PREDICTING REOFFENDING

The Youth on Track proposal aims to focus its effort on those people most likely to reoffend. A key to the proposal is being able to identify those people as quickly and easily as possible. The NSW Bureau of Crime Statistics and Research (BOCSAR) have developed several models\(^1\) to predict which young people are the highest risk of reoffending. BOCSAR have found that reoffending can be accurately predicted using only a few characteristics of the young person that are easy to find out at the time of the caution:

- Gender
- Indigenous status
- The number of prior contacts the person has had with the criminal justice system
- Whether the caution came from police or from a court.

Risk of reoffending varies considerably with these characteristics. See Figure 2 for predicted reoffending for police cautions and Figure 3 for predicted reoffending for court cautions. A non-Indigenous female with no prior contacts with the criminal justice system receiving a police caution has only a 14% estimated likelihood of offending again in the future, whereas it is almost certain that an Indigenous male with a long history of offending will reoffend in the future.

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Since we know the estimated probability of reoffending for each person, we can show how the offending population is distributed by their reoffending risk. See Figure 4 for a distribution of young people receiving cautions by their predicted risk of reoffending. On average, about 50% of young people receiving cautions will reoffend some time in the following three years. However, we can identify a group for which the reoffending probability is significantly higher.
The above table shows the likelihood of reoffending by the number of cautions and court contacts. It shows that a large proportion of people don’t reoffend after a first caution, but following two or three the likelihood increases, but the people who appear at court or go to conference have higher likelihoods of reoffending.

In order to most effectively divert young people from becoming lifetime clients of the criminal justice system, it makes sense to focus resources away from people at very low risk of reoffending, and towards those that we are quite sure will reoffend. Our proposed model of Youth on Track targets all those offenders with an estimated probability of reoffending of at least 75% (the red bars in Figure 4).

MAKEUP OF TARGET GROUP

How large is the potential group?

There are about 1,350 young people in this target group, which makes up about 16% of the total number of young people receiving cautions. Some demographic details of this group can be estimated:

- 87% are male
- 67% are Aboriginal or Torres Strait Islanders
- 46% were first involved in the criminal justice system before the age of 14.

Particularly of relevance is the very high proportion of young Indigenous people in the target group.

Note that this target group is only made up of people that receive cautions from police or courts. Some young people do not receive cautions, but instead go straight to attending a youth justice conference, or receive a juvenile justice-administered sentence from a court. These young people generally do not receive cautions because they have committed more serious offences. It is likely that more serious offenders have a risk of reoffending that is even higher than the group of young people receiving cautions, as shown above, and therefore the Youth on Track model may be appropriate for them. We know that there are about 300 young people whose first contact in other than a caution, and so adding this to the target group of those receiving cautions makes about 1,600 young people for whom it is appropriate to refer to Youth on Track.

Where are they from?

Using the reoffending model and the latest data on juvenile offenders, relatively accurate predictions can be made of where the Youth on Track target group are likely to be located. A map of the distribution of the target group is shown in Figure 5. The areas with the largest numbers of likely Youth on Track target group are highlighted.
Track participants are in the Sydney (predominately Blacktown and Outer Western Sydney), Hunter, Mid North Coast, Northern and North Western Statistical Divisions. About two thirds of the target group are located with the majority of the population – in the Sydney, Illawarra, Hunter and Mid North Coast areas.

**Figure 5 – Target group members by statistical subdivision**

*Juveniles in New South Wales in the Youth On Track target group in 2011 by Statistical Division (NSW) and Statistical Sub-Division (Sydney)*

**NEEDS OF TARGET GROUP**

By comparing the target group to young offenders already in the Juvenile Justice system, estimates can be made about the types of needs these target group are likely to have. Estimated prevalence of mental health issues are shown in Figure 6. Substance use disorders\(^2\) (estimated to be present in about 40% of the target group) and conduct disorders\(^3\) (39% of the target group) are likely to be the most common.

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\(^2\) Substance use disorders include both alcohol and drug disorders. The category includes both abuse and dependence.

\(^3\) Conduct disorders cover chronic behaviour problems such as impulsive or defiant behaviours.
There are also likely to be issues with anger and violence (23% of target group), and attention deficit hyperactivity disorder (26% of target group), which could raise the barrier to work or education for these young people. The young people in the target group are disproportionately likely to be experiencing high psychological distress (21%) and major depression (9%), and be contemplating or have attempted suicide (9% of target group).

One of the most effective ways to reduce young people’s current and future risk of offending is to improve their educational outcomes. The target group face a number of barriers to effective integration in the traditional education system. Figure 7 shows the estimated number of people in the target group that are likely to achieve the lowest range of scores on tests of academic ability. The tests have been calibrated such that 97% of the general population achieve scores higher than this range.

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4 The test these estimates were based on is the Wechsler Individual Achievement Test-II-Abbreviated (WIAT-II-A).
The biggest issue with educational ability is numeracy. Almost half (49%) of the target group fall in the bottom 3% of numerical ability for their age. However, there are also large numbers of the target group that have very low scores for spelling or word reading (17% of the target group), and a larger group that have very low composite scores (23%), meaning each dimension of their educational skills are likely to be weak.

Low scores may indicate lack of desire to participate fully in testing, rather than low ability. However, this still indicates a barrier to traditional schooling that will need to be overcome if the target group are to improve their educational outcomes.

There are other issues that will need to either be dealt with in treatment programs, or kept in mind when case managing the target group. Most of the target group are likely to have experienced some form of emotional, physical or sexual abuse or neglect. Up to a quarter may have experienced severe abuse or neglect. A significant proportion of the target sample is likely to live in out of home care. In addition, many will have a disrupted family life due to factors such as having a parent who is deceased or in prison.

An important aspect when analysing the needs of the target group is the extent that disorders are comorbid, or occur simultaneously in the same people. Juvenile Justice examined data on young people in their care relating to twelve types of mental health, intelligence and family needs. They estimated what proportion of the target group is likely to have multiple needs.

The data used in the analysis were from the 2009 NSW Young People in Custody Health Survey. The 12 factors considered as ‘needs’ were:

- Substance Use Disorder
- Substance Abuse Disorder
- Alcohol Use Disorder
- Alcohol Abuse Disorder

Note that this survey is based exclusively on young people who are in juvenile detention. It is likely that these people (who have committed serious offences and/or have an extremely long history of offending) have more entrenched and complex needs than the target group. However, this gives an idea of the types of multiple issues that might be experienced by many in the target group.
- Conduct Disorder
- Oppositional Defiant Disorder
- High/Very high on Kessler Psychological Distress Scale (K10)
- Verbal Comprehension Index from the WISC/WAIS
- Ever placed in care before age 16
- Experience moderate/severe abuse or neglect (of any form)
- Parent (one or both) deceased
- Parent (one or both) currently in prison

The degree of multiple needs are summarised in Figure 8. Only 17% of the sample did not have any needs in the areas examined. Roughly a quarter of the sample had 1-2 needs, another quarter had 3-4 needs, and a third quarter had 5-8 needs. About 4% of the sample had more than eight needs.

![Figure 8 – Estimated prevalence of multiple needs in target group](image)

The degree to which the target group have multiple or interrelated needs is extremely important for the Youth on Track structure. For example, offenders with comorbid substance use disorders and other non-substance mental disorders are harder to treat and more likely to reoffend than offenders with only substance use disorders or offenders with only non-substance use disorders.\(^6\) According to the Juvenile Justice data, people with substance or alcohol dependance or abuse disorders are significantly more likely to also have:

• A conduct disorder
• ADHD
• Been placed in care before age 16
• High or very high levels or psychological distress
• Severe ratings of childhood trauma.

PROPOSED MODEL

It is proposed that Youth on Track operates in a case management function, where a case management team ensures that participants in the program obtain services that will reduce their risk of offending or reoffending, as well as keeping track of the young people throughout the criminal justice and education services systems. A flowchart setting out a proposed model for Youth on Track is shown in Figure 11.
Figure 11 – Proposed Model for Youth on Track

A child at risk may be identified and referred for screening by education or police at first contact or formal criminal justice intervention. A child who has experienced criminal justice intervention via two plus cautions or court will automatically be referred for a needs analysis assessment.

- Risk / needs assessment tools: e.g., YLS/CMH-AA
- Referral sources: Education, Services, Police, Courts
- Person sentenced to: Court based orders, Detention
- Young people under court based orders will be reviewed after their court order is finalised.

Low risk

EXIT

Low risk

EXIT

Moderate to high risk

Ongoing review of case management

Sentenced

Implement individual case plan

Re-assessment of risk
OUTLINE OF PROPOSED PROCESS FOR DISCUSSION

The proposed Youth on Track model will involve referrals of young people from the educational system, police and the criminal justice process.

The proposal would involve a structured system of referral, screening for initial risk of reoffending, a more complex assessment for those deemed at risk to identify factors causing the risk, entry into a process of case management that would aim to engage the young person and their families, the delivery of interventions to address those factors leading to offending behaviour, finally a review and exit.

It is proposed that referrals be taken from schools and police where a concern is held that a young person may be heading down an offending path, and those young people screened to determine their entry into the program. It is also proposed that automatic entry into the system occur from second caution and all other criminal justice processes.

Referrals from Education: Current Process

The current system for schools managing students displaying at-risk behaviour (such as non-attendance and misbehaviour) is set out below.

**Step 1:** School implements their own discipline policy. This can include:
- Following up any absences
- Communicating with the parents
- Student welfare support within the school e.g. referral to a school counsellor
- Liaising with other government and non-government agencies.
Step 2: Where schools have used a range of strategies without success, a referral can be made to the Home School Liaison Service (HSLS).

- Supportive service to students, parents and school to encourage attendance of students
- There are 110 home school liaison officers and 26 Aboriginal student liaison officers across the state (This includes an additional 25 home school liaison officers and 15 Aboriginal student liaison officers established in 2010 as part of the Keep Them Safe initiative).
- The referral form takes into account information about the student, the school’s strategies to deal with non-attendance and any other risk factors e.g. history of violence.

Step 3: Where the Home School Liaison program has been unsuccessful and parents have not been engaged, the matter can be referred for consideration of legal action. Outcomes can include

- Parents receive a fine
- Confidential conferences
- Compulsory Schooling Order in Children’s Court.

Referrals from Education: Proposed Process

Step 1: The school will follow Step 1 and Step 2 above as normal.

Step 2: Where the child continues to disengage, the Home School Liaison Service can refer to the case management team for screening and assessment. The school may also refer but only where the HSLS has been consulted. This ensures there is no overlap between the school and HSLS in the referral process.

Depending on the identified risk and needs of the young person, the case management team have additional resources they can utilize. These can include, addressing issues such as mental health, drug and alcohol use or anger management counseling. The case management team may also liaise with other Government agencies and seek alternatives to the current education system where required (for example, alternative schooling).

Referrals from Police: Current Process

The current system for Police managing young people who come to their attention (either as at-risk of offending behaviour or current involvement in criminal activities) is set out below.

Step 1: Where the young person has committed an offence, Police may issue a warning, formal caution or the matter is referred to a Youth Justice Conference or Children’s Court.

Referrals from Police: Proposed Process

Step 1: Where the young person has committed an offence, Police may issue a warning, formal caution or the matter is referred to a Youth Justice Conference or Children’s Court.

Step 2: Where a young person comes to the attention of Police (either as a result of having committed an offence or Police have concerns for their welfare), Police may refer to the Youth Liaison Officer for screening. The screening will determine whether the young person requires a further referral to the Case Management Team for assessment.

The Youth Liaison Officer will be the conduit between Police and the Case Management Team to ensure there is no overlap between referrals.
Compulsory Referral

A young person who has received two or more cautions is automatically referred by the Youth Liaison Officer to the Case Management Team for a further assessment. A court may also direct a young person to undertake an assessment.

PROPOSED PROCESS: ASSESSMENT

Responsibility: Case management team under the proposed system

Case managers in the Case Management Team will undertake a comprehensive assessment of all children whose risk of offending has been confirmed via the screening process or who have been referred as a result of formal contact with the criminal justice system.

The assessment will identify criminogenic (eg: substance abuse; anti-social behaviour; disengagement with school; family problems; peer associations) and non-criminogenic factors (eg: mental & other health issues; housing; disability) to develop a case management plan tailored to the needs of each individual.

The assessment will be used to identify individual needs and to identify whether the child/youth is a high risk, medium risk or low risk offender. High and medium risk offenders will be case managed, low risk offenders will exit the system.

PROPOSED PROCESS: CASE MANAGEMENT

Each child/youth identified as being a high or medium risk offender will be allocated to a single case manager, who will be responsible for them from system entry to system exit.

Note that if a child/youth is identified as having a primary presenting problem (such as substance abuse) their case manager will have expertise in dealing with drug and alcohol treatment issues.

Identified needs will be met with services provided by appropriate government and/or non-government agencies.

Case management is continually evaluated on an individual basis so that young people who have addressed their risk/needs can exit the system.