

DRAFT SUBMISSION

Despite some progress, the system of juvenile justice in the United Kingdom remains excessively punitive. The state's response to juvenile crime should focus more on rehabilitation" (Hammarberg, 2012). Examine the effectiveness of rehabilitation and/or restorative justice as a means of reducing re-offending among young offenders. Your answer must be based on academic research, but you may make reference to relevant case studies.

Within this assignment, the effectiveness of restorative justice as a means of reducing re-offending among young offenders will be conducted. This assignment will discuss adverse childhood experiences as being one of the main factors for juveniles committing criminal offences. This will also involve the General Strain Theory as an explanation for the association between ACEs and violent behaviours.

The age of criminal responsibility in the United Kingdom is 10 years old meaning that anyone between the ages of 10 and 17 can be arrested and taken to court if they are alleged to have committed a criminal offence. Juveniles are automatically eligible for special measures to help reduce the anxiety that is likely to come with attending court. Special measures can include the judges removing their wigs and providing evidence from behind a screen (Crown Prosecution Service, 2024). It is important to understand the reasons why juveniles are committing criminal offences in the first instance so that early intervention by all agencies can be made.

One explanation for juveniles committing crimes is due to experiencing adverse childhood experiences (ACEs). According to Public Health Wales (2015), 'those experiencing four or more ACEs are 14 times more likely to have been a victim of violence, 15 times more likely to have committed violence against another person in the last 12 months, and 20 times more likely to be incarcerated at any point in their lifetime'. Intervening at the earliest opportunity when a child is showing signs of behaviour problems should always be considered. However, this cannot always be helped, and a child may go on to commit crime. Once a child has committed an offence, some argue that the best option would be to treat them as an adult and go down the route of imprisonment however, research has shown that this is not the best option and restorative justice/rehabilitation should be focussed upon. According to Lambie and Randell (2013), imprisonment of juveniles is not an effective option in terms of outcome and instead, community-based and supported intervention practices are a better alternative. Different approaches by agencies show better outcomes than imprisonment such as strong family systems, behavioural approaches and police-led diversion schemes.

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The General Strain Theory conducted by Agnew (2006) explains the associations between ACEs and violence. The General Strain Theory states that when an individual experiences stress or strain due to an event, they tend to go through a range of emotions such as anger, depression, and frustration. As a result of this, the individual is likely to release these emotions and respond to the strain by committing crime or acting in a delinquent manner.

Agnew argues that children experiencing ACEs are more likely to commit violence against others especially if they have experienced strains of child abuse, neglect, and parental rejection. They enter a cycle of their anger being caused by rejection, parents not being able to control them and as such, they are forced into friendships that consist of other children going through similar strains and emotions to them. As such, they form delinquent and criminal groups (Wyk, 2023). Despite Agnew's study on the General Strain Theory being a useful explanation, it could be argued that his study appears to be too broad and that any event could be considered a strain.

Whilst it is important to intervene early and prevent juveniles from committing crimes, it is important to understand how to deal with them if they have committed an offence. Restorative justice is known to be one of the better options in dealing with offenders in terms of the reduction of re-offending and the reason that not all victims wish to participate in the criminal process and prefer to see the offender repair the harm caused. Restorative justice involves the repairing of harm caused by committing the offence which can take form in different ways such as the offender going through mediation with the victim. This is known as 'victim-offender mediation' (VOM) which is a process that allows the victim to meet their offender in a safe setting so that the offender can be held accountable, and they can discuss the impact that the crime has had on the victim (College of Policing, 2015). Other methods include family group conferencing, sentencing circles, and teen courts. Teen courts are used in first time and less serious cases where the roles of court personnel are filled by other young people. Sentences can include apology letters, educational workshops, and community service. According to the Local Government Association (2022), restorative actions have been shown to reduce re-offending by juveniles by 20%. They also argue that the methods best used for the reduction of re-offending are systemic therapeutic approaches such as family therapy. It can be argued that providing youths with therapy at the earliest opportunity would prevent them from going down the route of criminality. This ensures that the youth is given a chance to speak about any strains that they are experiencing and provides them with the best support.

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Whilst evidence has shown that the best restorative approaches are systemic therapies, parental programmes, and cognitive behaviour therapies, other methods of restorative justice are not very effective and causes an increase in crime. Research has shown that teen courts may be effective at reducing reoffending in the short term, but the effects do not appear to last more than a year and are no more effective than formal procedures (Bouchard and Wong, 2017). Another method used is putting juveniles in contact with prisons so that they can have feel what is it like to get convicted of a crime, however, evidence has shown that this method is not effective and has increased offending. Giving juveniles curfews to not be allowed in public spaces during night-time hours does not appear to be effective in reducing their involvement as victims or offenders of crime (Local Government Association, 2022).

Overall, restorative justice approaches are very beneficial, especially if used early on. Evidence has suggested that some methods are far more beneficial than others. It appears that therapeutic and supportive methods are the options that can have an impact on the reduction of crime rates committed by juveniles. Methods such as telling juveniles that they have a curfew and not to enter public spaces during night-time do not work. Methods, such as introducing them to prison, are also not effective and have shown an increase in the crime rates. It is evident that youths committing offences are doing it for a reason therefore, providing them with support and therapeutic approaches at the earliest opportunity is going to be beneficial in intervening with their delinquent behaviour.

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In a recent survey by HMICFRS, 65% of respondents agreed “that police in their local area treat people fairly and with respect” (Justice Inspectorates, 2019). Evaluate the impact of public perception on response policing.

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Evaluate the effectiveness of cognitive interviews as a strategy for obtaining initial accounts from victims and witnesses. Your answer must be based on academic research.

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Examine the positive and negative aspects of media attention when dealing with public protection incidents. Your answer must be based on academic research rather than personal experience.

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*BIBLIOGRAPHY NOT INCLUDED DUE TO DRAFT SUBMISSION ONLY.