in which to conduct NGT.

The three stages of NGT are:

1. Listing phase,
2. Recording phase, and
3. Voting phase.

The listing phase consists of silent generation by participants of their own ideas in writing. The recording phase consists of the recording of ideas on a surface in view of all participants where everybody gets valued. There then follows a serial discussion for evaluation where the ambiguity is removed and members define and explain what they mean. The voting phase consists of a preliminary vote on the importance of each item, followed by a discussion of the preliminary vote and then the final vote.

The author accepted the weakness of using NGT was that:

- i). It takes somewhat more time than an interacting group process,
- ii). It is inferior to an interacting group process in changing attitude, team building and similar processes,
- iii). It is inappropriate for groups of less than 5 and more than 9,
- iv). That the group needs to be trained otherwise it appears deceptively simple, too precise and clinical - it is NOT board-blasting,



- v). The group must support it otherwise they will not be satisfied,
- vi). Because organisational problems are easier to identify than personal problems, members may stay at that level,
- viii). The round-robin phase can still overwhelm the reticent and quiet members and;
- ix). A skilled facilitator is required to give support and to keep the group going.

Notwithstanding all of the above the author and the Barking and Dagenham MAP were able to produce the following:

- Statement of purpose for the Barking and Dagenham MAP;
- Statement on confidentiality;
- Statement on police procedures;
- Criteria for young offender case referral;
- Agreement on Barking and Dagenham MAP arrangements;
- Issues relating to decision-making;
- Guidelines for decision-making and;
- Monitoring of Barking and Dagenham MAP decision-making.

The Barking and Dagenham MAP decided that individual MAP members would work on each task above and report back at the next meeting with their research findings where the topic would be discussed and decided upon.

Barking and Dagenham MAP met a total of five further occasions to discuss their procedures and practice. They attempted to amend their MAP's practice and procedure in the light of this work. This was in addition to the MAP meeting regularly to discuss young offender case referrals. In 1994, they published their report, "Multi-Agency Panel – Procedure Document" (Barking and Dagenham MAP, 1994).

It was noted that once the MAP had spent sufficient time together the dynamics of the MAP changed from one of conflict to cohesiveness. This

was reflected in their individual responses to the MAP questionnaire where 72 per cent agreed that there was agreement between agencies (see Table 6.13). Much work was generated and the MAP agreed a statement of purpose and was able to state their support for the MPS policy.

The author noted that the frequency of MAP meetings and, the period between MAP meetings, appeared to have an effect on the cohesiveness of the MAP. The longer the period between meetings the more likely it was that MAP members had forgotten the agreed policy and procedures. For example there was an eight-week period between the first NGT meeting and the next MAP meeting. The MAP members had apparently regressed and conflict issues arose. The dynamics of the MAP have a considerable effect on the process; and if that process concerned decision-making then the MAP needs to know. The MAP have since taken a greater ownership in their decision-making and have agreed criteria for decision-making; criteria for young offender referral; agreed a statement on confidentiality; police procedures and monitoring.

There has been much individual development in the Barking and Dagenham MAP and a greater understanding of each member's position and background. This led to an increased awareness of factors that can effect both individual and MAP decision-making concerning the case disposal of young offenders. For example, during the debate on MAP membership individuals freely discussed their viewpoints and listened to others. Each member worked productively for the MAP and defended the MAP's position. The final document was an evidential record of that MAP's ability to work as a team; notwithstanding the trials and tribulations along the way, the angst and frustration brought on by the conflict issues. It should also serve as a model for other MAPs; whether they be setting-up for the first time or having a review. The observations on MAP dynamics in this case study are mirrored in all the MAPs visited during this research.



In stage three Barking & Dagenham MAP continued to meet and assist with diverting young offenders from the criminal justice system. However, following the introduction of gravity factors, and a more consistent approach to decision-making, the police referred fewer cases. The Barking & Dagenham MAP have begun to concentrate their activities to mediation and reparation following cautioning by the police.

## **7.5 Barnet Multi-Agency Youth Liaison Panel**

In stage one there was no MAP in the London Borough of Barnet. The author had personal experience in the London Borough of Barnet where the police had attempted to set-up a MAP however the other agencies had blocked the police from forming a MAP to discuss the issues. It was only in stage two and stage three that progress began to be made and a MAP was formed. The author assisted the YACS and other agencies in the London Borough of Barnet to adopt the strategy set by Barking & Dagenham MAP. Although the number of young offenders referred to the Barnet MAP was quite low (n26). The author was able to study the outcome of the cases over stage three and show that 18 (69 per cent) did not re-offend within one year, with 8 (31 per cent) re-offending in the year. The study of all young offenders by age indicates that an intervention by the Barnet MAP appeared to be beneficial in preventing re-offending, as indicated in Figure 7.10, Table 7.5, Table 7.6, and Table 7.7. However, it must be stressed that while there appears to be a correlation the intervention and preventing re-offending, this is not the same as saying that these are causally related.

The Barnet MAP's decision not to prosecute 18 young offenders is likely to have saved the CJS £45K. This represents two per cent of the MPS's total for 1998, which was almost £2 million which represents 756 young offenders with £2500 savings on each case (see Figure 7.11).

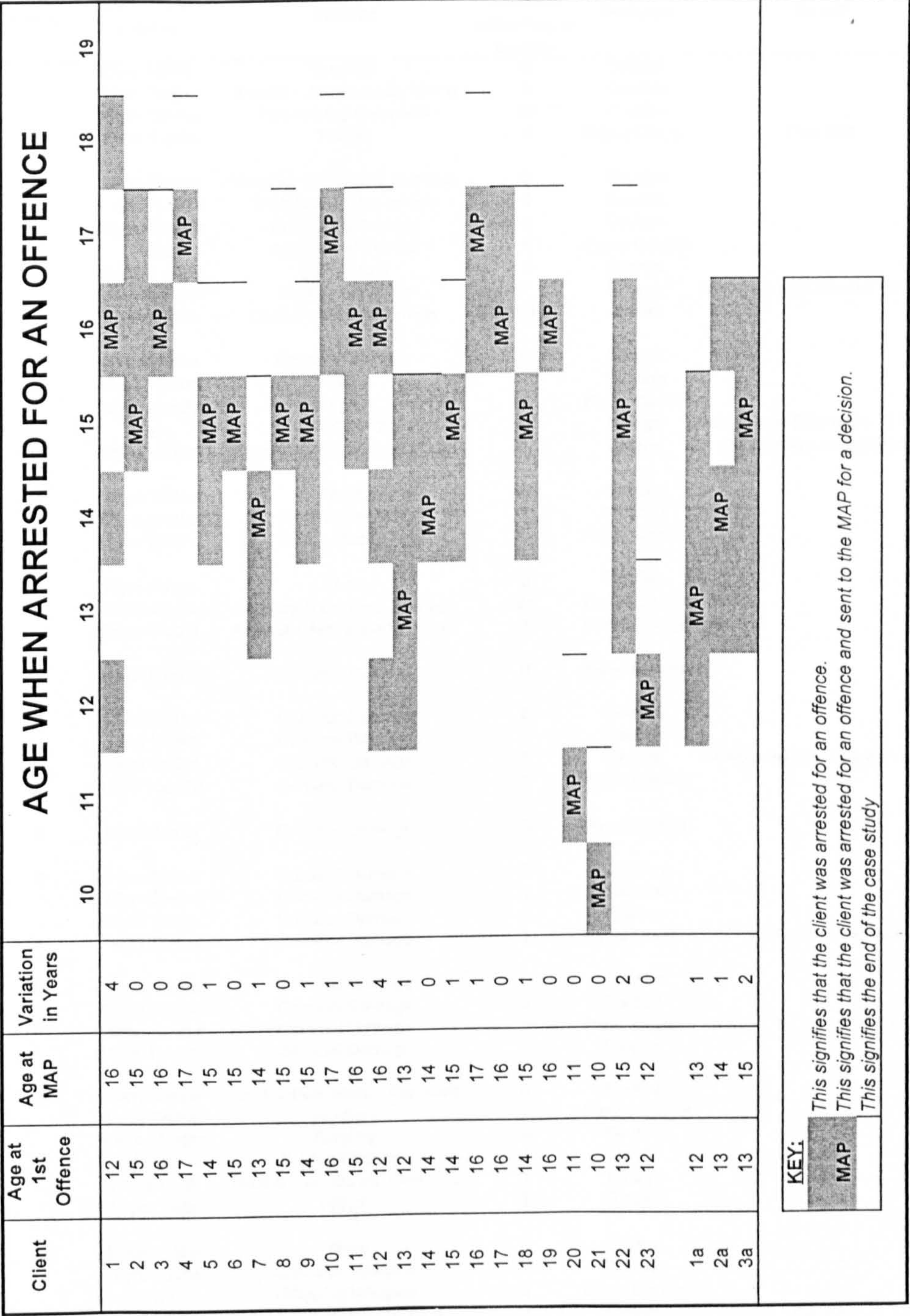


Figure 7.10 Age of young offender at Barnet MAP and period of re-offending



Client	Age at time of offence	Offence	Period between offending in months	Decision	Result
1	12yrs 10mths	Burglary	0	Caution	Fine £40
	13yrs 7mths	Assault - Actual Bodily Harm	9	Caution	
	15yrs 5mths	Threatening Behaviour	22	Caution	
	15yrs 9mths	TWOC	4	Panel Charg	
2	14yrs 7mths	Burglary & Criminal Damage	0	Caution	6mths Young Offender Institute
	14yrs 11mths	Theft from motor vehicle	4	Caution	
	14yrs 11mths	Vehicle interference	1	Caution	
	15yrs	Aggravated TWOC	1	Panel Caution	
	15yrs 2 mths	Burglary x 2	2	Charge	
	15yrs 9mths	Theft - shoplifting	7	Charge	
	16yrs 7mths	Theft from motor vehicle	10	Awaits	
3	15yrs 6mths	Criminal Damage	0	Caution	Conditional Discharge 12 mths Dismissed - no evidence
	15yrs 10mths	TWOC	4	Caution	
	15yrs 10mths	Burglary	1	Panel Caution	
	16yrs	TWOC x 2	2	Charge	
	16yrs 4mths	Assault - Actual Bodily Harm	4	Charge	
4	16yrs 8mths	TWOC	0	Caution	
	16yrs 9mths	Criminal Damage	1	Caution	
	16yrs 10mths	Theft - shoplifting	1	Panel Caution	
5	13yrs 4mths	Theft	0	Caution	
	15yrs 4mths	Burglary & Criminal Damage	24	Panel Caution	
	15yrs 5mths	Assault - Actual Bodily Harm	1	Panel Charge	
6	14yrs 11mths	Criminal Damage	0	Panel Caution	
7	13yrs 6mths	Criminal Damage	0	Caution	Conditional Discharge 6 mthd
	13yrs 8mths	Criminal Damage	2	Caution	
	13yrs 9mths	Criminal Damage	1	Charge	
	13yrs 10mths	Criminal Damage	1	Panel Caution	
8	15yrs 2mths	Criminal Damage	0	Panel Caution	
9	14yrs 2mths	Criminal Damage	0	Caution	Youth Court - Awaits
	14yrs 3mths	Criminal Damage	1	Caution	
	14yrs 6mths	Criminal Damage	3	Caution	
	14yrs 7mths	Criminal Damage	1	Panel Charg	
10	16yrs 4mths	Criminal Damage	0	Caution	
	16yrs 9mths	Criminal Damage	5	Caution	
	16yrs 10mths	Criminal Damage	1	Panel Caution	
	16yrs 11mths	Criminal Damage	1	Caution	
11	15yrs 6mths	Theft & Possession Cannabis	0	Caution	Awaits Awaits
	15yrs 7mths	Burglary	1	Panel Caution	
	15yrs 11mths	Burglary	4	Caution	
	16yrs	Driving Offences	1	NFA	
	16yrs 1mth	Theft & Possession Cannabis	1	Charge	
	16yrs 1mth	TWOC	1	Charge	
12	12yrs 4mths	Theft	0	Caution	Awaits
	14yrs 6mths	Offensive Weapon	26	Caution	
	15yrs	Offensive Weapon	6	Panel Caution	
	15yrs 2mths	ABH & Criminal Damage	2	Charge	

Table 7.5 Outcome of Barnet MAP decisions –client 1 - 12

Client	Age at time of offence	Offence	Period between offending in months	Decision	Result
13	12yrs 1mths	Theft -shoplifting	0	Caution	Conditional Discharge 12 mths
	12yrs 9mths	Theft -shoplifting	8	Caution	
	13yrs 8mths	Theft -shoplifting x2	11	Panel	
	13yrs 10mths	Theft -shoplifting	2	Charge	
	14yrs 3mths	Theft -shoplifting	5	Charge	Supervision Order 12 mths Youth Court -awaits
	14yrs 4mths	Theft -shoplifting	1	Charge	
	14yrs 9mths	Theft -shoplifting	5	Charge	
14	13yrs 9mths	TWOC	0	Caution	Dismissed - no evidence
	14yrs 2mths	Theft & Criminal Damage	5	Panel Caution	
	14yrs 7mths	POA & Criminal Damage	5	Charge	
	15yrs	Theft	5	Caution	
15	14yrs 6mths	Arson	0	Caution	Youth Court -awaits Youth Court -awaits
	15yrs 1mth	Criminal Damage	7	Caution	
	15yrs 3mths	Criminal Damage	2	Panel Caution	
	15yrs 5mths	Disorderly Behaviour -POA	2	Charge	
	15yrs 6mths	Disorderly Behaviour -POA	1	Charge	
16	15yrs 7mths	Theft -shoplifting	0	Caution	Panel Caution Caution
	16yrs 6 mths	Handling & Possion Cannabis	11	Panel Caution	
	16yrs 11mths	Theft from motor vehicle	5	Caution	
17	16yrs 3mths	TWOC & Driving. Disqualified	0	Caution	Fine £300 & 6 Penalty Points Youth Court -awaits
	16yrs 4 mths	TWOC & Driving. Disqualified	1	Panel Charg	
	16yrs 10mths	Aggravated TWOC	6	Charge	
18	14yrs 3mths	Theft -shoplifting	0	Caution	Supervision Order 12 mths Conditional Discharge 12 mths
	15yrs	Theft -shoplifting	9	Caution	
	15yrs 4mths	Burglary	4	Panel	
	16yrs 3mths	POA & Obstructing Police	11	Charge	
19	15yrs 10mths	POA & Offensive Weapon	0	Panel Caution	
20	11yrs 1mth	Arson	0	Panel	Conditional Discharge 12 mths
21	10yrs 7 mths	Theft	0	Caution	Conditional Discharge 12 mths
	10yrs 9mths	Arson	2	Panel	
22	13yrs 8mths	Burglary	0	Caution	Conditional Discharge 2yrs Conditional Discharge 2yrs
	13yrs 10mths	Theft - shoplifting	2	Caution	
	15yrs 5mths	Public Order Act	19	Panel Caution	
	15yrs 6mths	Theft & TWOC	1	Charge	
	16yrs 1mth	Handling & Possess Cannabis	7	Caution	
	16yrs 4mths	Theft - shoplifting	3	Charge	
23	11yrs 10mths	Criminal Damage	0	Caution	Conditional Discharge 2yrs Youth Court -awaits Youth Court -awaits Youth Court -awaits
	12yrs	Theft shoplifting & TWOC	2	Panel Caution	
	12yrs 3mths	Theft shoplifting	3	Charge	
	12yrs 5mths	Theft shoplifting	2	Charge	
	12yrs 6mths	Criminal Damage	1	Charge	
	12yrs 7mths	Going Equipped to Steal	1	Charge	

**Table 7.6 Outcome of Barnet MAP decisions –client 13 - 23**



Client	Age at time of offence	Offence	Period between offending in months	Decision	Result
1a	12yrs 4mths	Burglary	0	NFA	
	13yrs 2mths	Offensive weapon	10	Caution	
	13yrs 11mths	Possessing cannabis	9	Panel Caution	
	14yrs	Burglary	1	NFA	
	14yrs 3mths	Handling stolen goods	3	Charge	Dismissed
	15yrs 3mths	Criminal Damage	12	Charge	Youth Court -awaits
	15yrs 4mths	Theft from motor vehicle	1	Charge	Youth Court -awaits
2a	12yrs 8mths	Criminal Damage	0	Caution	
	12yrs 9mths	Assault - Acutal Bodily Harm	1	Caution	
	13yrs	Theft shoplifting	3	Caution	
	14yrs 6mths	Assault - Acutal Bodily Harm	18	Panel	Conditional Discharge
	15yrs 10mths	ABH & Theft shoplifting x 3	16	Charge	Youth Court -awaits
3a	12yrs 9mths	Threats with air pistol	0	NFA	
	14yrs 4mths	TWOC	19	Caution	
	14yrs 6mths	Burglary	2	Caution	
	14yrs 6mths	TWOC	2	Panel Caution	
	14yrs 8mths	Theft	2	Caution	
	14yrs 9mths	TWOC	1	Charge	Youth Court -awaits
	14yrs 11mths	Drivin offences x 7	2	Charge	Youth Court -awaits
	15yrs	Criminal Damage	1	Charge	Youth Court -awaits
	15yrs	Assualt intent to rob	1	Charge	Youth Court -awaits
	15yrs 1mths	Theft from motor vehicle	1	Formal Warning	
	15yrs 1mths	Public Order Act	1	Caution	

Table 7.7 Outcome of Barnet MAP decisions –client 1a – 3a

£'s	Year 92	Year 95	Year 96	Year 97	Year 98
Cost of MAP meetings	192816	228384	155808	225360	244080
Cost of processing and prosecuting	45509235	49457925	42783585	56523500	66717500
Total cost including MAP	45702051	49686309	42939393	56748860	66961580
MAP savings in non-prosecutions	2140000	1952500	1282500	1997500	1890000
Total cost of dealing with young offenders	43562051	47733809	41656893	54751360	65071580

Figure 7.11 Savings to the CJS by MAPs in dealing with young offenders in the MPS in 1992, 1995, 1996, 1997 and 1998 – with costs



## 7.6 Triangulation efficacy

As discussed in Chapter 2, the use of multiple, but independent, measures is known as triangulation, a term borrowed from navigation and surveying where a minimum of three points are taken to check an object's location (Smith, 1975). There are four categories, theoretical, data, investigator and methodological triangulations.

Triangulation of theories involves borrowing models from one discipline and using them to explain situations in another discipline. This can frequently reveal insights into data which had previously appeared not to have much importance.

Data triangulation refers to research where data is collected over different time frames or from different sources. Many cross-sectional designs adopt this type of research.

Triangulation by investigators is where different people collect data on the same situation, and the results are then compared. This is one of the advantages of a multi-disciplinary research team as it provides the opportunity for researchers to examine the same situation and to compare, develop and refine themes using insights gained from different perspectives.

Todd (1979) advocates methodological triangulation, In his research he used both quantitative and qualitative methods of data collection. These were extremely diverse and included questionnaires, interviews, telephone surveys and field studies. He points out that triangulation is not an end in itself, but an imaginative way of maximising the amount of data collected.

This brings us to the discussion on the ethicality and advisability of combining quantitative and qualitative methods. At the philosophical level

there is definitely a problem: the positivist perspective which seeks for a single, objective and stable truth is not compatible with the social constructionist view of reality being flexible, fluid and continually renegotiated. Quantitative methods can be used to study both the 'hard facts' and human perceptions; likewise qualitative methods can be used and analysed in either objectivist or constructionist ways. Easterby-Smith, Thorpe, and Lowe (1991) suggest that the researcher use different methods from within the same paradigm whenever possible, and also to move across paradigms occasionally with care.

## 7.7 Summary

This chapter presented an overview of how observations and case studies were used in this research and how they informed SSM. A description of the six-category observation sheet was given. There was discussion as to how it highlighted conflict at MAP meetings that was generally aimed at the arresting officer's actions. Details were given of observing of 16 MAP meetings, each lasting approximately two-hours. There was discussion concerning the roles of each MAP representative. It was suggested that the social service and probation service representatives were more likely to propose ideas and disagree at the MAP meeting than give or seek information. Whereas the police representatives were more likely to propose, support, give and seek information at MAP meetings. The results were discussed and these informed the case studies and SSM.

There was a comparison of the decision-making of three London Boroughs, two of whom did not have a MAP. There was detailed analysis of the decision to immediate charge, subsequent charge, summons, and caution and to take no further action. There was significant variation between the three boroughs. This led to an in-depth case study of Barking and Dagenham MAP. There was a description as to how the nominal group technique



proved useful in the Barking and Dagenham MAP decision-making. This led directly to the publication of their MAP guidelines. There was a detailed discussion of the assistance given to set up the Barnet MAP and how an intervention by the Barnet MAP was considered to be effective, with savings to the CJS of £45K. The results were discussed and these informed SSM.

There was a discussion on the efficacy of using the triangulation method in this research. In this chapter two research methods have been used; i.e. observation and case study. The findings from each research method have been shown to confirm the findings from each other. For example the case studies of Barnet MAP and Barking and Dagenham MAP confirmed the results of the observations at Barnet MAP and Barking and Dagenham.

The following chapter it is proposed to describe an agenda for change and to discuss in detail the results of implementing the recommendations described above.

## CHAPTER 8

### 8.0 RECOMMENDATIONS

*This chapter: (1) Describes an agenda for change; (2) Makes recommendations for improvements in the decision-making system; (3) Evaluates the consequences of implementing those improvements; (4) Describes how the results of the empirical research were used to achieve a greater understanding of the effects of Multi-Agency Youth Liaison Panels; and (5) Describes the MPS Consultancy and Information Service review.*

#### 8.1 An Agenda for Change

As discussed in Chapter 3, an agenda for change was generated that highlighted 15 recommendations (Table 8.1). They were encapsulated into an executive summary and published by the author as ‘Best Practice Guidelines for Multi-Agency Youth Liaison Panels (MAPs) within the MPD’ (Rowe, 1995) (see Appendix A2.3). Later that year Mr Anderson Dunn, Assistant Commissioner, thanked the author for his contribution and stated that:

“The report will form the basis of a project being undertaken by the Criminal Justice Office and led by [the] Commander on Juvenile Offender Policy in the Metropolitan Police.” (Dunn, 1995).

#### 8.2 Recommendations for Improvements in the Decision-Making System

In this section the author intends to explain how SSM helped to generate an agenda for change and how those recommendations were implemented and evaluated in stage two and stage three of this research. Finally, there is a



## RECOMMENDATIONS TO THE MPS

1. Adopt Home Office Circular 18/94;
2. Adopt ACPO guidelines on cautioning;
3. Decision-making aid for custody officers and arresting officers - 'Gravity Factors' in the "Guide to Case Disposal";
4. Create new categories of case disposal - 'NPW' (not proceeded with), 'Formal Warning' for trivial offences;
5. Devolve Youth & Community Section (YACS) 'juvenile referrals' to Criminal Justice Units (CJUs);
6. CJU manager to take responsibility for YACS 'juvenile referrals' and all young offenders aged 10 to 17 yrs);
7. CJU manager to be responsible for the 'Persistent Offender Index' and liaise with multi-agency youth liaison panel;
8. CJU manager to be responsible for the multi-agency youth liaison panel;
9. Issue 'Best practice guidelines for multi-agency youth liaison panel ' to CJU managers and OCU Commanders;
10. CJU manager to be responsible for the monitoring of 'juvenile referrals', the 'Persistent Offender Index' and multi-agency youth liaison panels in accordance with HOC 18/94; ACPO guidelines and MPS instructions;
11. Migration plans to be compiled by the CJU manager prior to devolving responsibility of 'juvenile referrals' from YACS;
12. Accommodation, training and resources are to be identified in the migration plan;
13. The use of 'Service Level Agreements' (SLAs) to be explored with Borough-based YACS;
14. The use of joint training with other agencies in the youth liaison panel to be explored;
15. CJU manager is to ensure that 'crime' and 'partnership' issues are reported back to the appropriate Assistant Commissioner under matrix responsibility.

Table 8.1 Recommendations for change: 1 - 15

discussion as to how the results were used throughout all three stages of this research (see Figure 1.1).

The intention of this research from the start has been to point the way to possible solution of a particularly intractable problem situation. A secondary purpose has been to add to the sum of knowledge in the problem situation. It is in this sense, as much as in the way the multi-methodology has been used, that the results of the research activity were reported in Chapters 5, 6 and 7.

### **8.2.1 Policy and Guidelines**

The author recommended that the MPS should adopt the 'Case Disposal Manual of Guidance' (MPS, 1994a), Home Office Circular 59/90 (Home Office, 1990) and Home Office Circular 18/94 (Home Office, 1994), ACPO Guidelines on Cautioning (ACPO, 1995), and the 'Multi-Agency Youth Liaison Panel Best Practice Guidelines' (Rowe, 1995) as policy and guidance for young offender case disposal decision-making in the MPS. Ideally, the policy should be discussed by the MAP steering group and issued with matters of local interest. The MAP should report annually to the steering group who would evaluate the MAP. This would be a two-way communication exercise; the MAP could ask for resources; community-based support activities; and training. The steering group could monitor the MAP's membership, the decision-making criteria, confidentiality, and administrative procedures.

### **8.2.2 Decision-Making Criteria – Gravity factor process**

As discussed in Chapter 2, the author was a member of the MPS Working Party on Case Disposal and recommended that the MPS should introduce a 'gravity factor process' to assist the police and MAP decision-maker (Gibson, 1993). The MPS adopted the 'gravity factor process' and included it in their Case Disposal Manual (MPS, 1994a). Briefly, the 'gravity factor



process' grades offences on a scale of one (low gravity) to five (high gravity) based on the seriousness of the individual offence (see Figure 8.1 and Appendix A2.5). The criteria are intended to provide practical guidance to police decision-makers in the approach that should be taken to particular facts, thereby ensuring consistency.

The 'gravity factor process' will apply equally to whether an offender is in police detention or not in police detention. However, it has been necessary to issue guidance to the decision-maker when they are of different ranks or they perform different roles, for example custody officer (see Figure 8.2 and Figure 8.3).

Gravity factors that can make an offence more serious are shown as aggravating (+) while mitigating gravity factors, making an offence less serious, are shown as (-). Some gravity factors apply to all offences and are listed under 'General Gravity Factors' (see Figure 8.4 and Figure 8.5), whilst others are only applicable to specific offences.

The presence of a (+) or (-) gravity factor does not always require an offence to be either upgraded or downgraded by one category. It signifies a specific issue that must be considered by a decision-maker, along with all the other matters and if significant, can change the decision that would otherwise have been made. As a result it can be a deciding factor for a particular decision or it may have no effect on the decision.

By ensuring that both the 'offence specific' gravity factors and the 'general factors for all offences' are considered for each offence for which a decision is made, we ensure that the offence, the circumstances of it, and the offender's current and previous behaviour are all considered. This research has shown that a standard and consistent approach to decision-making has been performed by the police and MAPs since the adoption of the 'gravity factor process' decision-making by the MPS (see Chapter 7 paragraph 7.5) .

Disposal Option	Disposal Options
1	Formal Warning or Not Proceeded With (Authority to Clear up).
2	High probability of a caution. The decision maker needs to be able to justify the decision NOT to Caution.
3	PIVOTAL- The particular circumstances of offences and the offender, and any aggravating or mitigating factors, will determine whether the disposal moves up or down.
4	High probability of prosecution. The decision maker needs to be able to justify the decision NOT to Prosecute.
5	In normal circumstances the offender will always be prosecuted. Mitigating gravity factors are unlikely to affect the decision to prosecute.

Figure.8.1 Disposal options for case disposal in the MPS  
(Source: Metropolitan Police, 1994a)



	NFA.NPW(*)		Warning		Caution	
Officer	Decision Maker	Admin	Decision Maker	Admin	Decision Maker	Admin
Probationer Constable / MSC	Yes	Yes	YES - Followin consultation with sergeant or above	Yes		
Constable or E.O. in Criminal Justice Unit	Yes	Yes	Yes	Yes		
Sergeant (not acting as custody officer)	Yes	Yes	Yes	Yes	When an inspector is not readily available. Action taken to be brought to the notice of inspector or above as soon as possible.	When an inspector is not readily available. Action taken to be brought to the notice of inspector or above as soon as possible.
Inspector and above	Yes	Yes	Yes	Yes	Yes	Yes

Figure.8.2 Who can make decision when the person is NOT in police detention (Source: Metropolitan Police, 1994a)

	NFA.NPW(*)		Warning		Caution		Charge	
Officer	Decision Maker	Admin	Decision Maker	Admin	Decision Maker	Admin	Decision Maker	Admin
Probationer Constable Constable / MSC				Yes				
Sergeant (not acting as custody officer)				Yes	When an inspector is not readily available. Action taken to be brought to the notice of inspector or above as soon as possible.	When an inspector is not readily available. Action taken to be brought to the notice of inspector or above as soon as possible.		
Custody officer	Yes	Yes	Yes	Yes			Yes	Yes
Inspector and above	Yes		Yes	Yes	Yes	Yes	Yes	

Figure.8.3 Who can make decision when the person is IN police detention (Source: Metropolitan Police, 1994a)



(+)	(-)
<b>Penalty:</b>	<b>Likelihood of Penalty:</b>
Conviction likely to result in a significant sentence or penalty	Conviction likely to result in a small or nominal penalty
<b>Impact on Victim:</b>	<b>Offence was result of a mistake, misunderstanding or misjudgement:</b>
1.Victim was particularly vulnerable; 2.Considerable stress caused deliberately or intentionally; 3. Victim psychologically injured; 4 A personal attack involving considerable damage or disturbance; 5.Victim a juvenile	The offence was the result of a genuine mistake or misunderstanding, an error of judgement. (These factors MUST be balanced against the seriousness of the offence.)
<b>Discrimination</b>	<b>State of Health of the offender</b>
Offence was motivated by discrimination against the victim's racial or ethnic origin, religious beliefs, gender, political views or sexual preferences.	The offender is elderly or suffering from significant mental or physical ill health, the offence is not serious, and there is no possibility of it being repeated. ( This MUST be balanced against the need to safeguard the general public )
<b>Recent Relevant Offending History</b>	<b>Reparation</b>
1. Offender has received a formal warning, caution or conviction for a similar offence; 2. Grounds for believing offence likely to be repeated [offender has history of committing this type of offence]. 3.Offence committed while person on bail (granted by police or a court); 4. Person subject of a court order	The offence is of a relatively minor nature, and the offender has put right the loss or harm caused.
<b>Premeditation / Organisation</b>	
1. Offender a ring leader or organiser of the offence; 2. Offender part of organised team or committed by a group	

Figure.8.4      General Gravity Factor (Non -Traffic)  
(Source: Metropolitan Police, 1994a)

(+)	(-)
<b>Victim in Public Services</b>	<b>Provocation</b>
The Offence was directed towards a public servant; for example a police officer, member of the other emergency services, traffic warden, school teacher, medical staff, social worker, prison or probation officer or public transport staff.	The offender was provoked by the victim or by people associated with the victim and reacted impulsively.
<b>Offender in a Position of Trust</b>	<b>Supplies Information</b>
The offender abused a position of trust and is for example an accountant, banker, solicitor, teacher or a parent, guardian or baby-sitter	The offender supplied information which reduced risk, loss or harm to others.
<b>Weapon used or violence threatened</b>	<b>Attitude to offence</b>
A weapon was used or violence threatened during the offence.	1. The offender is genuinely remorseful and apologises to the victim; 2. The offender takes part in a rehabilitation / referral scheme or seeks medical help.
<b>Widespread offence</b>	
The offence, although not serious, is widespread locally and it has been agreed with the C.P.S. that it can be treated as prevalent, so providing an additional aggravating factor.	
<b>Time Lapse of Cautions and Warnings</b>	<b>Time Lapse of Cautions and Warnings</b>
Offender of the age of 18 years or over received a caution or warning less than three years ago.(Less than 12 months ago if the offender is under 18 years).  Note It is considered that the giving of the caution or warning had no effect in deterring further offending	Offender of the age of 18 years or over received a caution or warning more than three years ago.(More than 12 months ago if the offender is under 18 years).  note is considered that the giving of the caution or warning had no effect in deterring further offending

Note No blanket instructions are to be issued

Figure.8.5      General Gravity Factor (Non -Traffic) continued  
(Source: Metropolitan Police, 1994a)



### 8.2.3 Improving Consultation

As discussed in Chapter 3, an agenda for change was generated to identify activities in the conceptual model of a consultation system. The author investigated the legal constraints within which each agency operated to ensure that multi-agency working was accepted as both appropriate and lawful (see Table 3.2). This was happening in some cases but could have been improved by a greater involvement of a steering group to whom the MAP would have been accountable. The next stage was to issue policy and guidelines for decision-making within those legal constraints. Again, where a steering group was in operation it was more than likely that this would have been done. There was no assessment of the cost of community-based support activities. The steering group could have made the MAP more accountable to monitor such activity, however, this was not happening. Most MAPs have agreed decision-making criteria for young offender referral, however, not every MAP member was aware of it. Although all MAPs suggest that they provide community-based support activities, it appeared ad hoc and was rarely monitored. The agencies involved could agree as to the type of support activity and monitor its use. Although most MAPs were agreed on which agencies are represented on the MAP there was little involvement of other agencies, for example the voluntary sector in the MAP's support activities. Again, a steering group could assist in making the MAP more accountable. Indeed, the voluntary agency could be represented on the steering group since they do not discuss individual cases. For the consultation process to work it is considered necessary to hold regular well-resourced meetings of the MAP to consider young offender referrals. The steering group can provide the resources and endorse the attendance of their representative on the MAP. Often a deputy did not cover a MAP member's absence. Also, there appeared to be an ad hoc arrangement as to when a MAP was quorate; that is a police officer from YACS, a social worker and one other MAP member.

#### **8.2.4 Reducing Conflict**

As discussed in Chapter 3, an agenda for change was generated to identify activities in the conceptual model of a conflict reduction system. The author investigated the areas of conflict among MAP members and their agencies. (see Table 3.3). The role of the steering group, and its relationship to the MAP, was an issue. This was identified when 41 per cent (n40) of interviews did not know their MAP had a steering group and 67 per cent (n19) of responses to the pilot questionnaire stated that they did not have a steering group (see Table 6.2 and Table 6.6). A steering group could have assisted by making recommendations as to working practice and visited MAPs to observe their decision-making to ensure that policy and procedure were appropriate. The author did not observe any steering group member visit a MAP during this research.

Another area of conflict identified by the author was the issue of confidentiality and was raised in the interviews, questionnaires and observation. There were numerous comments in the questionnaire and during observations that cited 'confidentiality' as a factor that interfered in the workings of the MAP (see Appendix A1.2). The withholding of information could lead to mistrust if the other agencies were not aware of the criteria. The author suggested that this could be overcome by defining which information was to be shared, as had been achieved by Barking and Dagenham MAP in their report (see Chapter 7 paragraph 7.4.1).

To ensure that agencies have an appreciation of the concerns of others around the issue of confidentiality the author has suggested that joint training sessions be adopted. The author found that joint training sessions improved the understanding of each other's role in Barking and Dagenham. They also proved invaluable in the implementation of the Children Act, 1989 'Working Together Guidelines' (Home Office, 1991c). The steering group could do much to improve this situation by adopting joint training sessions for MAP members.



Another area of conflict identified by the author was to implement methods for improving communication both at the meeting and prior to it. There were significant differences in the amount of information supplied and when it was received. The average number of cases that a MAP deals with at each meeting ranged from one to ten, with 40 per cent (n24) handling two cases. The variation in deciding each case ranged from ten minutes to sixty minutes, with 31 per cent (n19) taking fifteen minutes (see Table 6.13). Although most MAP members apparently accepted the views other member's, it was considered necessary from them to appreciate the viewpoints of the other agencies. An irregular attendance at meetings can lead to conflict on the MAP. Indeed, the provision of resources for the MAP meetings could be shared among the members, however, this will not happen if members cannot rely on each other to be there.

Another area of conflict identified by the author was that regular attendance at MAP meetings should lead to a rapport and mutual trust. This was raised in the interviews and observation (See Table 6.2). The steering group could do more to support MAP attendance by representatives from their organisations. For example the Barking and Dagenham MAP representatives have their attendance at MAP meetings shown as part of their job description. In their absence a replacement is supplied by their organisation.

Another area of conflict identified by the author was the issue of the 17 year old offender that was raised in the interviews, questionnaires and observation. There were numerous comments in the questionnaire that cited 'the issue of 17 year old offenders' as a factor that interfered in the workings of the MAP. Although 95 per cent of respondents to the questionnaire stated that their MAP did not deal with 17 to 18 year old offenders, some 82 per cent believed that they should and gave reasons (see Table 6.11 and Appendix A1.2).

Another area of conflict identified by the author was the legal label given to the alleged offence and was raised in the interviews, questionnaires and observation. When the police outlined the case, as they perceived it, other non-police personnel members would attempt to trivialise or reduce the seriousness of the offence. Matza (1964) reported that the police would often charge an offender with the full legal label of an offence in order to secure an increased likelihood of an offender moving-up the tariff of sentencing. For example, a theft of 50 pence in a school playground, that involved bullying, could be charged as 'robbery', thereby increasing the perceived 'seriousness' of the offence and likelihood of a prosecution. Some MAP members appeared to continually question the charges outlined and would encourage a case disposal short of prosecution. The author wanted to enquire whether there was a variation of views of 'seriousness' and 'trivialness' amongst the MAP members. Question 17g 'seriousness', and 17h 'trivialness' was included in all three questionnaires (pilot, MAP and CJU). Respondents stated that they considered the terms to be very significant when making a decision. There was a variation between what the police officer, probation officer and youth worker considered 'seriousness and trivialness', compared with social workers and the education welfare officers. This information highlighted the need to agree an acceptable decision-making aid or 'gravity factor process' for all offences. This would reduce the need for unnecessary cases being placed before the MAP. The author incorporated this information into recommendation three (see Table 8.1 above).

### **8.2.5 Monitoring and Evaluation**

To ensure that activities occur in the conceptual models cited above, the author identified the type of monitoring and evaluation required (see Table 3.3). The purpose of monitoring was: to identify resource needs; to demonstrate anti-discriminatory practice; to measure and evaluate performance; to examine trends; to facilitate reviews; and to identify training needs.



The lack of monitoring and evaluation of MAPs was a major concern during this research (see Table 6.2 and Appendix A1.2). A possible reason identified was that each MAP member is accountable to their own agency through line management for monitoring and evaluation. The MAP, as such, appears to be accountable to no one; except of course where there is a steering group and that could be improved upon. Until the agencies agree to make the MAP accountable in its own right, then the best course of action would be to improve the monitoring and evaluation of each agency. It should be noted that Section 95 of the Criminal Justice Act, 1991 identifies the need for those working within the criminal justice system not to discriminate on grounds of gender or ethnicity. An effective monitoring and evaluation system will highlight such matters and they can be addressed.

It has already been agreed, within the MPS and endorsed by Walker (1996), to develop an evaluation system to enable MAPs to monitor and evaluate themselves. This will involve consultation with PIB to draft a monitoring and evaluation framework. There was also agreement to hold a meeting with MAP representatives to discuss 'good practice'. It will be necessary to publish a list of agreed objectives for each MAP; produce a list of performance indicators linked to the agreed objectives; and produce a framework to monitor the performance indicators (see paragraph 8.5 below).

### **8.3 The Consequences of Implementing Those Improvements**

In stage two, the MPS implemented all the recommendations and the use of the 'gravity factor process' (see Table 8.2 and Table 8.3). It was hoped that either PIB or local divisions would monitor the use of the 'gravity factor process', and make this data available to the author. Unfortunately, PIB and local divisions had other priorities and the only data available after the introduction of the recommendations was to be gathered from the Form 79A. The author continued to monitor the data on Form 79A and concentrate on the effectiveness of MAP decision-making.

## RECOMMENDATIONS AND OUTCOMES

Recommendation	Action	Remarks
1. Adopt Home Office Circular 18/94;	Adopted	Special Notice 14/94 implemented Case Disposal Policy and Procedures 1.1.95.
2. Adopt ACPO guidelines on cautioning;	Adopted	Special Notice 14/96 changes to Case Disposal Policy and Procedures 12.4.96.
3. Decision-making aid for custody officers and arresting officers - 'Gravity Factors' in the "Guide to Case Disposal";	Adopted	Special Notice 14/94 implemented Case Disposal Policy and Procedures. MPS Case Disposal Manual published. Gravity factors adopted by YACS, CJU and MAP from 1. January 1995.
4. Create new categories of case disposal - 'NPW' (not proceeded with), 'Formal Warning' for trivial offences;	Adopted	Special Notice 14/94 implemented Case Disposal Policy and Procedures from 1. January 1995. Item 5.1 refers to 'formal warning'; item 6.1 refers to 'not proceeded with'.
5. Devolve Youth & Community Section (YACS) 'juvenile referrals' to Criminal Justice Units (CJUs);	Adopted	Special Notice 14/94 implemented Case Disposal Policy and Procedures from 1. January 1995. Notice 5/95 <i>Borough liaison officers change of role</i> . Item 3.
6. CJU manager to take responsibility for YACS 'juvenile referrals' and all young offenders aged 10 to 17 yr.);	Adopted	Special Notice 14/94 implemented Case Disposal Policy and Procedures from 1. January 1995. Notice 5/95 <i>Borough liaison officers change of role</i> . Item 3.
7. CJU manager to be responsible for the 'Persistent Offender Index' and liaise with multi-agency youth liaison panel;	Adopted	Special Notice 14/94 implemented Case Disposal Policy and Procedures from 1. January 1995. Notice 5/95 <i>Borough liaison officers change of role</i> . Item 3.
8. CJU manager to be responsible for the multi-agency youth liaison panel;	Adopted	Special Notice 14/94 implemented Case Disposal Policy and Procedures from 1. January 1995. Notice 5/95 <i>Borough liaison officers change of role</i> . Item 3.
9. Issue 'Best practice guidelines for multi-agency youth liaison panel' to CJU managers and OCU Commanders;	Adopted	Published to CJU Managers and OCU in 1995. To be implemented by CJU, YACS and OCU on a local basis.

Table 8.2 Outcomes of Recommendations: 1 - 9



Recommendation	Action	Remarks
10. CJU manager to be responsible for the monitoring of 'juvenile referrals', the 'Persistent Offender Index' and multi-agency youth liaison panels in accordance with HOC 18/94; ACPO guidelines and MPS instructions;	Adopted	Local practice to implement Case Disposal Policy and Procedures from 1st. January 1995. Notice 5/95 <i>Borough liaison officers change of role</i> . Item 3 "[Young offender] referrals will, in due course, be undertaken by the officer in charge of the criminal justice unit. This matter is being addressed on behalf of Anderson Dunn, Assistant Commissioner...who has responsibility for criminal justice portfolio".
11. Migration plans to be compiled by the CJU manager prior to devolving responsibility of 'juvenile referrals' from YACS;	Adopted	To be explored by CJU, YACS and OCU on a local basis to implement Case Disposal Policy and Procedures from 1. January 1995.
12. Accommodation, training and resources are to be identified in the migration plan;	Adopted	To be explored by CJU, YACS and OCU on a local basis. In addition, Youth Offender Teams (YOT) under Crime and Disorder Act 1998 to be explored.
13. The use of 'Service Level Agreements' (SLAs) to be explored with Borough-based YACS;	Adopted	To be explored by CJU, YACS and OCU on a local basis to implement Case Disposal Policy and Procedures from 1. January 1995.
14. The use of joint training with other agencies in the youth liaison panel to be explored;	Deferred	Distance learning preferred option. Special Notice 14/96 changes to Case Disposal Policy and Procedures from 12 April 1996. Item 11.
15. CJU manager is to ensure that 'crime' and 'partnership' issues are reported back to the appropriate Assistant Commissioner under matrix responsibility.	Adopted	Local practice to implement Case Disposal Policy and Procedures from 1. January 1995. In addition, Youth Offender Teams (YOT) under Crime and Disorder Act 1998 to be explored. Information to used for crime audits.

Table 8.3 Outcomes of Recommendations: 10 - 15

### SHIFT IN POWER, ROLES, NORMS AND VALUES

Previous Situation	Situation after Change	Remarks
1. HOC 14/85 & HOC 59/90 both supported MAP	HOC 18/94 does not support MAP role in decision-making	MAP role has shifted. Will more cases be prosecuted? The MAP decision-making power base has shifted.
2. Monitoring of cautions meant young offenders could be dealt with as a first-time offender in other areas.	All cautions placed on PNC from 1995 - increased information on young offenders	Police had better information upon which to make a decision. Power shift from young offender to police and MAP.
3. The MPS re-organisations 1986 allowed YACS as decision-makers for divisional chief superintendents (OCU)	The MPS re-organisations 1994 and 1999 decision-making located with CJU manager and OCU away from YACS.	Power shift from YACS to CJU manager and OCU. MAP indirectly affected as CJU took over role from YACS.
4. MPS, YACS and MAP dealt with young offenders aged 10 years – under 17 years. 17 year olds were ‘adults’ and dealt with at Magistrates’ Court	MPS, YACS, CJU and MAP now deal with young offenders aged 10 years– under 18 years. This new group went to Youth Court. An ‘adult’ is 18 years.	Changes in legislation and pressure from Social Services, Probation Services and CPS on the MPS to deal with 17 years to less than 18 years as young offenders. Shift in power from police to other agencies.
5. The debate on the cost and effectiveness of MAP.	This research identified the cost and effectiveness of MAP.	MAP valued more by MPS.

Table 8.4      Shift in power, roles, norms and values: 1 - 5



## SHIFT IN POWER, ROLES, NORMS AND VALUES

Previous Situation	Situation after Change	Remarks
6. No decision-making aid for arresting officer, custody officer, CJU manager, YACS, and MAP.	'Gravity factor process' introduced as a decision-making aid for arresting officer, custody officer, CJU manager, YACS and MAP.	YACS and MAP had applied own discretion to dealing with case disposal of young offenders. Less consistency in decision-making. Shift in role, norms, values, and power.
7. MAP case disposals did not include reparation or mediation.	Some MAP case disposals now include reparation and mediation. E.g. Barking and Dagenham MAP and Barnet MAP.	Shift in values and norms concerning reparation to the victim and mediation with the young offender. MAP role is changing and with it they have the resources and power to take action if necessary.
8. YACS (CJU) would make home visits on young offenders if considered necessary.	CPS demand that background enquiries for all first-time young offenders being prosecuted.	Shift in power from police to CPS. Home visits are costly and police not trained. N.B: Barnet YACS is performing joint police/ social service home visits.
9. MPS case disposal for young offenders includes a caution.	Changes in legislation (Crime and Disorder Act 1998) introduces a 'final warning' case disposal to replace the police caution.	Local Authorities and other CJS agencies have greater influence in dealing with young offenders. There will be a shift in role, norms, values, and power.

**Table 8.5      Shift in power, roles, norms and values: 6 - 9**

The author noted nine areas of change to the problem situation that have affected the power relationship, roles, norms and values between police, MAP members and other agencies in the CJS (see Table 8.4 and Table 8.5).

The use of the new case disposal 'Formal Warning' was slow to be introduced in the MPS. In 1995, only 12 London Boroughs reported that they had introduced the case disposal and this is reflected in a MPS average of only a 4 per cent impact on all case disposal decisions by police without referring to a MAP. However, by 1996 all London Boroughs reported using this case disposal. The effect of the 'formal warning' was a reduction of 8 per cent on the number of 'immediate cautions', and a reduction of 3 per cent on 'subsequent cautions'. This trend continued throughout stage three, and in 1997, they had a similar effect on the number of 'immediate cautions' that were reduced by 5 per cent and 'subsequent cautions' that were kept at the 17 per cent level (see Figure 8.6). The author obtained a *t-test* value for all case disposal decisions and, the value of *t* is shown in Figure 8.8. The *t-test* values obtained for 'subsequent charge' (*t value* 21), 'NFA' (*t value* -4.9), 'formal warning' (*t value* -2.7) and 'subsequent caution' (*t value* 11.26), at 2 degrees of freedom, led the author to conclude that there is a significant relationship between young offender referrals to MAP compared to no MAP for these criteria. The consequence of introducing the case disposal 'gravity factor process' and the 'formal warning' for the police decision-maker was that police cautions were reduced by 16 per cent, from 51 per cent in 1995 to 35 per cent in 1999. This was the first time that the police had used the same criteria to divert those young offenders from the CJS without reference to the MAP. Between 1995 and 1997, the MAP used the same decision-making criteria as the police. There was a 3 per cent reduction in the number of 'subsequent charges' from 47 per cent to 44 per cent, and a 6 per cent increase in the number of 'subsequent cautions' from 45 per cent to 51 per cent of case disposals recommended by the MAP (see Figure 8.7). The consistent low use of other disposals indicates to the author that the use of the 'gravity factor process' by the MPS and MAPs had led to a more consistent



Case Disposal:	1995	1996	1997
	No MAP	No MAP	No MAP
	%	%	%
Immediate charge	14	16	13
Subsequent charge	21	20	21
Summons	2	2	1
NFA	6	5	7
NPW	2	1	1
Formal Warning	4	16	22
Immediate caution	31	23	18
Subsequent caution	20	17	17
Totals	100	100	100

Figure.8.6 The Case Disposal of Young Offenders  
NOT Referred to a MAP in 1995,1996 and 1997

Case Disposal:	1995	1996	1997
	MAP	MAP	MAP
	%	%	%
Immediate charge	1	1	1
Subsequent charge	47	47	44
Summons	2	2	1
NFA	2	2	1
NPW	2	1	1
Formal Warning	0	0	1
Immediate caution	1	1	0
Subsequent caution	45	46	51
Totals	100	100	100

Figure.8.7 The Case Disposal of Young Offenders  
Referred to a MAP in 1995,1996 and 1997

Case Disposal:	0.05 level of significance		
			critical
	t Value	df	value
Immediate charge	-15.11	2	4.3
Subsequent charge	21	2	4.3
Summons	0	2	4.3
NFA	-4.9	2	4.3
NPW	0	2	4.3
Formal Warning	-2.7	2	4.3
Immediate caution	-6.6	2	4.3
Subsequent caution	11.26	2	4.3

Figure.8.8 The t Test Results for Case Disposal  
of Young Offenders in 1995,1996 and 1997

approach to case disposal for young offenders. The above figures, however, are based on MPS averages and there were still some variations in the 1995, 1996 and 1997 case disposal decision-making. In stage three, the new Barnet MAP decision-making had been shown to be effective and contributed toward the total savings to the CJS of almost two million pounds per year between 1995 and 1998 (see Figure 7.11).

#### **8.4 Knowledge gained using a Multi-Methodological Approach**

There has been much comment throughout the research concerning the validity of archive data and official statistics. At each stage of the research documentary sources have been visited to enrich the body of material available for analysis. Minutes of meetings have been collected, the annual reports sent to TO30 and the Commissioner's Annual Reports have been very useful in supplying data that has been analysed and changed into information. The raw data on MPS Form 79A that YACS send to PIB have been collated and analysed to improve our knowledge of the problem situation. However a potential weakness in the use of these records has been the likely errors in their recording; errors in classification; errors in processing and the manipulation of statistics. The major contention is that official statistics cannot be treated as factual information. The author was guarded that the samples had to be authentic, credible, representative and meaningful.

During interviews with MAP members and during observations and case studies at MAP meetings the author noted that a constant source of conflict was the legal label given to the alleged offence. There was a variation between what the police officer, probation officer and youth worker considered 'seriousness and trivialness', compared with social workers and the education welfare officers. This information highlighted the need to agree an acceptable decision-making aid or 'gravity factor process' for all offences. This would reduce the need for unnecessary cases being placed



before the MAP. The author incorporated this information into recommendation three (see Table 8.1 above).

In stage one of this research the author defined when a MAP's decision-making would be considered to be effective or ineffective (see Chapter 3). Throughout this research the definition has been found to be both necessary and sufficient for identifying whether a MAP has been effective.

The data and information gathered during the archive research, interviews, questionnaires, observations and case studies was used to enhance the author's understanding of the problem situation in order that he could inform the problem situation and generate an agenda for change.

## **8.5 MPS Consultancy & Information Service Review**

Walker (1996) conducted a review of visits by police to the homes of young offenders to make background enquiries. She identified that although young offender referrals were devolved to divisions under the responsibility of the CJU manager there were some variations. In practice, some divisions had young offender referral officers attached to the CJU, which are division based. In others the YACS was borough-based and remained responsible for young offender referral. In some of these cases a service level agreement had been developed between the relevant OCUs involved and the YACS to clarify their responsibilities and line management, Walker (1996) identified that the structure had evolved to suit the needs of the divisions involved. In her final report she stated that:

“MAPs are also a useful way of sharing information and promoting partnership between different agencies. In 1995, CI Ray Rowe produced a paper containing guidelines on – multi agency MAPs. This included performance measures which are detailed at Appendix E. It is recommended that these performance measures be promoted and that divisions monitor the success of their MAPs in reducing reoffending.”(Walker, 1996:10.6)

Walker (1996) was keen that MAP performance should be monitored and advised the MPS to adopt the author's criteria (see Appendix A2.3).

## **8.6 Summary**

This chapter presented an agenda for change that was translated into 15 recommendations to improve the problem situation. The consequences of implementing those recommendations were discussed. There was a discussion on improvements in the decision-making system; the issue of policy guidelines; improving consultation; reducing conflict; and monitoring and evaluating.. The introduction of the 'gravity factor process' had led to a more consistent approach to case disposal of young offenders. All MAPs were now using the same decision-making procedures as the police.

There was discussion on the knowledge gained during the use of the multi-methodological approach: archive data research, interviews, questionnaires, observations, case studies and SSM. The difficulties of data collection were described. The MPS and CIS were fully supportive of the recommendation for PIB, local divisions and MAP to monitor their decision-making performance. However data was not made available and the author described that he continued to use MPS Form 79A to evaluate the decision-making. The following chapter details the conclusions from this research.



## CHAPTER 9

### 9.0 CONCLUSIONS

*This chapter: (1) Discusses how the three objectives were achieved; (2) Discusses the lessons learned in the use of multi-methodology and techniques in the research; archive research, interviews, questionnaires, observations, case studies, and SSM; (3) Discusses the lessons learned to improve the performance of the criminal justice system; (4) Comments on the contribution to knowledge made by this work; and (5) Discusses the problem situation addressed and those that remain.*

### 9.1 How the Three Objectives Were Achieved

In Chapter One, the author identified that the MPS were concerned about the cost effectiveness of the MAPs. However there was very little information available about MAP's effectiveness or ineffectiveness to decide their future. The MPS commissioned the author to enquire into the problem situation. Firstly, to evaluate the problem situation; secondly, to generate an agenda for change with those involved; and thirdly, to evaluate any implementation that was likely to follow.

The author agreed three objectives with the MPS and City University, they were:

1. To evaluate the decision-making system used by Multi-Agency Youth Liaison Panels involved in case disposal procedures for young offenders in the Metropolitan Police District;
2. To make recommendations for improvements in the decision-making system; and,
3. To evaluate the consequences of implementing those improvements.

### 9.1.1 Achieving Objective One

*“To evaluate the decision-making system used by Multi-Agency Youth Liaison Panels involved in case disposal procedures for young offenders in the Metropolitan Police District”.*

In stage one a study of police, YACS and MAP decision-making in relation to young offenders was commenced. The author decided on a multi-methodological approach to enhance his understanding of the problem situation. SSM was to be the central methodology with archive research, interviews, questionnaires, observations and case studies to add value to information concerning the problem situation. A lack of policy and guidelines was identified and recommendations made to improve the situation. The author defined what he considered to be an effective MAP decision and an ineffective MAP decision. The author applied the definition to the evaluation of MAP decision-making that continued into stage two and stage three. The results were reported in Chapters 5, 6 and 7. This objective was successfully achieved.

### 9.1.2 Achieving Objective Two

*“To make recommendations for improvements in the decision-making system”.*

In stage two, the author made the MPS, and other stakeholders in the problem situation, aware of his recommendations to improve the situation in the decision-making of YACS, MAP and police officers per se (see Table 8.1 and Appendix A2.3). The recommendations were implemented by the MPS through the Criminal Justice Office. The use of a ‘gravity factor process’ and improved monitoring of decision-making was recommended and adopted. Archive research, interviews, questionnaires, observations and case studies continued to add value to information concerning the problem



situation. SSM continued to be of use in generating an agenda for change. The results were reported in Chapters 5, 6, 7, and 8. This objective was successfully achieved.

### **9.1.3 Achieving Objective Three**

*“To evaluate the consequences of implementing those improvements”.*

In stage three the author continued to evaluate the YACS and MAP decision-making and studied the consequences of implementing the improvements recommended in stage two. Again, archive research, interviews, observations, and case studies continued to add value to information concerning the problem situation. The author assisted in setting up the Barnet MAP and in their migration to Youth Offender Teams (YOTs). SSM continued to be of use in implementing the recommendations and evaluating those changes. The results were reported in Chapters 5, 6, 7, and 8. This objective was successfully achieved.

## **9.2 Lessons Learned In the Use of Multi-Methodology and Techniques**

In stage one of the research the author was surprised at the lack of information on the MAP process, or indeed, the outcome of their decisions. YACS and MAP members had no structured means of monitoring or evaluating their performance. It was at the later part of stage two, and throughout stage three, that performance measurement began to improve. However, the local divisions, PIB, YACS, CJU, and MAP had set their own priorities and timescale for measuring their performance. They were unable to provide the author with information necessary for the evaluation. In stage three, they were gathering the information for use in a crime audit required by the Crime and Disorder Act, 1998. To ensure that the monitoring was continued the author the used MPS Form 79A to monitor the MAP decision-making.

SSM was pivotal as a methodology with information continually flowing from archive data, interviews, questionnaires, observations and case studies. This was used to inform SSM and improve the problem situation (see Figure 1.1). The discipline of the methodology focussed the researcher, owner and actors to improving the problem situation. The use of the author's mnemonic TWO ACE (CATWOE) was a necessary and appropriate technique to assist in achieving an understanding of the human activity by the participants. However the author found that when he explained SSM, and in particular 'CATWOE' to the participants, that their understanding of the 'Transformation process' (T) improved when it was explained first. A possible reason for this was that all activity in the 'CATWOE' revolved around the conversion of input to output. The sequence of explanation was as follows:

- a). Transformation process' 'T';
- b). 'Weltanschauung' or worldview that makes 'T' meaningful in context of the problem situation;
- c). 'Owner', that is those who could stop 'T';
- d). 'Actors' those who would do 'T';
- e). 'Clients/Customers' those who benefit from 'T' or are the victims of 'T', and
- f). 'Environmental Constraints' those elements that are outside the system which it takes as given.

At various times throughout this research the author found that it was necessary to explain SSM. During interviews, observations and case studies and even when gathering archive data there was interest in the methodology adopted for the research. The author prepared a presentation to assist members of the Criminal Justice Office (TO9) in understanding the concept of an agenda generator to improve the problem situation. The presentation was successful in that it achieved a good level of understanding by the participants and they were able to facilitate the recommendations during the



implementation. Moreover, the author gained considerable experience in applying SSM and has given regular presentations to police and civilian personnel attending the 'Introduction to Soft Systems Methodology', at the Police Staff College, Bramshill (Ballantine and Bell, 1997). The author has given SSM presentations to police officers attending his own courses held in Cyprus, and Abu Dhabi, United Arab Emirates. In addition, the author has given SSM presentations to students at City University (Rowe, 1994).

The research contained in this thesis has attempted to provide some of the information required to improve the problem situation that concerns the decision-making of MAPs in the MPS. The author has attempted to add to the sum of knowledge in this complex area and to put forward some proposals for discussion about how improvements may be effected. Firstly, by looking at historical aspects of the problem situation and seeking out informed views on its constituent parts. Secondly, by examining the processes which appear to be akin to the problem and by reviewing the research on the subject. Lastly, by conducting this research within the framework of SSM, it is hoped that the results of this work will provide the beginnings of information that will supply the agencies involved in MAPs to improve the problem situation.

The value of this research, carried out over many years, aside from its primary purpose of impacting a difficult problem situation, may perhaps be best measured in the way it has changed the author and his approach to decision-making and problem solving. Involvement in the process of research and with those associated with it has left the author with a greater awareness of himself and others. Also, he is better equipped and skilled to handle change in his organisation.

### **9.3 Lessons Learned About Working to Improve the Performance of the Criminal Justice System**

As discussed in Chapter 2, the MPS restructuring in 1986 had allowed the Borough Liaison Officer (BLO) and YACS to remain responsible for the case disposal of young offenders. In stage two, the MPS supported the devolvement of the criminal justice issues that relate to young offenders and previously undertaken by YACS to Criminal Justice Units (CJUs). The MPS provided definitive policy on the matter that states:

“The BLO will no longer have responsibility for the youth and community sections [YACS] which will devolve to divisions, together with responsibility for the schools involvement programme. Local arrangements should be made for the changes. [Young offender] referrals will, in due course, be undertaken by the officer in charge of the criminal justice unit.” (MPS, 1995a: Notice 5).

To ensure that CJU managers understood their role and responsibility in dealing with young offenders changes were made to the ‘Case Disposal Manual’ (MPS, 1994a). The CJU and YACS have continued to use their MAP to assist with diverting young offenders from the CJS and, in preparing the groundwork for the new Youth Offender Teams, which are being set up under the Crime and Disorder Act, 1998. This latest legislative change acknowledges that the police cannot deal with youth crime on its own; there is a need for a multi-agency perspective to improving the problem situation with the local authority playing a larger role.

In 1999, the MPS re-organised its structure and re-aligned its boundaries, to offer greater support and flexibility to local authorities and other agencies. The MPS’s commitment to multi-agency partnership, in relation to the case disposal of young offenders, has contributed to the MAP evolving into the Youth Offender Team (YOT).



## 9.4 Contribution to Knowledge

In Chapter 3, it was explained that little was known about the effect of different systems on outcomes or about how discretion was exercised by the various professional interests involved in the MAP. Indeed, some considered that there had been a shift from ‘judicial’ to ‘administrative’ justice and to some extent from the public to private domain where it is open to less public scrutiny and more unfettered discretion (Evans and Wilkinson, 1990). The research reported in this thesis has assisted YACS and CJU managers to set up a MAP and to adopt the ‘gravity factor process’ for case disposal decision-making. The research reported here goes some way to explaining how the MAP exercised discretion and the outcomes of their decision-making. It was a combination of MAP and the use of the ‘gravity factor process’ that led to changes in the problem situation.

Commander James Gibson, chair of the ‘MPS Working Party on Case Disposal’, states that:

“An important outcome of the working party concerned the introduction of the ‘gravity factor’ decision-making process.” (Gibson, 2000)

Gibson (2000) stresses the importance of the author’s contribution in putting forward the concept of the ‘gravity factor’ decision-making process and to developing and implementing the ‘gravity factor’ decision-making process in the MPS (see Appendix A2.4).

The MAP decision-making was cost effective in diverting young offenders from prosecution. Such savings to the CJS would not be obvious to the police. The MAP added an alternative worldview, or *weltanschauung*, to police decision-making. There was concern that some agencies on the MAP did not report the outcome of ‘caution plus’ programmes for fear that the police would prosecute any young offender who failed to complete the

programme. It should be noted that attendance on such a programme would be purely voluntary.

The author has assisted the Barking and Dagenham MAP and Barnet MAP to migrate from a position of ad hoc consultation to one of multi-agency partnerships as advocated in the Crime and Disorder Act, 1998.

The author developed and used the mnemonic TWO ACE, instead of CATWOE, and found that when he explained SSM to the participants their understanding of the 'Transformation process' (T) improved.

The author designed and developed the decision-making process flowcharts used in this research (see Figure 3.1 et seq). He found that when he used the decision-making process flowcharts to explain the rich picture the participants' understanding of the problem situation improved.

The Audit Commission oversees the external audit of local authorities, probation service, police forces and National Health Service agencies in England and Wales; it does not audit the MPS. As this research has evaluated the MPS policy toward young offenders it adds value to the Audit Commission's overall view of youth crime in England and Wales (Audit Commission, 1996).

In 1993, during stage one, the author commented on the draft Home Office Circular on 'The Cautioning of Offenders', and supplied evidence to the Home Office on the results of the research into MAPs in the MPS (Rowe, 1993b). He received a reply written on behalf of the Home Secretary stating that:

"Many organisations and individuals responded to the invitation to comment, and the observations we received proved very helpful in shaping the final version".  
(Chown, 1994)

The outcome of the correspondence was the issue of HOC 18/94.



In 1997, during stage three, the author gave evidence to the Home Office Task Force for Youth Justice on the results of the research and the guidelines for MAPs in the MPS (Rowe, 1997) and these were used in the preparations for the National Youth Justice Board.

## **9.5 Problem Situations Addressed and Those That Remain**

In Chapter 1, the CJS was described as a hierarchy of systems consisting of the Police sub-system, the Magistrates' Courts sub-system, Crown Court sub-system, Prison sub-system, the Probation and After-care sub-system and the Crown Prosecution Service. As can be seen in Figure 1.4 the CJS exists in an 'environment' of other systems some of which has an effect upon it. The MAP sub-system is part of the CJS and has representation on the Police sub-system, the Magistrates' Courts sub-system and the Probation & After-care sub-systems, the Local Authority System and the Department of Social Services System. It should be noted that the Local Authority and Department of Social Services are not part of the CJS.

When agencies get together with the police to divert young offenders from the CJS there is often a problem in deciding what is the best solution for the offender, the victim and the state. The ideologies of the various agencies can lead to tension and conflict. There are times when these competing viewpoints can tip the balance away from the best solution, for example, when the social services aim to divert from the system with no stigma and the police service requires some form of intervention.

It is difficult for those people with day to day responsibilities within the CJS to view the system as a whole; they will naturally tend to place more emphasis on their particular sub-system or a part thereof. It has been easier for the author, freed from operational concerns, to consider the CJS from an overall perspective and to study the complete system. Such an approach has

allowed the author an opportunity to consider the effects of policy and practices within the CJS.

The MAP was placed in the context of the CJS. The Youth Court, Crown Prosecution Service, YACS, and CJU were described in relation to the MAP. The philosophy towards prosecuting offenders was discussed with reference to the MAP. Specific reference was made to the philosophy of 'diversion' from the CJS, and the terms 'welfare model' and 'justice model'.

The results of the research were described with an explanation as to how they enhance our understanding of the problem situation. It was intended to give as wide an understanding of the problem situation as possible. Many MAPs are assisting the MPS local divisions and CJUs in their response to the Crime and Disorder Act, 1998 with specific reference to Youth Offender Teams (YOTs). With the formation of the YOTs the author will continue to evaluate the effectiveness of their decision-making and discuss this research with those involved.

## **9.6 Summary**

This chapter presented the conclusions of this research. It reported that the three objectives had been achieved and that lessons had been learned from the integration of multi-methodological techniques with SSM. The continual flow of data and information to inform SSM was gathered from archive data, interviews, questionnaires, observations and case studies. This was used to generate an agenda for change to improve the problem situation. The MPS implemented the changes and these were evaluated. MAP was considered cost effective and useful in setting up YOTs. The introduction of the 'gravity factor' process has led to greater consistency in police and MAP decision-making for young offender case disposal. It was a combination of MAP and the use of the 'gravity factor process' that led to changes in the problem situation.



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# **APPENDIX I**

## **A1.0 QUESTIONNAIRE AND RESPONSES**

This appendix includes questions and responses to the pilot, MAP and CJU questionnaires:

### **A1.1 Questionnaire**

### **A1.2 Responses**



### **A1.1 QUESTIONNAIRE TO ASSESS ATTITUDES TO MAP**

1. Is there a policy for inter-agency decision making in respect of your youth liaison panel?
2. Do you agree with the policy for inter-agency decision making in respect of your youth liaison panel?
3. Is there a policy document for inter-agency decision making in respect of your youth liaison panel?
4. Do you agree with the policy document for inter-agency decision making in respect of your youth liaison panel?
5. Are there guidelines on inter-agency decision making in respect of your youth liaison panel?
6. Are there any problems with the guidelines on inter-agency decision making in respect of your youth liaison panel?
7. Does the panel have 'terms of reference'?
8. Do you consider the panel is achieving the agreed 'terms of reference'?
9. Is the panel responsible to a 'steering group'?
10. Who are the members of the 'steering group'?
11. Is the panel's work monitored and evaluated?
12. If so, who performs the monitoring and evaluation?
13. What administrative support does the panel receive?
14. Does your panel deal with 17 - 18 year old offenders?
15. Do you think that your panel should deal with 17 - 18 year old offenders?
16. Please state briefly your reasons for Q.15
17. What significance do you give to the following information when making a decision:
  - a. Age of the offender?
  - b. Ethnicity of the offender?
  - c. Gender of the offender?
  - d. Home circumstances?
  - e. Previous history of offending?
  - f. Sufficiency of evidence?
  - g. Seriousness of offence?
  - h. Trivialness of offence?
  - i. Public interest?
  - j. Victim's viewpoint?
  - k. Arresting officer's viewpoint?
  - l. School's viewpoint?
  - m. Other agency's viewpoint?
  - n. Offender's viewpoint?
  - o. Offender's parents viewpoint?
  - p. Admission of guilt?
  - q. Resources available to divert the offender?
  - r. The need for intervention?
18. Is your role in the inter-agency youth liaison panel clear?
19. When do you receive information about the panel cases?
20. What is average number of cases your panel considers at each meeting?
21. What is the average length of time spent on deciding each case?

22. Do you consider that you have sufficient time to decide each case and make a recommendation?
23. Do you feel that there is agreement between each agency concerning the panel's recommendation?
24. What, if any, do you think are factors that interfere between each agency in terms of method of working?
25. What percentage of your panel's recommendations are accepted by the police?
26. Who chairs your panel meetings?
27. Is the chair rotated?
28. If yes, how often?
29. Who leads the discussion at your panel meetings?
30. Does the chair consider outstanding cases?
31. What do you consider could be done to improve the panel's decision making?
32. Do you use any form of decision making aid?
33. If so, please state:
34. Do you make use of Police Form 78 in your decision making?
35. If so, please state Form 78's relevance in your decision making:
36. What are the recommendations that your panel can make?
37. What is the procedure when agreement can not be reached concerning a recommendation?
38. Have you read Home Office Circular 59/90? (*HOC 18/94 in CJU questionnaire*)
39. Have you read the Code for Crown Prosecutors?
40. To what degree do you feel that your commitment to the panel is supported by your organisation?
41. Why do you say that?
42. What do you consider is the role of the Crown Prosecution Service in the panel's decision making process?
43. Do you feel that Intermediate Treatment works?
44. Why do you say that?
45. Do you feel part of the criminal justice system/process?
46. Why do you say that?
47. Have you heard the term 'welfare model'?
48. If so, what do you understand by the term?
49. Have you heard the term 'justice model'?
50. If so, what do you understand by the term?
51. Which, if any, of the two models do you support?
52. Have you had training in decision making?
53. Do you feel training in decision making would assist you?
54. Has this training included any of the following:
  - a. Joint training with other agencies?
  - b. Refresher course?
  - c. Feedback to you on your decision making?
55. What types of support do your panel offer?
56. Do you have any further suggestions concerning this research project?  
If so, please comment here:



## A1.2 RESPONSES TO QUESTIONNAIRE

Discussed below are the percentage responses to individual questions in the questionnaire. The questions have been grouped into specific topics to assist in making sense of the issues involved with multi-agency panel decision-making. The topics are:

- Steering Group; Policy; Terms of reference; Document; Guidelines;
- Role within panel; Support from parent organisation;
- Monitoring and Evaluation;
- Administrative support for panel;
- Receipt of information prior to panel meeting; number of cases considered at panel meeting; average length of time spent deciding each case; sufficiency of time to decide each case;
- Agreement concerning panel's recommendation; Factors that interfere between each agency in terms of method of working; Procedure when there is disagreement concerning a recommendation; Percentage of recommendations accepted by police; Panel recommendations; Support offered by panel.
- Panel meeting process; Decision making aids; Use of Police Form 78 for decision making; Home Office Circular 59/90; Code for Crown Prosecutors; Decision making criteria; Improvements to panel's decision making; Role of Crown Prosecution Service;
- Issue of 17 year old offenders;
- Issue of Intermediate Treatment; Criminal Justice System/Process; Welfare model; Justice model; Support for Welfare or Justice model;
- Training; and Further suggestions.

### Steering Group

*Question: 9.*

*Is the panel responsible to a 'steering group'?*

YES	54.3%	NO	43.2%	DON'T KNOW	2.5%
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*Question: 10.*  
*Who are the members of the 'steering group'?*

Some of the respondents comments:

- line managers from own organisation
- senior officials in own organisation
- multi-agency management
- senior police; probation; education; social services and youth service
- magistrates; crown prosecution service; education; local councillors; race relations officers and senior officers from each agency on the panel

**Policy**

*Question: 1.*  
*Is there a policy for inter-agency decision making in respect of your youth liaison panel?*

YES	87.8%	NO	9.8%	DON'T KNOW
			2.4%	

*Question: 2.*  
*Do you agree with the policy for inter-agency decision making in respect of your youth liaison panel?*

YES	86.1%	NO	6.3%	DON'T KNOW	7.6%
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**Terms of reference**

*Question: 7.*  
*Does the panel have 'terms of reference'?*

YES	70.9%	NO	17.7%	DON'T KNOW	11.4%
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*Question: 7b.*  
*Does the panel have 'terms of reference'?*  
*If so, please state:*

Eight attached their 'Terms of reference' - on further examination they were all in line with the Guidelines and four had been further developed.

Some respondent's comments:



- code of conduct
- all under 17 live in borough offence and elsewhere
- terms attached / enclosed
- broadly in line with 59/90 - refer to policy document

*Question: 8.*

*Do you consider the panel is achieving the agreed 'terms of reference'?*

YES 78.4% NO 14.9% DON'T KNOW 6.8%

#### Document

*Question: 3.*

*Is there a policy document for inter-agency decision making in respect of your youth liaison panel?*

YES 74.4% NO 13.4% DON'T KNOW 11.0%

*Question: 4.*

*Do you agree with the policy document for inter-agency decision making in respect of your youth liaison panel?*

YES 81.9% NO 4.2% DON'T KNOW 13.9%

#### Guidelines

*Question: 5.*

*Are there guidelines on inter-agency decision making in respect of your youth liaison panel?*

YES 72.0% NO 23.2% DON'T KNOW 4.9%

*Question: 6.*

*Are there any problems with the guidelines on inter-agency decision making in respect of your youth liaison panel?*

YES 16.2% NO 63.5% DON'T KNOW 17.6%

#### Role within panel

*Question: 18.*

*Is your role in the inter-agency youth liaison panel clear?*

YES 93.8% NO 6.2% DON'T KNOW 0.0%

### Support from parent organisation

*Question: 40.*

*To what degree do you feel that your commitment to the panel is supported by your organisation?*

1	Totally supported	54.9%
2	Supported	35.4%
3	Neither	4.9%
4	Occasionally supported	2.4%
5	Not supported	2.4%

*Question: 41.*

*To what degree do you feel that your commitment to the panel is supported by your organisation?*

*Why do you say that?*

Some of the respondent's comments:

***Positive comments:***

- enable victims voice to be heard when relevant
- has become part of service mandate
- adolescent services was part of the original group
- feedback from reports
- they never question my commitment
- my attendance;dedicated officers
- seen as an important link for probation service with other agencies
- facility to attend meetings
- line managers are committed; they monitor panel
- social services want the diversion scheme to exist

***Negative comments:***

- majority of police officers are unclear of panels role
- divisional police show no interest
- no interest by schools
- difficult to obtain cover when cannot attend meetings
- New Scotland Yard supports panels;but Divisional Management Teams do not
- some colleagues are concerned about my role

### Monitoring & Evaluation

*Question: 11.*

*Is the panel's work monitored and evaluated?*

YES	76.8%	NO	19.5%	DON'T KNOW	3.7%
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*Question: 12.*

*If so, who performs the monitoring and evaluation?*

Some of the respondent's comments:

- adolescent services; youth justice team
- all panel members
- inter agcy strategy group
- responsible to steering group
- Youth & Community Section of the police
- agency line managers
- panel & passed onto agencies supervisors
- in the past social services / magistrates' courts clerk
- self evaluation & support from monitoring group
- maintained by police; evaluated by steering group

**Administrative support for panel**

*Question: 13.*

*What administrative support does the panel receive?*

Some of the respondent's comments:

- police and adolescent services
- provided mainly by social services
- youth justice supported by police
- none other than names produced by police
- YACS police
- minute taker

**Receipt of information prior to panel meeting**

*Question: 19.*

*When do you receive information about the panel cases?*

	Cases	% Responses
1.	3 weeks before the panel meeting	0.0%
2.	2 weeks before the panel meeting	13.6%
3.	1 week before the panel meeting	3.3%
4.	2/3 days before the panel meeting	25.9%
5.	At the panel meeting	3.7%
6.	Combination of 1 week & 2/3 days before meeting	23.5%

**Number of cases considered at panel meeting**

*Question: 20*

*What is average number of cases  
your panel considers at each meeting?*

Cases	% Responses
1	3.6%
2	39.8%
3	7.2%
4	16.9%
5	7.2%
6	3.6%
8	9.6%
10	7.2%
Missing value	4.8%

**Average length of time spent deciding each case**

*Question: 21.*

*What is the average length of time  
spent on deciding each case?*

Minutes	% Responses
10	4.8%
15	21.7%
20	22.9%
25	6.0%
30	28.9%
35	6.0%
50	1.2%
60	3.6%
Missing value	4.8%

**Sufficiency of time to decide each case**

*Question: 22*

*Do you consider that you have sufficient time  
to decide each case and make a recommendation?*

YES 97.6% NO 2.4% DON'T KNOW 0.0%



### Agreement concerning panel's recommendation

*Question: 23*

*Do you feel that there is agreement between each agency concerning the panel's recommendation?*

		% Responses
1	No agreement	1.2%
2	Little agreement	4.9%
3	Neither	2.5%
4	Much agreement	71.6%
5	Total agreement	19.8%

### Factors that interfere between each agency in terms of method of working

*Question: 24.*

*What, if any, do you think are factors that interfere between each agency in terms of method of working?*

Some of the respondent's comments:

- no interference-always cooperative
- other commitments
- lack of information
- resource implications
- consideration of offender to that of victim
- different agency culture/ideological standpoint
- confidentiality
- no strategy
- very little, we acknowledge each agency's perspectives
  - no uniformed way of reporting findings etc
  - MPS policy not to include 17 yr old offenders
  - different value base/ philosophy
- each agency has different roles/ways working/NOT shared view of offending + treatment
- we recognize that we start from different view-points

### Procedure when there is disagreement concerning a recommendation

*Question: 37.*

*What is the procedure when agreement can not be reached concerning a recommendation?*

Some respondent's comments:

- majority decision
- referred to cps

- normally request further info
- all information to CPS for them to decide
- police decision final

### Percentage of recommendations accepted by police

*Question: 25*

*What percentage of your panel's recommendations are accepted by the police?*

<b>% Cases</b>	<b>% Responses</b>
75	6.6%
80	5.3%
85	1.3%
90	10.5%
95	23.7%
99	21.1%
99.9	2.6%
100	28.9%

### Panel recommendations

*Question: 36.*

*What are the recommendations which your panel can make?*

Some respondent's comments:

- no further action;caution;caution +kart proj;pros
- pros;caut;caut +; no further action;defer for information
- no further action;caut;caut +;pros;informal wrng
- charge;caution + assist family/child

### Support offered by panel

*Question: 55.*

*What types of support do your panel offer?*

Some respondent's comments:

- kart project/cautioning group/social service
- caution project;soc ser/educ/youth ser input
- youth justice group/ser;youth clubs
- out of court support to defendants & family
- individual counselling;school placements;youth clubs;
- Intermediate Treatment type programmes;counselling support;involving youth activity



### Panel meeting process

*Question: 26.  
Who chairs your panel meetings?*

Some respondent's comments:

- team manger youth justice team
- rotates/ not police;each agcy except police
- police and - rota system

*Question: 27.  
Is the chair rotated?*

YES 45.7% NO 53.1% DON'T KNOW 1.2%

.

*Question: 28.  
If yes, how often is the chair rotated?*

Some respondent's comments:

- every meeting fifteen panels
- every 3 months only one case
- once a year only one case

*Question: 29.  
Who leads the discussion at your panel meetings?*

Some respondent's comments:

- alternates
- initially chair ;then everyone contributes
- agency chairing
- person most conversant with the case
- equal representation
- chair person
- police open each case

*Question: 30.  
Does the chair consider outstanding cases?*

YES 55.7% NO 30.0% DON'T KNOW 14.3%

**Decision making aids**

*Question: 32.*

*Do you use any form of decision making aid?*

YES 21.3% NO 78.8% DON'T KNOW 0.0%

*Question: 33.*

*If so, please state:*

Some respondent's comments:

- proforma brief facts case
- detailed home visit reports
- only HOC 59/90 guidelines; formal voting

**Use of Police Form 78 for decision making**

*Question: 34.*

*Do you make use of Police Form 78 in your decision making?*

YES 21.5% NO 72.2% DON'T KNOW 6.3%

*Question: 35.*

*If so, please state Form 78's relevance in your decision making:*

Level of significance	% Responses
Not significant	44.4%
Less significant	5.6%
Significant	19.4%
More significant	19.4%
Very significant	11.1%

**Home Office Circular 59/90**

*Question: 38.*

*Have you read Home Office Circular 59/90?*

YES 63.0% NO 33.3% DON'T KNOW 3.7%

**Code for Crown Prosecutors**

*Question: 39.*

*Have you read the Code for Crown Prosecutors?*

YES 48.1% NO 46.9% DON'T KNOW 4.9%



### Decision making criteria

*Question: 17.*

*What significance do you give to the following information when making a decision:*

**a.**     **Age of the offender?**

Level of significance	% Responses
Not significant	4.9%
Less significant	6.1%
Significant	17.1%
More significant	35.4%
Very significant	36.6%

**b.**     **Ethnicity of the offender?**

Level of significance	% Responses
Not significant	51.2%
Less significant	15.9%
Significant	20.7%
More significant	6.1%
Very significant	6.1%

**c.**     **Gender of the offender?**

Level of significance	% Responses
Not significant	48.8%
Less significant	14.6%
Significant	20.7%
More significant	9.8%
Very significant	6.1%

**d.**     **Home circumstances?**

Level of significance	% Responses
Not significant	4.9%
Less significant	6.1%
Significant	28.0%
More significant	40.2%
Very significant	20.7%

e.      Previous history of offending?

Level of significance	% Responses
Not significant	1.2%
Less significant	2.4%
Significant	18.3%
More significant	29.3%
Very significant	48.8%

f.      Sufficiency of evidence?

Level of significance	% Responses
Not significant	6.2%
Less significant	4.9%
Significant	14.8%
More significant	19.8%
Very significant	54.3%

g.      Seriousness of offence?

Level of significance	% Responses
Not significant	0.0%
Less significant	0.0%
Significant	2.4%
More significant	20.7%
Very significant	76.8%

h.      Trivialness of offence?

Level of significance	% Responses
Not significant	3.7%
Less significant	1.2%
Significant	11.0%
More significant	24.4%
Very significant	59.8%

i.      Public interest?

Level of significance	% Responses
Not significant	7.3%
Less significant	17.1%
Significant	25.6%
More significant	35.4%
Very significant	14.6%



**j.**      **Victim's viewpoint?**

Level of significance	% Responses
Not significant	2.4%
Less significant	9.8%
Significant	36.6%
More significant	26.8%
Very significant	24.4%

**k.**      **Arresting officer's viewpoint?**

Level of significance	% Responses
Not significant	11.0%
Less significant	20.7%
Significant	43.9%
More significant	17.1%
Very significant	7.3%

**l.**      **School's viewpoint?**

Level of significance	% Responses
Not significant	11.0%
Less significant	18.3%
Significant	37.8%
More significant	24.4%
Very significant	8.5%

**m.**      **Other agencies' viewpoint?**

Level of significance	% Responses
Not significant	1.2%
Less significant	7.3%
Significant	32.9%
More significant	30.5%
Very significant	28.0%

**n.**      **Offender's viewpoint?**

Level of significance	% Responses
Not significant	8.5%
Less significant	15.9%
Significant	20.7%
More significant	26.8%
Very significant	28.0%

**o. Offender's parents viewpoint?**

Level of significance	% Responses
Not significant	6.1%
Less significant	11.0%
Significant	36.6%
More significant	24.4%
Very significant	22.0%

**p. Admission of guilt?**

Level of significance	% Responses
Not significant	2.5%
Less significant	2.5%
Significant	3.8%
More significant	16.3%
Very significant	75.0%

**q. Resources available to divert the offender?**

Level of significance	% Responses
Not significant	8.5%
Less significant	3.7%
Significant	14.6%
More significant	24.4%
Very significant	48.8%

**r. The need for intervention?**

Level of significance	% Responses
Not significant	1.2%
Less significant	2.4%
Significant	14.6%
More significant	37.8%
Very significant	43.9%

**Improvements to panel's decision making**

*Question: 31.*

*What do you consider could be done  
to improve the panel's decision making?*

Some respondent's comments:

- advance information
- minute taker;time;adv not ref
- regular attendance by other agy



- clear procedures/guideline for decisions
- resources to assist offender
- strategy-idiots guide.
- quite happy way it is
- more sophisticated ethnic monitoring
- more practice /experience
- more info about each case
- more structured meeting;but no real problems

### Role of Crown Prosecution Service

*Question: 42.*

*What do you consider is the role of the Crown Prosecution Service in the panel's decision making process?*

Some respondent's comments:

- advice re charge;evidence etc;implement decision
- final decision if panel is split;adjudicate in split decisions
- to read panel recommds liaise police
- has no role maintains independence
- technical adviser/ arbitrator

### Issue of 17 year old offenders

*Question: 14.*

*Does your panel deal with 17 - 18 year old offenders?*

YES 5.0% NO 95.0% DON'T KNOW 0.0%

*Question: 15.*

*Do you think that your panel should deal with 17 - 18 year old offenders?*

YES 82.1% NO 17.9% DON'T KNOW 0.0%

*Question: 16.*

*Please state briefly your reasons for Q.15  
Do you think your panel should deal with  
17-18 year old offenders?*

-Some respondent's comments:

- age of consent 18 and classed as minors
- requirements criminal justice act 1991

- national policy & youth crt
- youth court treated as youth age majority
- removes certain individuals from court system
- consider as 'young' court sys alternative
- youth crt deal with 17yr; panel shld deal yth crt; 16 yr old co-def cautioned??
- panel decide 16 to yth crt; bring in line

***Reasons why the panel should not deal:***

- should be treated as adult
- more than enough time spent current age

**Issue of Intermediate Treatment**

*Question: 43.*

*Do you feel that Intermediate Treatment works?*

YES 61.7%      NO 7.4%      DON'T KNOW 23.5%

YES & NO 7.4%

*Question: 44.*

*Do you feel Intermediate Treatment works?*

*Why do you say that?*

Some respondent's comments:

- now called youth just/sme grasp other not
- some individuals will respond/others will not
- any diversion from custody must be in everyone's interest
- proven through research
- reduction in re-offending
- the experts say so
- results given by fellow panel members
- from my own personal experience
- re-offending rates statistical evidence
- some youths are diverted some re-offend
- poss divert young offend input early stage
- not seen any evidence; but cant be worse!
- *cos many people reoffend*
- *too many reoffend*
- *lack consistency dealing non-attndrs*
- no concrete evidence



### Criminal Justice System/Process

*Question: 45.*

*Do you feel part of the criminal justice system/process?*

YES 90.2% NO 6.1% DON'T KNOW 3.7%

*Question: 46.*

*Do you feel part of the criminal justice system/process? Why do you say that?*

Some respondent's comments:

- liaise pol/cps/crt/prob-respected listen
- panel is the 1st step in system; yng out early stage
- dec mkg re juv caut etc part of panel
- intervg early create effect in system
- my obsevtns forwarded to CPS
- play very important role young person future
- Social Services Department crt officer part CJ process
- prob service the heart of the cj system
- reduction in the court list
- all agncys involved good for dec mkg proc
- work with offenders all day
- pol service are part of system
- we can stop movement case to court
- not sure EWS has great influence in CJS

### Welfare Model

*Question: 47.*

*Have you heard the term 'welfare model'?*

YES 47.0% NO 50.6% DON'T KNOW 2.4%

*Question: 48.*

*If so, what do you understand by the term?  
'welfare model'?*

Some respondent's comments:

- justice affected by the wel need of offdr
- ensure that welfare issues prime factor in dec mkg
- support to young people on welfare grnds
- judicial disposal based on features of off not offence
- anything other than criminal matters

- special attn social/economical/psychological influence on individual
- dec mkg on the basis of person's welfare
- keeping youth out of system
- all social circ taken into considtn make dec
- take account of client's needs
- welfare of child is paramount
- person centred in best intrst ind-accused
- welfare child paramount;sec 44 cypa 33
- focus on the offndr as a person/& soc circs
- a model that looks firstly at the offder and what needs are
- child's welfare and protection TIC under Child Act '89
- needs versus deeds

### Justice Model

*Question: 49.*

*Have you heard the term 'justice model'?*

YES 45.1% NO 50.0% DON'T KNOW 4.9%

*Question: 50.*

*If so, what do you understand by the term?  
'justice model'?*

Some respondent's comments:

- equality before the law;sent accord serious off
- panel deal with cases on leg matters
- disposal based on offence not offdr 'just desserts' dec mkg
- tariff disposal system
- only the current offence should be consid dec
- dealing with youngsters basis of 'just desserts'
- interest wider society & the victim
- focus on offence & offndng; behaviour assoc off
- model considers offndr in terms of offence commtd

### Support for Welfare or Justice Model

*Question: 51.*

*Which, if any, of the two models do you support?*

Model	% Responses
'Welfare model' only	2.9%
'Justice model' only	8.7%
Both	43.5%
Neither	4.3%
Don't know	0.6%



## Training

*Question: 52.*

*Have you had training in decision making?*

YES 47.6% NO 48.8% DON'T KNOW 3.7%

*Question: 53.*

*Do you feel training in decision making would assist you?*

YES 68.4% NO 21.5% DON'T KNOW 10.1%

*Question: 54.*

*Has this training included any of the following:*

*a. Joint training with other agencies?*

YES 37.5% NO 60.7% DON'T KNOW 1.8%

*b. Refresher course?*

YES 5.9% NO 92.2% DON'T KNOW 2.0%

*c. Feedback to your on your decision making?*

YES 29.6% NO 66.7% DON'T KNOW 3.7%

## Further suggestions

*Question: 56.*

*Do you have any further suggestions  
concerning this research project?*

*If so, please comment here:*

Some comments:

- results would be interesting;good pract
- consider conference/meeting panels
- more consistency
- promotion our effectiveness & value
- ethnicity crucial issue
- are the findings going to be consid H/O
- help if all panels work same framework
- jargon;booklet to accompany be useful
- Limited funds and resources for caution plus

## **APPENDIX II**

### **A2.0 MISCELLANEOUS DATA**

This appendix includes miscellaneous information and data referred to in the body of this document:

**A2.1 SSM – Structure, Process, Climate and Issues**

**A2.2 SSM – Analysis One, Two and Three of MAP**

**A2.3 Best Practice Guidelines for MAP within the MPD**

**A2.4 Confirmation of Contribution by Raymond Rowe in the MPS Gravity Factor Process – Letter (Gibson,2000)**

**A2.5 Decision-Making Criteria for Gravity Factor Process**

**A2.6 SSM – Rich Picture 1st Iteration**

**A2.7 SSM – Rich Picture 2nd Iteration**



## A2.1 SSM - STRUCTURE, PROCESS, CLIMATE AND ISSUES

### STRUCTURE (Elements slow to change)

Multi-agency consultation	Police Service
Probation Service	Local Authority
Social Services	Education Department
Youth Services	Youth Courts-'Juvenile Courts'
Victim Support Schemes	Voluntary sector- befrienders
Crown Prosecution Service	Home Office
Parliament	Home Affairs Select Committee
Royal Commission	Hierarchy
Inflexible management	Rules
Myths	Image
Culture	Law/knowledge
Paperwork	Administrative support
Resistance to change	Training
Panel member selection	Grievance procedures
Geographical boundaries	Borough Social Services;
Educational Services;	Youth Services:
Divisional Police:	Youth Court
Probation Service	Crown Prosecution Service

### PROCESS (continuously changing elements)

Consultation with other agencies	HOC 22/64; 14/85; 59/90
Consultation prior to prosecution	Administration of caution
Administration of information	Exchange of information
Decision making	Procedure for arriving at a decision
NFA,caution,caution support,prosecution recommendation.	Recommendation /no
Administration of support for caution plus	Youth clubs; leisure activities
Limited resources:	Support offered
Joint training	Planning
Conflict in priorities- each agency different	MPS policy guidelines
HOC 59/90	Code for Crown Prosecutors
Administration of panel meetings	Chair; minutes; phone; support
services; Cars/transport/mileage; buildings;	Technological aids;
Communications;	Statistics/intelligence

### *CLIMATE (relationship between elements of structure and process)*

Legislation- CJA 91 -v- Children Act 1989

Attitude

Tension and Conflict

Full MAP secondment-joint agency working eg Northampton

Ad Hoc/part-time MAP

No MAP as in Essex refer to YOLT to decide;

Return papers with recommendation

Public attitude

Victim; offender; family; school and state.

### *ISSUES*

Why consult

Justice model

Value for money

Best practice

Home Visits

School exclusions/truants

Second-guessing CPS decision

Why only deal with prosecution referrals

Should the panel deal with 17 year olds?

Other types of disposal needed

Post case disposal support

Changes to Sec 29 CJA 1991 by CJA 1993

Child Protection Teams 'work together'

Age/health/maturity of offender

Effectiveness & efficiency

Sec 95 CJA91 monitoring

Community Safety

Victim's Charter

Welfare model

Combination of welfare/justice model

Quality of service

What's been happening ?

Confidentiality/share information

Educational assessments

How to set priorities

How to set criteria for decision-making

Time limits for decision making

Statutory caution plus

Previous history of offender

Unit fines

Parental responsibility

Monitoring & evaluation

Equal opportunities

Partnership activities-

Policing Charter

T.O.Workplan No.7 Case disposal



## **A2.2            SSM - ANALYSIS ONE, TWO AND THREE OF MAP**

### **Analysis One**

*Client:*                      Anderson Dunn, AC. MPS Criminal Justice Portfolio Jim Gibson Comdr. MPS Case Disposal Working Party, Chris Smith,  
Russ Horne Supt. & Derek Millar Insp. MPS TO30

*Client's aspirations:*    To develop a way of measuring the performance of the MAP  
To offer advice and consultancy to the Case Disposal Working Party  
To offer advice and consultancy on HOC 18/94

*Problem solvers:*        Ray Rowe, Jim Gibson, AC Dunn, CJ Office

*Resources available:*   City University, SSM, TO30, PIB MPS, YACS, CJU, BLO, CJ Office, NPT –Bramshill Library, MPS Library, Home Office Library

*Constraints:*            Time, HOC 18/94, Legislative changes, MPS re-organisation, political environment of MPS and the police service, failure to get support, lack of resources

*Problem owners:*        MPS and all MAP members and their organisations

*Implications of problem owner chosen:*

AC Dunn wants best practice to be identified and policy on case disposal published.

*Reason for regarding the problem as a problem:*

The reorganisation of the MPS has specified annual reviews of activities and performance measurements. There is no information on the cost or effectiveness of MAP.

*Value to the problem owner:*

Improvements in the effectiveness of the MAP case disposal decision-making for young offenders.

*Problem content:*

To provide performance measurement for MAP  
To describe MAP activities, using nouns and verbs 'relevant to those activities' to be examined by s 'Structure and Process' Analysis.

## Analysis Two.

Roles, norms, values as described by Checkland and Scholes (1990).

<i>Role:</i>	Role in MAP
<i>Norm:</i>	Expected behaviour
<i>Value:</i>	What constitutes 'good' or 'bad' behaviour in role.

*Roles in MAP*

MAP roles include maintaining relationships with other role holders e.g. YACS Managers, CJU Managers, police officers, young offenders, victims, CPS representatives, Magistrates' (Youth) Court, Crown Court.... The roles, norms and values of these individual bodies will not be explicitly examined. The basic role of a MAP member is to contribute to make recommendation to the police concerning the case disposal of young offenders.

*Norms*

MPS TO30 policy on MAP guidelines do not offer a job description or job specification.  
The roles and norms are uncertain.  
HOC 59/90, HOC 18/94, ACPO Cautioning Guidelines and MPS Case Disposal Guidelines will set role and norms.  
The balancing of the drive for efficiency against the need for effectiveness.

*Values*

A commitment to the development of standards to police decision-making.  
A commitment to the development of standards to MAP decision-making.  
The importance of being able to perform their role is relevant and necessary.  
Proper 'Gatekeeping' for the CJS – not counting the young offenders going through the CJS.  
Knowledge and skills in what's right for the young person.  
Knowledge and skills in professional field of each MAP member.  
Each MAP member having equal status.  
The MPS to value each MAP recommendation.  
A clear sense of purpose.  
Efficient use of resources.



### Analysis Three

#### *Disposition of power:*

Changing and uncertain at the present while the MPS decide on the future role of MAP.

Use to be held by YACS, then CJU Managers – MAP may get more power with the introduction of the YOT.

Management of MAP autonomous, TO30 and steering group. Mainly a police group, but now move to local authority likely following Crime and Disorder Act, 1998.

YACS has been very active with MAP, CJU not so active toward MAP.

#### *Nature of power:*

Ability to be able to influence the distribution of resources implies access to information and ability to persuade.

Ability to enlist the supports of others. Is able to influence and / or direct others. (Rely on co-operation of others to perform actions, do not even have a specific budget defined for all MAP work),

Ability to define the needs of the MAP convincingly.  
Use of propaganda and marketing.

#### *Process by which power is:*

- |      |           |   |
|------|-----------|---|
| i.   | Obtained  | TO30 best practice guidelines allow MAP to be formed as a 'conference model' to make recommendations to police.<br>MAP members professional accreditation         |
| ii.  | Exercised | Taking control of MAP meeting<br>Making decision following MAP meeting<br>Giving professional advice to MAP<br>By force of personality<br>Withholding information |
| iii. | Preserved | Support from other MAP members and organisations involved.  |
| iii. | Passed on | Doubt as to future of MAP role (awaits).  |

## **A2.3 BEST PRACTICE GUIDELINES FOR MAP WITHIN THE MPD**

*(These guidelines are to be read in conjunction with the Case Disposal manual of guidance the Code for Crown Prosecutors and the ACPO Cautioning guidelines)*

- 1. Aims & objectives**
  - 1.1** The aims of all multi-agency youth liaison panels (MAPs) must be to divert the young offender offenders referred to it from court and by offering, where appropriate, community-based supportive activity to divert them from further involvement in crime.
  - 1.2** The aim of these best practice guidelines is to provide a clearly defined framework within which Criminal Justice Units (CJUs) within the Metropolitan Police District may negotiate the establishment of multi-agency youth liaison panels with borough-based agencies.
- 2. Case conference style versus tribunal style**
  - 2.1** Any proposed multi-agency youth liaison panel must operate in a "Case-Conference" style as a body which makes recommendations to police about the disposal of certain categories of young offender offenders, according to all the known relevant information about the offender and the offence. It is quite possible that the views, and indeed demands of some agencies, may be such as to preclude the formation of such multi-agency youth liaison panels. The police should be prepared to refuse to establish multi-agency youth liaison panels where a "Tribunal-style" is insisted upon, or where prospective multi-agency youth liaison panel members consider it to be an independent body. However as much flexibility as possible has been allowed in order to permit other agencies to make genuine contributions in schemes aimed at diverting those young offenders most at risk of prosecution.
- 3. MAP representatives**
  - 3.1** The multi-agency youth liaison panel may consist of representatives of borough-based agencies involved in dealing with young offenders. The following list is not exhaustive as in certain areas specific needs may be identified that require additional representation (e.g. in areas of high levels of ethnic minority population, ethnic representation on the multi-agency youth liaison panel may be appropriate). However, representatives of the following agencies will normally be appropriate:
    - a)** Police Service (Criminal Justice Unit);



- b) Social Services Department (Court Section and Young Offenders Team/ Section);
  - c) Education Welfare Service;
  - d) Probation Service;
  - e) Local Authority Youth Service.
  - f). Voluntary Sector representative.
- 3.2 The offender, their parent/guardian or legal representative will not be allowed to attend the multi-agency youth liaison panel meeting.
- 3.3 The victim or legal representative will not be allowed to attend the multi-agency youth liaison panel meeting.
4. **Cases which are to be referred to a MAP**
- 4.1 The type of cases referred to the multi-agency youth liaison panels will be those young offenders who live in the borough who have been referred to the Criminal Justice Unit, who admit the offence and where parental consent is obtained. Given that the vast majority of young offenders commit offences within the borough in which they reside, it may well be practicable for multi-agency youth liaison panels to consider appropriate cases where a local young offender has offended elsewhere in the Metropolitan Police District. Any subsequent decision to prosecute must be referred to the Youth Court where the offence occurred. The prior consent of the Superintendent of the Operational Command Unit where the offence occurred must be sought in such cases.
5. **Cases which are NOT to be referred to a MAP**
- 5.1 The Code for Crown Prosecutors (June 1994) issued vide section 10 Prosecution of Offences Act 1985 will apply and the following cases may *NOT be* referred to such multi-agency youth liaison panels: -
- a) Where an immediate charge is preferred as a result of the young offender being arrested on a warrant or where police have reason to believe that the young offender has committed, or attempted to commit, robbery, rape, arson where life has been endangered or grave assault;
  - b) Where an immediate decision to take no further action or administer an instant caution is made; or
  - c) Where a caution is the appropriate form of disposal; or

- d) Where the offence is denied; or
- e) Where the consent of the parent/guardian to a caution and participation in the multi-agency youth liaison panel scheme is not obtained; or
- f) Where the offence or the offender's previous history is so serious as to make prosecution the only appropriate course of action. (Multi-agency youth liaison panels may be informed of cases when this has occurred if the information is sought).

## **6 MAP recommendations as to case disposal**

### **6.1 Multi-agency youth liaison panels may recommend any of the following forms of disposal:**

- a) No further action;
- b) Not proceeded with
- c) Caution:
- d) Caution and community-based supportive activity (Caution Plus);
- e) Prosecution;
- f) No recommendation.

### **6.2 Alternatively, no consensus may be achieved. The police representative should be of sufficient rank and in a position to make an immediate decision before the conclusion of the multi-agency youth liaison panel meeting in the vast majority of cases.**

## **7. Chairmanship of MAP meeting**

### **7.1 The venue of the meeting and the chairmanship may be negotiated according to the perceived needs of the multi-agency youth liaison panel and the resources available. The police should provide the secretariat of the multi-agency youth liaison panel. Multi-agency youth liaison panels should meet at regular intervals according to the workload and bearing in mind the need to avoid undue delay where a prosecution results.**

## **8. Exchange of information prior to MAP meeting**

### **8.1. The young offender's details are to be considered should be forwarded to the agencies concerned by phone, facsimile message, or in writing (letter or pro-forma) by the Friday preceding the next scheduled**



meeting, in order that each agency may check its records and collate any relevant information. At the multi-agency youth liaison panel meeting the Criminal Justice Unit representative will contribute the primary information on the cases, i.e. the facts, antecedents of the offender and result of the home visit.

## **9. Confidentiality**

- 9.1. Any agency is free to contribute whatever information they consider appropriate or relevant. Any information given to the multi-agency youth liaison panel must be treated as confidential and is to be used only for the purpose of making an appropriate recommendation to police as to the disposal of the case. After considering a summary of the multi-agency youth liaison panel's views from the chairperson an immediate decision as to the course of action to be taken should be made by the Criminal Justice Unit representative. In exceptional cases, e.g. disagreement within the multi-agency youth liaison panel, the case may be referred back to the Superintendent of the Operational Command Unit where the offence occurred.

## **10. MAP recommendation to prosecute**

- 10.1 In all cases where, after referral to the multi-agency youth liaison panel, a decision to prosecute is made, the fact that the case was so referred and the reasons for the decision to prosecute must be contained in the case papers for the information of the Crown Prosecution Service.MG3A and Form

## **11. Community-based support activities (Caution Plus)**

- 11.1. The following list is an example of some of the resources which may be offered, as an accompaniment to a formal caution, with a view to diverting offenders from further criminal activity: -

- a) Social Services input;
- b) Probation Service's input;
- c) Educational Welfare input;
- d) Youth club attendance;
- e) Apology;
- f) Reparation (Direct or Indirect)  
(NB: Police *MUST NOT NEGOTIATE*).

g) Youth Service Facility;

h) Counselling;

i) Befriender's Scheme.

11.2 All Community based support activities (Caution Plus) must be by voluntary participation.

## **12. MAP member's commitment**

12.1 Experience appears to show that considerable commitment is required, not only by multi-agency youth liaison panel members, but also those involved in the provision of the community-based support activities if best use is to be made of these resources. It may often be the case that once agreed to, the voluntary activity might not be attended. Although there is no formal sanction for this, other than prosecution after any subsequent offence, it must be stressed to prospective multi-agency youth liaison panels that police will cease to consider as viable, options where there appears to be a deliberate or casual acceptance of non-attendance by the young offender, which will only serve to increase the likelihood of prosecution. If other agencies are committed to diversion, it should be made clear that there is a need to ensure as far as possible those offenders participate in diversionary activities.

12.2 Similarly, should there be a lack of commitment by agencies (e.g. by failing to attend meetings or refusal to consider alternative other than NFA or caution in all cases), police should be prepared to discontinue the multi-agency youth liaison panel.

## **13. Monitoring and evaluating MAP's performance**

13.1 In order that the effectiveness of such multi-agency youth liaison panels may be monitored it is suggested that the following information be recorded and forwarded to CO30, 3 Area (NE) on an annual basis, to be submitted in the first week of January each year. It is appreciated that the final outcome of recent cases may not be known. This should be included in the following year's figures, together with details of subsequent re-offending by offenders dealt with after referral to a multi-agency youth liaison panel: -

a) The number of young offender cases referred to the Criminal Justice Unit;

b) Number of young offender cases cautioned by the Criminal Justice Unit direct and the number re-offending to date;



- c) Number of young offender cases prosecuted by the Criminal Justice Unit direct and the number re-offending to date;
- d) Number of young offender cases referred to the Multi-Agency youth liaison panel;
- e) Number of young offender cases prosecuted after referral to multi-agency youth liaison panel and the number re-offending to date;
- f) Number of young offender cases cautioned after referral to multi-agency youth liaison panel and the number re-offending to date;
- g) Number of young offender cases where NFA taken after referral to multi-agency youth liaison panel and the number re-offending to date;
- h) Number of each type of supportive activity used in young offender cases; whether actually attended or not and re-offending to date for each option and for those young offenders who failed to attend.

13.2 Such guidelines cannot hope to cover every potential problem and, where difficulties are encountered, CO30, 3 Area (NE) may be consulted for advice when necessary.

13.3 The quality assurance Inspector at each OCU could assist the OIC CJU in the monitoring task.

A2.4 Confirmation of Contribution  
by  
Raymond Rowe  
in the  
MPS Gravity Factor Process

I, James Gibson, confirm that I chaired the Metropolitan Police Service Working Party on Case Disposal, between 1990 and 1993.

An important outcome of the working party concerned the introduction of the 'gravity factor' decision-making process. Briefly, the 'gravity factor' process grades offences on a scale of one (low gravity) to five (high gravity) based on the seriousness of the individual offence. They were intended to provide practical guidance to police decision-makers in case disposal. They have directly led to a consistency of approach to police decision-making for all offences.

The concept of the gravity factor decision-making process was put forward by Raymond Rowe, Chris Smith and Derek Millar and, it is due to their collective work that the Metropolitan Police Service adopted the gravity factor decision-making process. Raymond Rowe's contribution to the Metropolitan Police Service Working Party on Case Disposal was the development and implementation of the gravity factor process in the Metropolitan Police Service.

The fact that the report and, its findings are under my name (GIBSON, J. (1993) "Offenders Case Disposal – Proposals for Change", London: MPS) simply follows the normal Metropolitan Police Service convention.

Signed ..... Signed .....  
James Gibson Raymond Rowe

Dated 11 September 2000 Dated 11 September 2000



## **A2.5 DECISION-MAKING CRITERIA FOR GRAVITY FACTOR PROCESS**

### **1.0 Equal opportunity and anti-discriminatory practices**

Consider the implications of Sec 95 Criminal Justice Act 1991; monitor and evaluate.

### **2.0 Decision-making on Co-offenders**

The experience and circumstances of offenders involved in-group offences can vary greatly, as can their degree of involvement. Although consistency and equity are important considerations in the decision to caution or charge, each offender should be considered separately. Different disposals may be justified.

### **3.0 Values of property**

Flexibility should be used by police decision-makers about monetary value of offences. Estimates of the value of property and of damage are often unreliable and 'value' estimates are bound to be subjective.

### **4.0 Multiplicity of offences**

When there is more than one offence per offender police decision-makers should act as follows:

- With a number of offences arising from one incident, the major offence should be considered and the minor matters incorporated in the disposal.
- With offences arising from a number of chronologically separate incidents, the cumulative effect of the offences should be taken into account and an overall decision made.
- An exception common to both the above is where the police are required to notify offences to other prosecution bodies such as Driver Vehicle Licensing Agency or Director of Social Service, according to instructions. Any related offence, within the remit of the police decision-maker, should be dealt with first. That disposal decision should then be notified, on the appropriate form, to the other body. Any subsequent police prosecution should be co-ordinated with the other prosecution body.

### **5.0 Attempts / Conspiracy to Commit Offences**

The criteria applicable to the full offence should be followed.

## **6.0 Decision-Making Factors Applicable to All Offences**

### **6.1 Mitigating factors**

#### Age of the offender

For those aged 10 -13 years inclusive the presumption of diversion will be even greater, with disposal by NFA for many situations. Police decision-makers may need to be able to justify a decision to caution rather than NFA and must consider the evidential requirement to establish guilty intent for this age group.

The maturity of the offender - must be able to consider this by looking at background i.e. a home visit report from police

#### State of health of offender

The ill health of an offender will not excuse offences; however, it may be taken into account (depending on the particular offence and the nature of the illness) especially if it is clear that an offender's illness contributed to the offence.

Additional care must be taken with any offender considered to be mentally disordered, handicapped or incapable of understanding questions put to them. This factor should be regarded as increasing the possibility of diversion from prosecution and when this occurs consideration must be given to the possibility of obtaining assistance for the offender from other agencies. It must be noted that a caution may not be the appropriate method of diversion in such cases because of the requirement that an offender admits the offence, understands the implications of a caution and is in a position to agree to be cautioned.

#### Provocation

Consider provocation from the 'victim' and the 'victim's group'. Consider particularly if offence was impulsive reaction to provocation as opposed to a deliberate or delayed response.

### **6.2 Aggravating Factors**

#### Impact on victim

Victim caused considerable distress or concern, especially where he or she is particularly vulnerable from the outset. Particular attention should be paid to age and gender issues. Actions directed at personal property are likely to be more distressing to victims. Genuine regret and subsequent actions such as apologising and making reparation should increase the possibility of diversion. However, the absence of any payment of compensation should



not rule out diversion. Could also be relevant when minimal distress or concern are caused to the victim.

#### Racial, ethnic, religious motivation

The victim's race, ethnic origins or religious beliefs are a considered a significant motivating factor.

#### Recent relevant offending history

Where the offender has a caution or conviction for a 'like' offence e.g. dishonesty, violence, criminal damage or drugs but same principles applies to all offences. The relevant period for a previous offence committed by a young offender is one year. Any outstanding court order should be taken into account. Frequent nuisance offender; number of previous minor incidents during the relevant period, not cautioned or prosecuted; consider a more formal response.

#### Victim in public services

Offence directed to a victim as a result of his/her public service work, e.g. schoolteachers, traffic wardens, bus drivers, medical staff, social workers, probation or police officers etc.

#### Public outrage

Actions that cause considerable distress to the public at large. The level of offending effects the environment to such a degree that offences previously considered minor, taken together, constitute a serious problem.

#### Position of trust

Offence committed by offender in a way that abuses a position of trust. Offence committed by offender abusing relationship of trust or responsibility between defendant and the victim.





