

University of Southampton

MOVING AWAY FROM CRIME
by Michael Robert Nash

Acknowledgements

The writing of this thesis has depended on facilities, advice and support from many sources. Hampshire Probation Service resourced me both financially and in terms of time. Particular appreciation is due to Dr. J. B. Coker for his interest and constructive criticism. Many colleagues engaged in the Criminal Justice System gave up their time to participate in interviews as did current and ex-clients of the Probation Service. Typing was carried out by Jan Kirton.

Finally, appreciation is due to my wife for her support and advice and to my children to whom this work is dedicated.

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UNIVERSITY OF SOUTHAMPTON

ABSTRACT

FACULTY OF SOCIAL SCIENCE

SOCIAL WORK

Master of Philosophy

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The contention of this thesis is that the ending of a criminal career is seldom a sudden event and is better described as a process of moving away from crime. This process is a gradual yet dynamic one during which change is often accompanied by further offending. For this process to be successful, it is argued that a combination of positive influences is necessary. The loss of some of these positives, possibly as a result of a custodial sentence being imposed, could well halt the move away from crime and increase the prospects for sustained recidivism.

It is suggested that the positive aspects of giving up crime are less well researched than the area of who becomes delinquent. A simple questionnaire was designed to score a variety of influences which might assist the move away from crime. The questionnaire was completed by various groups of people forming a part of the Criminal Justice System in Portsmouth including current offenders. Quite noticeable differences of opinion between the groups were revealed which could well significantly influence the sentencing process in Courts.

To compare 'attitudes' with offenders' actual life events, a longitudinal study was made of a selected group of people covering the period 1979/85. This aspect of the study attempts to ascertain the positive influences upon offenders in relation to why some people move away from crime more quickly than others.

C H A P T E R I

INTRODUCTION

'Circumstances can and do combine sometimes within the existing penal system to neutralise or suspend the will to translate criminal values into criminal acts and so to achieve a remission of criminal activity, but this is fortuitous and accidental.'

No doubt McVicar (1979 p. 134) expressed these views in relation to his own personal experience. However, he does highlight the question which forms the backbone of this research, that is, why do offenders give up crime? Is it an accidental combination of circumstances? Are there specific and common factors involved? Is it a gradual or sudden process? Clearly if a single answer were possible, and indeed correct, then whoever had the answer would possess the knowledge that no-one else has. However, the fact that there is evidently not a single answer should not detract from the value of questioning why offenders give up crime because in fact most do at certain points in their lives. This thesis describes a process of moving away from crime and examines some of the major influences, positive and negative, that can influence that process.

To date there has been little research into the ending of criminal careers; it has been more fashionable to predict who becomes delinquent. By identifying potential delinquents at an early stage, it was hoped to prevent an escalation of criminal behaviour. Such an approach can in part be attributed to a medical model which would argue that if the cause or source of an illness is discovered and treated, the problem may be cured. Applied to criminal (human) behaviour, this method is found to be sadly lacking and in the way are left many discredited approaches towards the 'crime problem'. However, it is

worth noting that the preventative approach has not been completely lost but has changed its focus, see for example work carried out by members of the Home Office Research Unit, (Heal and Laycock 1986; Ekblom 1986; Hill 1986, Southall and Ekblom 1985).

The absence of research into the 'other' end of criminal careers contributed towards the general hardening of attitudes towards offenders with increasing tendency towards harsher and indeed blanket sentences. Chapter IV will argue against this idea, suggesting that a thorough individual assessment of offenders' circumstances and crimes could lead to the passing of a more productive sentence, i.e. for the community as well as the offender.

The title of this research indicates that moving away from crime involves a period of change or transition for the offender. This process can take place at almost any time in an offender's life and its commencement and rate of progress is likely to be dependant on various factors. A problem for those working with or dealing with people at this time, is the recognition that this process is occurring. The researcher's interest in the process of giving up crime (the original idea for the thesis) arose from personal experience as a Probation Officer and specifically from working with young Borstal trainees. These young men served a sentence of, on average, nine months in custody with up to twelve months on licence (under supervision) to a Probation Officer following release. Within the Criminal Justice System there is a disturbingly widely held belief that these offenders, mostly seventeen-twenty-one years old, are either unwilling to receive help or undeserving of it. As a result, many are sentenced for relatively petty offences and any indiscretion following release was likely to incur an equally severe penalty. Although labelled by society as highly delinquent, these young men did not demonstrate significantly different attitudes to their non-delinquent

peers; they missed home, music and the pubs and also attached great significance to relationships with mum and girlfriends (for some this attachment was to others, such as Borstal or Probation Officers). Most wanted personal interviews in the institution and maintained this wish whilst reporting in the community.

Several of the licencees were recommended for early discharge on the ground of 'good progress' which usually meant a period of settled behaviour in the community. However, it was not easy to identify clear cut differences between those who were and were not recommended for early discharge. Also clouding the issue were those licencees who re-offended but gave a strong impression of moving away from crime. As a report writer to the Court, it was difficult to argue for the positives in an offender's life when specific examples could rarely be given; it was more of a feeling. However, this feeling was sufficiently strong to argue for non-custodial penalties which were invariably completed successfully. It is against this background of something of significance happening in an offender's life without being able to pinpoint, which led to the development of this research project.

As previously stated, there has been little research into the totality of giving up crime. In America, Brown and Gable (1979) developed a theory of 'Positive Outcomes', although their work concentrated on juvenile delinquents who did not go on to become adult criminals. Somewhat at the other end of the spectrum, the Glueck's (1937) developed a maturational hypothesis, describing ageing (or maturation) as one of the greatest influences on the reformatory process. In their view, the key to understanding reformation lay with the passage of time and the accompanying maturation. Although they noted maturation as an individual process, they did identify a drop-off in criminal activity beyond the age of twenty-five until thirty-six.

The present research attempted to identify why criminal activity might cease or change before the age of twenty-five was reached and therefore twenty-five became the upper age limit for inclusion in the sample (see Chapter II, Methodology).

In describing the research as not examining the totality of giving up crime, the converse notion is that some research has concentrated on individual aspects. The maturational hypothesis is one of these, as for example is an active decision to stop by the offender (Knight and West 1975). Other suggestions are noted in the following chapters and in a sense this thesis follows that tradition by examining certain factors under separate chapter headings. However, throughout the thesis there is an attempt to pull the strands together and an argument is developed that it is a combination of factors which is most influential to the success of a process of moving away from crime. The methodology adopted in this research should therefore be set against the limited work in this field and of that there is acknowledgement made of its more specific component.

Chapters III and IV concentrate upon offending and sentencing respectively. Any consideration of the process of giving up crime has to comment upon the way an offender has been dealt with by the Courts. The enforcement of law and order is a recurring social issue which regularly features highly on the political agenda. Those involved in the Criminal Justice System are not only subjected to a barrage of feelings concerning spectacular offences, but also research evidence suggesting that nothing works. The result is a knock-on effect with increasingly harsh sentences for low risk offences, the United Kingdom leading the league table for prisoners as a percentage of the population bears witness to this. The cause and effect debate offers simplistic solutions such as reduce unemployment and cut crime or punish more severely to

deter criminals. The debate surrounding criminal statistics is often a hysterical one with the true facts rarely coming to light. It is worth noting the incidence of serious crimes within the totality of recorded crime. Figures released for 1984 (Home Office 1985).

Table 1.1

Offence Group	Number of Offences (Thousands)
Violence against the Person	114.2 (3.26%)
Sexual Offences	20.2 (0.58%)
Burglary	897.5 (25.65%)
Robbery	24.9 (0.71%)
Theft and Handling Stolen Goods	1808.0 (51.07%)
Fraud and Forgery	126.1 (3.60%)
Criminal Damage	497.8 (14.23%)
Other Offences	10.4 (0.3%)

Whilst not understating the psychological impact of many theft and burglary offences on the victim, it has to be noted that over 90% of recorded crimes fall into the theft or damage categories and a very large number of these would be at the lower end of the scale of seriousness, yet many of these offenders make up the custodial population of this country. Feelings often prevent a rational approach and words from McVicar again can offer a consumer's perspective on the penal system:

'The tragedy is that society, by its eagerness to condemn, not only strengthens his (the criminal's) values, but denies itself the chance to understand

him. Of course, he can't be deterred into reform, nor can he be persuaded into it by permissiveness and kindness.' (p. 133)

Chapters V and VI examine the influence of relationships and work on the process of giving up crime. These areas are selected as they represent the popularly held belief in respect of 'positives' that can influence an offender. For example, "all he needs is a good woman" is frequently stated as a likely reformatory factor. Yet what exactly is offered by the good woman is rarely explained. Research into the area of relationships is inconclusive as to its effect on offending behaviour (see, Hurwitz 1952; Martin and Webster 1971; Downes 1966; Knight et al 1977). Although inconclusive, the influence of the good woman thesis is that the relationship is pro-active, it actually has an influence upon the offender. The evidence in Chapter V suggests that this is not necessarily so, indeed the effect of a relationship is only likely to be positive if the offender sees it as important to himself. In that case, the woman can threaten to leave if her partner gets into further trouble. The threat of loss may then have a significant influence upon the behaviour of the man involved. It is not necessarily what happens in an offender's life that is so important, but when it happens and their attitude at the time - this may be particularly true for relationships.

The Protestant work ethos still remains a strong influence in our Society and indeed it is still put forward as a cure for many of Society's ills, not least among them, crime. In the opinion questionnaire used in this research, the acquisition and retention of a job was scored the highest of all potentially reformatory factors by a sample of people involved in the Criminal Justice process. In the Courts, media and Houses of Parliament, work is cited as a cure for rising crime levels. Chapter IV explores the relationships between work and

crime and suggests that one factor on its own will not necessarily be sufficient to divert an offender from further crime. All of the offenders interviewed in the course of this research admitted to offending whilst in work, although those most established in the move away from crime, held steady jobs. The individual has to decide that the job is important to him, but perhaps more importantly, his attitude has to be motivated away from crime to something or someone else. This implies a change of attitude, which may mean maturation, but without it a single or combination of external factors are unlikely to be influential. For example, see comments made on the work records of released lifers by Coker and Martin (1985) which indicate that a stable work record can be maintained by men who have spent many years in prisons, their motivation and maturity outweighing the damage inflicted by long-term imprisonment. The importance of these comments is that lifers would have been released only after long and careful consideration of their case including an assessment of their motivation/maturation. If they did not show this they would have been unlikely to have been so successful in work - work by itself would not have been enough.

Chapter VII examines whether 'help' can assist the offender to give up crime or if individual change and development is more important. In particular, the role of the Probation Service is examined from its clients' viewpoint. One of the surprising findings is the gap between Probation Officers and Magistrates when considering the effectiveness of Probation Orders. The surprise is that Probation Officers were less enthusiastic than Magistrates when scoring Probation Orders, suggesting that the much talked of credibility problem in the Courts could lie with the Probation Service itself. The 'clients' expressed quite clear views concerning what the Probation Service should offer and their suggestions do not fit neatly into many of the packages presently on

offer from the Service. It is clear that what an individual offender wants from the Probation Service can change over time as can his ability and motivation to receive help. The Courts and Probation Service should not be trapped in its actions by offenders' previous responses.

The section in the offender questionnaire relating to the individual, did produce responses indicating a degree of personal change during the period under review, 1979-85. Responsibility and settling down featured highly, and for those moving away from crime, partners and children also. Much of what the eighteen respondents said related to what might be termed the normality of life. The offenders themselves said that the change of attitude is often accompanied by positive external factors. However, particularly with the younger recidivist, it is unlikely that their statements about their lives will be listened to as thoroughly as they should be. As a result, if the person re-offends, a very negative influence could be brought to bear on a promising combination of factors at that time.

The conclusion, Chapter VIII, attempts to draw together the findings of the preceding chapters to support the dual combinations of factors/time is right thesis. Each respondent also has ten positive factors scored in table form (see Appendix) with comments on the number and type of positives that may be needed for a successful move away from crime. As stated at the beginning of this introduction, simple solutions are not to be found in the field of human behaviour, but the table of positives does attempt to identify what they might be and perhaps more importantly, stresses the importance of their interaction at a particular time.

CHAPTER II

METHODOLOGY

As stated in the Introduction, the initial thesis that there is a move away from crime stemmed from personal experience as a Probation Officer and this included an element of intuition. To balance this, it was decided that any work in this area needed to be based on wider perceptions than a personal one, and this forms the basis of Part 1 of the study as outlined below. Part 2 deals with the selection of a sample group and Part 3 details its location and method of approach. Part 4 details questionnaire design and analysis and Part 5 the analysis of results. Part 6 deals with replication.

Part 1 'Giving up Crime' - Broadening the Base of Opinion

In establishing a broader base for the research than a personal one, it was decided to seek the opinions of various people involved in the Criminal Justice System. A spontaneous response was sought rather than a consideration of specific cases or individuals, on the basis that there were commonly held beliefs in the Criminal Justice System which could influence, for instance, sentencing or the preparation of Social Enquiry Reports for the Courts. A 'brainstorming'¹ technique was chosen to encourage spontaneity of response. The subject to be brainstormed was "Why do offenders give up crime?"

¹ Brainstorming - a technique whereby (usually) groups are invited to offer an instant response to a particular question or subject. See for example Priestley and Maguire (1980).

and no other information was offered other than that the subject should be considered in respect of male recidivists aged twenty-five or under. For the brainstorm sessions, three groups were selected, Probation Officers, Probation clients and Magistrates. These groups were chosen on the basis of availability. Probation Officers were approached informally as a group at the Isambard Brunel Road Probation Office in Portsmouth (N = 11). The client group (N = 14), all males, were awaiting appointments at the office and were seen in the waiting area. Magistrates (N = 25) were seen in groups of five over a court working week. It is acknowledged that, particularly with the Magistrates group, it was quite probable that the views of pro-Probation Magistrates only would be obtained because they volunteered to help. However, spreading the involvement over five days and obtaining the views of five Magistrates out of perhaps seven on duty, precluded any likelihood of significant bias.

The process of obtaining the information was the same with each group and involved writing down all responses to the question that were thrown up by the group. There was no difficulty in obtaining co-operation with this phase of the research.

Having obtained a wide variety of responses to the question, the next phase was to decide what to do with it. A particular interest was whether or not one group of respondents might rate a factor more highly than another, so it was decided to group the responses into a questionnaire rated on a simple ordinal scale. The questionnaire forms Appendix 1. This questionnaire includes all the different responses, many of which were of course duplicated. The questionnaire was returned to the three 'groups' and also Clerks to the Magistrates' Court in Portsmouth. The entire sample was located in Portsmouth as obtaining a 'slice' of local opinion might

prove interesting as well as easing the problems of obtaining a response.

The questionnaires were returned to the original twenty-five Magistrates by internal post, with a note requesting that they complete and return them. Over a three week period, twenty questionnaires were returned (80%). On both of the occasions that the Magistrates were approached, the permission of the Chairman of the Bench and the Chief Clerk to the Justices was obtained.

The Chief Clerk also gave his permission to send questionnaires to his department and all clerks then employed (N = 10) completed and returned the questionnaires.

Forms were distributed to all Probation Officers working within the Portsmouth Petty Sessional Division (N = 24) and all completed and returned the forms.

A client group was selected on the profile of the offender group that would be studied, that is, male, under twenty-five with previous convictions. Probation Officers in one office were asked during one week to identify clients who fitted the criteria and ask them to complete the questionnaires. On this basis fourteen questionnaires were completed.

Finally, whilst working as a Probation Officer at H.M. Prison Kingston, the opportunity was taken to obtain the views of Prison Staff. It was arranged with the Governor, for a weekend shift (N = 14) to complete the questionnaires. This group represented all officer grades within the prison and varying levels of experience.

In each case, it was intended to minimise the opportunity for discussion therefore increasing the likelihood of an immediate and personal response. Magistrates, Probation

Officers and Clerks completed these forms individually. This also applied to some Prison Officers who, in several cases, compared 'answers' after they had completed their forms. The client group were mixed in their responses, some preferring to complete the forms on their own and others seeking the help of their Probation Officer. It is worth noting that several Probation Officers found the questionnaires a useful tool to begin looking at offending. Overall across the groups it appeared that the forms were completed quite easily and not without some interest. However, a few respondents doubted the validity of their answers, stating that each offender and his circumstances were unique and it was therefore impossible to generalise. Despite this objection, there is value in obtaining the general feelings of people on the subject. Feelings and opinions can influence the way people respond to any given situation and the process of giving up crime, from either the offender's perspective or that of the Court, is no exception.

Part 2 Selection of the Sample Group

This phase ran concurrently with Phase 1, with the intention that information obtained from the questionnaires detailed above could be utilised in interviews with an offender group. As already suggested, the required sample group were male offenders, aged twenty-five or under. The reason for the age limit was that certain research material, (e.g. Hirschi and Gottfriedson 1983, the Gluecks 1968) suggests that there is a substantial reduction in criminal activity beyond the age of twenty-five. The question to be asked of this claim, is why offenders might cease, or at least move away from crime, before that age was reached, so therefore under twenty-fives were concentrated upon. Males were chosen as they represent by far the larger group dealt with by the Criminal Justice System. Criteria for

inclusion in the sample was for offenders with at least three previous convictions but excluding offences of a sexual, drugs or violent nature. The rationale for these criteria was to attempt to obtain a sample of the most common type of recidivist without dealing with the 'explosive' or person with a personality disorder, whilst acknowledging that it is impossible to generalise. Finally, the sample had to be resident in Portsmouth as far as possible to continue the 'slice of Portsmouth life' theme and also to facilitate travel arrangements and interviewing.

Offenders appearing before Portsmouth Crown Court were chosen on the expectation that its records would contain a greater proportion of offenders matching the criteria. There was also likely to be less in the way of first offenders so as to avoid reading records unnecessarily. 1979 was selected as the sample year giving, at time of interview, a gap of five years possibly without conviction. The significance of the five year gap was not so much that it is a period after which, if crime free, marked the end of a criminal career (West 1982 p. 81) but that it would represent a substantial crime free period for that particular sample group, if any actually achieved it. A lengthening of the time span would also make the locating of the sample group very difficult.

Part 3 Locating the Sample and Methods of Approach

Having set the sample year at 1979 and the target group as being defendants before Portsmouth Crown Court, it was anticipated that the Crown Court records might be most useful in locating the sample. The Chief Clerk was approached to secure his permission to peruse the records and this was granted. Crown Court staff were helpful in providing the records but their system of recording information was disappointing. The filing system used was

not in any particular form, either alphabetical or date order, and this made it difficult to abstract the basic information required. However, the records held by the Crown Court Liaison Probation Officer were both more systematic and more comprehensive.

All records of those who appeared before the Crown Court in 1979 were examined, resulting in forty-five who exactly matched the criteria (male, twenty-five years old or younger, three or more previous convictions, excluding sex, violence and resident in Portsmouth Petty Sessional Division). Larger numbers had been anticipated, but the selection criteria were quite narrowly defined.

Having identified the sample of forty-five, their current whereabouts and criminal history since 1979 had to be ascertained. Location was checked first as it seemed pointless checking criminal records of men who might not be found.

The 'detective' work started at the Probation Office in Portsmouth. The index should have contained the names of all offenders who had passed through the department and their records kept for seven years. Therefore, any offence since 1979 which had occurred locally should have been recorded, giving a more recent address. If no new offences were recorded, then the 1979 address remained the starting point. The Portsmouth Telephone Directory was used, but telephoning 'blind' was to be a last resort, preference being to cross-refer wherever possible to initiate contact with a personal approach. Access was granted to the alphabetical name index held at Portsmouth Electoral Registration Office. This source is not generally available to the public and proof of identification is needed with the research conducted under nominal supervision.

These three sources provided fourteen addresses which proved to be different to those listed for 1979. The remaining thirty-one names were submitted to Hampshire Police Headquarters, giving a last known address with a request of an up-to-date address if available. Full validation of credentials was offered to the Chief Constable and indication that the researcher was employed as a Probation Officer. The Police were helpful, but were not prepared to give any information in writing, preferring to confirm addresses over the telephone (using the office number). Of the thirty-one addresses submitted to the Police, eleven were believed to have changed and two were posted as 'wanted'. Therefore, this phase ended with me having an address for forty-three of the forty-five in the sample. The 'last known' dates were spread over the six years since 1979.

Method of Approach

Questionnaires used with the sample were not to be sent through the post and, if possible, respondents would be spoken to face to face. Confidentiality was the primary concern. There was no way of knowing the present circumstances of the individuals, let alone their location. There was clearly no wish to indicate some form of criminal past to people who may or may not know the potential respondent. It was realised that mail could be opened so, for all these reasons, a personal approach was decided upon.

A week was set aside to interview the sample, there being no idea of how long the travelling would take, although the majority were Portsmouth addresses. The week turned out to be an interesting, at times dispiriting, but very exhausting process. The first day ended with one questionnaire completed but twenty addresses visited. The reason for the poor completion/visit ratio was simply that

people were, on the whole, not in. An interesting perception of that first day, and indeed the whole week, was that people viewed the researcher as a plain clothes Police Officer, or a debt collector and were initially very wary. This suspicion, plus the increasing use of security systems in flats, makes the whole prospect of the initial approach a difficult one. Calling without an appointment no doubt exacerbates this difficulty, but this had to be the method of approach for the reasons outlined above.

Once the person was actually spoken to, the approach went quite smoothly, with introduction as a researcher from Southampton University, providing proof of identity and asking to speak to Mr. X. Usually this was greeted positively, if not without some surprise and it was then relatively easy to mention in general terms (without mentioning crime) that it was hoped to interview Mr. X about an event which happened in 1979.

Ultimately, only six of the forty-three in the sample were actually at the last known addresses. Usually, if an address produced no reply, neighbours were called on to ascertain if Mr. X lived next door. On the whole people were none too helpful, being rather suspicious, but a few fruitless re-visits were avoided. In five cases, members of the family were still at the address and were able to redirect. The difficulty found in contacting people in this sensitive area cannot be overemphasised. On one occasion, a completely false address was given by a man who turned out to be a relative of the prospective respondent. Upon returning to the original address, the man refused to speak; a woman living at the house eventually gave a correct telephone number, but the potential respondent refused to speak on the telephone or meet.

By all the means outlined above, twenty-four of the original forty-three in the sample were actually located. Of these twenty-four, seventeen completed the questionnaire during a personal meeting; therefore, of those actually spoken to personally, all agreed to complete the questionnaire. The remaining seven believed to be at particular addresses, did not complete the questionnaire. In each case, there were several visits and, on occasion, messages left with partners. On four occasions interviews were actually arranged but not kept by the respondent, sometimes by not answering the door when they were in. The lesson from this process was that direct contact with a potential respondent paid dividends, whereas messages by any other means were a dismal failure.

Finally, in an attempt to locate more of the sample, the Department of Employment were approached. Agreement was reached with the District Manager, that sealed letters could be forwarded to the Department and passed to any person on the list who 'signed on' for benefit. (Addresses were not disclosed, nor who received the letters.) Nineteen letters were forwarded (see Appendix⁵) resulting in two responses. One was an abusive telephone call from a respondent's brother (a refusal) and the other resulted in a completed questionnaire (following one unsuccessful visit).

Overall the process of locating individuals was immensely time-consuming and was stopped in September 1985, having commenced in April. It is possible that, with a great deal more effort, one or two more responses might have been obtained, but it was not considered worth the time involved. Therefore, a 'completed' response rate of

41.85% was obtained, a 'refusal' rate of 13.95%, leaving 44.2% untraced. Of those spoken to, 100% completed the questionnaire. The lessons learned from this phase were to be sure of methods of approach, bearing in mind the possibility of a suspicious and potentially hostile reception. Introduction as a researcher was received quite well and, once over the threshold so to speak, being a Probation Officer encouraged a good response. This helped the respondents accept the fact that the researcher was privy to some personal information about them. There is no doubt room for some disquiet in this area if the respondent believes that the researcher should 'not know' certain facts about him.

However, a clear problem emerged with this type of longitudinal study. Not only was it very difficult physically to locate people, but it was also a sensitive matter to approach them considering the confidential nature of the information. It is not easy to stand outside a block of flats, speaking through a security intercom, trying to request an interview with other people listening. There is no doubt that it is much easier to approach people individually through personal contact, so therefore 'current clients' of the Probation Service would be an easier sample group. However, this is likely to preclude those who may have given up, or be moving away from crime, by whatever definition is used.

Part 4 Questionnaire Design

'....no matter how efficient the sample design, or sophisticated the analysis, ambiguous questions will produce non-comparable answers, leading questions biased answers and vague questions vague answers.' (Moser 1968 p. 211)

The ability of the sample to respond to a written questionnaire, was unknown. the only thing that could be anticipated they had in common, was that they all had several previous convictions of a broadly similar nature and that they were of a broadly similar age. As respondents were to be interviewed personally by the researcher, the intention was to minimise bias caused by his presence.

Initially, a highly structured questionnaire was designed which contained a predominance of Yes/No or ✓ answers (see Appendix II). A small pilot among my own Probation caseload revealed this to be a failure. The respondents had difficulty in answering some of the questions; they felt constrained by the type of answers called for and it was evident that this style of questionnaire would not elicit the quality of content that was hoped for. The personal feelings of respondents based on their own criminal experience was desired, and the highly structured questionnaire precluded this.

The subject area of the research was itself a difficult one. The possibilities of over or understating the individual's criminal history and the scope to provide false information, very much left the area open for failure. Having taken so much trouble to locate the respondents, it was hoped to achieve as honest a response as possible. The questionnaire design was therefore altered to an unstructured style in the hope of encouraging as personal a response as possible. To avoid some of the problems outlined above, it was intended to involve the respondents as fully as possible and state that their contribution was valued. Words from a recent CCETSW workshop (Miller 1985) on research, well described the situation faced by the researcher.

'The researcher, whether a teacher or practitioner, doing an evaluation study with colleagues or a

professional evaluation, has no 'rights' to certain important kinds of data. For example, people cannot be forced to disclose their feelings. But they are more likely to want to share both feelings and experience with someone who they feel respects their views as individuals and is not pre-judging what they say nor trying to fit them into a pre-specified schedule of research categories.' (p. 21)

The original questionnaire design fell into this last category and reflected a temptation not only to secure information on particular areas but to also provide an easy source for analysis. The lesson of pilot study was that the type of respondent and quality of information needed would not be fitted neatly into tightly structured pre-coded schedules.

Appendix III represents the questionnaire eventually used with the offender sample. It was designed with a view to covering most of the areas raised in the early stage of the project, whilst allowing as much room for personal response as possible. One of the potential problems was the possibility of one word answers such as Yes or No. However, another small pilot study of three suggested that, in the areas where an individual or personal response was called for, it did come without prodding. The danger of influencing the respondent in interview was acknowledged. Nearly all the questions were quite easily understood by the respondents. Number 31 however did prove very problematic with nearly all saying that they could not understand. Early on it was realised that a meaningful response to this question as it stood would not be obtained, so it was broadened out with respondents - noting their response whilst being aware of the researcher's involvement. The other comment worthy of note was the universal interpretation of the respondents of the word 'sentence' as meaning custody. The word 'sentence' had been chosen as perhaps being the most

commonly used by offenders and therefore most easily understood. However, opinions on the range of Court disposals they had received were required, not just custody. Therefore, the immediate response to the word 'sentence' was noted, but then a supplementary question was asked to broaden that to anything else the offender had received as a Court disposal. It should be noted however that, in this survey, the word 'sentence' meant 'custody' with the implication that any other disposal was not a 'sentence' but a 'let-off'.

Information was recorded by means of writing down verbatim what was said; tape recording was not used for fear of alienating the respondents. This worked reasonably well with respondents speaking quite slowly and being prepared to repeat. The disadvantages and distractions were that interviews were held at home with family and usually the T.V. switched on (interestingly none chose to be seen alone). The importance of the respondent's contribution was emphasised and helped secure the 100% response rate from those seen. Prospective respondents were told that they were one of very few potential respondents and that their views were not only helpful to the researcher, but also to others. This found favour and there was a great willingness to co-operate.

Part 5 Analysis

The Opinion Sample

The simplicity of the ordinal scale ranking system led to an equally simple means of analysis. A coding frame was devised to give each piece of information a number, with the actual responses to each question providing their own number for coding. The coding frame therefore gave eighty-four columns with thirty-five numbers in each. The

information was fed into the TRS/80 micro-computer 'Survey' programme. Owing to the limited numbers involved, it was decided to engage only in basic analysis. This involved the total number of responses to each question, expressed in terms of numbers and a percentage of total. Secondly, one cross-tabulation was carried out for the whole sample, cross-tabulating Column 2 (status/occupation) with all other columns. This enabled a comparison between the overall response and that given by each group. Whilst accepting that the total numbers in each group were quite small, they are worthy of presentation as an indication of opinion.

Throughout the remainder of the thesis, the material is basically presented as it appears on the computer printout. The following example illustrates this:

Table 2.1

ANS. CODE	NO. OF ANS.	% OF N
1	9	10.7
2	17	20.2
3	26	30.9
4	21	25.0
5	11	13.0

In most cases, the final columns will not exactly equal 100% as figures are rounded up. The first column actually refers to the score values respondents were asked to give. Therefore a score of 1 infers that the respondent scored that particular question, e.g. New Friendships, very lowly in its effect on helping prevent recidivism. A score of 5 would mean the question was scored very highly. In analysing the results, 1 and 2 are combined to give a score of low importance and 4 and 5 combined to give a score of high importance. The only other analysis of the figures is that for individual respondent groups, and

these are usually presented on a low and high score % format and compared to the overall high and low % scores.

Part 6 Possibilities for Replication

The 'Opinion' Survey

The questionnaire used in Part 1 of the research could easily be used elsewhere. It is a quick and easy way of measuring opinions, although remains an imprecise means of assessing a qualitative factor. The eighty-four respondents were interested in completing the questionnaire and, as already mentioned, in the case of some Probation Officers, it formed the basis of an interesting interview with their clients. The research was based in one Petty Sessional Division, but it could usefully be expanded to other areas, not only to give greater statistical significance, but also to demonstrate any differences in opinions in varying localities.

A few respondents did question the validity of the scoring/rating system, feeling that they could not generalise about individual offenders. This point is accepted fully and there is not in any sense an attempt to make categoric statements based on this information - it is not possible in any case where the research subject is human behaviour. However, it seems likely that the individual's opinion, shaped as it is by personal experience, advice, reading and discussion, does influence in some way action they might take. Therefore, for those who administer the Criminal Justice System, some measure of opinion is of use and if this phase of research were to be expanded, the inclusion of Solicitors and Judges would be interesting. Although of course it is the job of defence solicitors to secure the most favourable disposal for their clients, implying 'persuading' the Courts, they

do have a good deal of experience in dealing with recidivists and are likely to have views on why offenders stop. Judicial opinion would be interesting in the light of their sentencing the more serious offender, with a comparison with Magistrates' views possibly proving illuminating. These groups would be included at the expense of Prison Officers whose views, although of interest, express the other end of the penal system rather than being part of the administration of justice.

Design

Overall, the format used does encourage a fairly rapid response and avoids respondents thinking of specific individuals. The 1-5 sequence on the whole discouraged too many responses at the extremes, although these were by no means uncommon and were heavily used on particular questions. The option of five choices can lead to the selection of the middle number of 'average' response. It is possible that the replacement of numbers by words such as insignificant, significant, very significant, might be appropriate, although any measurement of scale in respect of opinion might veer towards the centre. Of course, any significant response therefore away from the average, can carry more weight perhaps.

If redesigning the questionnaire, a statement on drug abuse, a specific section on money and the option for the respondents to include statements of their own, would be included.

Obtaining Returns

Overall, the percentage rates of returns to questionnaires distributed was very high. This was probably due to the narrowness of the distribution area and the researcher's

position as a Probation Officer within the distribution network. Broadening the geographical boundaries and posting questionnaires, would likely lead to a reduction in the percentage of returns. It should also be noted that, with each group approached, the personal negotiations took place with the respective heads of departments; the personal approach was most helpful.

The Offender Sample

Potentially, this is the most interesting and useful area of the research project, but it is also the one fraught with the most methodological difficulties. Obtaining names for a total sample is not particularly difficult, although, as has been noted, the standard of records can vary and, in this project, the records held by the Crown Court Liaison Probation Office were better maintained than the Court records. Crown Court defendants were selected for the reason that Crown Courts were likely to have dealt with a greater concentration of the type of offenders required. It is also worth noting that Magistrates' Courts' records, although technically easier to get at for a Probation Officer, contain information on huge numbers of defendants, most of whom would not fit the criteria for this project. Concentration on Crown Court defendants therefore obviates the need for a major sifting operation.

The criteria employed to select the sample were designed to explore a group who might have reached a particular stage in their criminal career, or indeed have stopped before reaching a certain age. A total sample group is therefore produced providing (hopefully) numbers who have stopped offending and who are continuing. It was not possible to select two groups, i.e. stopped and continuing offenders, who were matched in other respects. If only the basic criteria used were imposed, it is still very difficult to know at the selection stage whether or not an

individual is still offending. Police records show recorded convictions and can be used, but even these are notoriously inaccurate. It is easier, and certainly less time consuming, to take a total sample and then ascertain if there are numbers who have stopped offending (by recorded convictions). In the sample researched here, four of eighteen had been conviction free for a period of five years or more (22%). There is no way of knowing if these figures are in any way representative, but they do suggest that, for instance, to obtain something like 100 'stopped' offenders, nearly five hundred men would need to be interviewed. Even these men have to be considered in respect of evidence, which suggests that a conviction free gap of five years does not necessarily mean the end of a criminal career, but is almost certainly likely to mean a significant improvement in the social habits associated with criminal activity. (West 1982)

The problems of a longitudinal study were considerable. The study was centred within the City of Portsmouth to increase chances of locating the sample group, not least because the City has a strong tradition of families remaining in the same area for many generations. Against this course, is the chance of the offender group being quite mobile, in their use of board and lodging accommodation for instance. The eventual traced number of 24/43 was reasonable but involved a variety of approaches to obtain that number. Most addresses available to Probation Officers or Police, relate to 'last known at' when an offence was committed resulting in a conviction. Naturally, in the case of those who have 'stopped' this can involve a considerable time span. Overall, the local electoral register was little help; this group being particularly unlikely to register their names. The telephone directory provided a few addresses, but of course these constituted only a lead, as a personal call had to be made to ascertain if the person listed was the one wanted. Overall, the best means of locating

individuals was by calling at addresses and talking to those presently living there, neighbours, family. However, this is a very time consuming experience, particularly for an individual researcher. To obtain numbers of any significance would involve a very considerable amount of detective work. Any major replication in this area would need a small team of full-time researchers. However, this is not necessarily so, as with the older respondent he may well settle into a family home and not move around the area so much.

Obtaining a Response

There is no doubt that personal contact produces results. Of those spoken to personally, all agreed to the interview. This is significant as clearly the issues concerned were at times sensitive, personal and in the past. The method of approach was of course very important and interviewing skills were helpful.

Initial contact with wives/girlfriends was quite difficult due to the confidential nature of the research interview. The vagueness of approach therefore made the making of appointments difficult, although a few were made resulting in later interviews. Any alternative to the personal approach for the sake of individual confidentiality, is difficult to envisage. Of course, once again, the process is an extremely time consuming one as it means call backs which may not result in an interview, for instance, if the person concerned refuses to speak to the interviewer.

Questionnaire Design

Overall, the unstructured style of the questionnaire used, led to a wider response than would have been obtained from

a highly structured style which, although easing analysis, would have restricted quality.

Throughout the questionnaire used, there are attempts to draw comparisons between 1979 and 1985. Clearly a six year gap relies heavily on memory and therefore this area was deliberately limited and kept to areas which were not too specific. Any increase in the longitudinal time span would likely increase this difficulty.

Breakdown of Questions

The first four questions, basically dealing with accommodation, actually were broadened in interpretation by the respondents. The feeling of 'being settled' in Question 3 was basically interpreted in terms of a home, but when expanded by Question 4, this was widened to include feelings such as a sense of security, of belonging, or having one's own family. Respondents' interpretation of particular words or phrases are difficult to anticipate, particularly when the researcher is attempting an exploration of feelings. The answers to Question 4 demonstrate the bonus of unstructured questionnaires which, to a great extent, depend on individual interpretation.

Questions 5-7 (relationships) were answered relatively easily, with respondents quite willing to reveal personal details. When this section was analysed, there were omissions, such as a question relating to offending during the currency of a steady relationship, e.g. "Have you committed an offence whilst married/co-habiting/or whilst going steady?", and also whether relationships had a negative effect, e.g. "Have you ever offended because of a problem or difficulty in your relationship with

wife/girlfriend?" Although it appears later, e.g. Question 17, it would be appropriate to include a specific question in respect of children in this section.

Questions 10-15 were answered with little difficulty. Question 15 was an attempt to get beyond the usual cliches regarding this area and in this was relatively successful. The exact wording used, was designed to try and exclude any link between crime and unemployment, although this was relatively difficult to achieve. If redesigned, a question asking (those who were still offending) if they believed a job would help them to stop, and why did they think this, would be included.

Questions 16-22 were answered easily. Perhaps what emerges from this section, is the group's perception of 'friends' and the fine differences drawn between mates, friends and acquaintances. The importance of 'mates' was very strong and the use of terminology is important in this section. Researchers should be aware of this, but actually using different terminology in the questionnaire might well raise more problems.

Questions 23-29 posed a few problems. Question 23 and 24 rely heavily on memory and are open to exaggeration from the respondent. Although the area of actually offending vis a vis convictions can be looked at here as can, for instance, age of arrest for criminal activity in relation to its end, it may be that these two questions are superfluous to this research project. As already stated above, the use of the word 'sentence' was broadly interpreted by respondents as meaning a 'custodial' sentence. This is problematic in that, if the wider area is to be explored, the questionnaire would have to ask a subsidiary question. Providing an alternative word is difficult as 'professional' terms such as disposal are likely to be less easily understood. Question 28 was treated with some circumspection, although respondents

were told that they were not being asked to inform on friends. Question 29 was of course open to some bravado, but as a Yes or No response only was expected, it was answered reasonably well. Question 31 proved to be extremely difficult for respondents to understand, let alone answer, for the reasons outlined above. The uncertainty that this question produced is probably due to ambiguity in wording and intent. The notion was that some offenders give up crime before others and could the respondents identify any particular type. The answers obtained suggest that this was not an area that they thought much about, but the question did not help them clarify their thoughts. The rest of the questions were relatively easily understood and answered well, although, naturally, interpretation to some extent remained a personal matter for the respondent.

Concluding Remarks

There was little in the way of previous or current research which helped to devise a research methodology for this project. As stated above, most of the research which had been carried out had concentrated on one particular life aspect which may be associated with giving up crime; the broader base made this work consequently more difficult. Longitudinal studies require a massive amount of effort which is likely to be best provided by a research team. The confidentiality of information also poses problems for the research worker in this area and its disclosure may not always be forthcoming.

C H A P T E R I I I

OFFENDING

Background Information on the 1979 Offender Sample

The sample of offenders selected for this phase of the research, were young men defined within the Criminal Justice System as recidivists, that is, repeated offenders, usually taken as meaning more than three court appearances for criminal offences. Criteria for selection was at least three convictions at the time of their court appearance in 1979, although there was no differentiation between juvenile and adult convictions. In fact, the majority of the sample far exceeded the minimum requirements of the criteria in terms of conviction history, the figures breaking down as follows:

Table 3.1

NO. OF OFFENCES	NO. OF MEN
3-5	9
6-9	5
10+	4

The type of offences included in the above are amplified in the Methodology Chapter, but they predominantly consist of burglaries and thefts, occasionally including unlawful taking of motor vehicles. It is fair to say, as mentioned in the Introduction, that these types of offences predominate in the lists of total offences committed and no doubt offenders in these categories would be very well represented in the records of Detention Centres, Young Offender and Adult Prison establishments. As a sample of

young male recidivists, this group were not uncommon among those appearing before the Courts and passing through the hands of the Probation Service.

As might be expected, criminal activity began very early for most of the sample, with ten of the eighteen admitting to offending by their thirteenth birthday and only one claiming that his criminal career began after the age of sixteen. Eleven had been before a Juvenile Court by their fourteenth birthday but three remained unconvicted until their seventeenth or eighteenth years.

The first involvement in the Criminal Justice System reflects the traditional mix of disposals that experience would suggest might happen. Five offenders received a Supervision Order, placing them under the guidance/authority of a Probation Officer or a Local Authority Social Worker for a fixed period of time. Seven were fined. One offender was sent to Detention Centre for three months and five were made subjects of Care Orders to the Local Authority (an assumption of parental rights on the part of the Social Services Department). This last measure can in effect be more 'punitive' than a custodial sentence as it can mean very lengthy periods of time 'in care' or, in other words, away from home at a residential establishment. This may not necessarily follow the making of a Care Order but, in the case of the above five, it involved a period in care for all.

By the time they were interviewed (1985), seventeen of the eighteen in the sample had received some form of custodial penalty during their criminal career. Twelve had received an adult prison sentence, ten a period of Borstal training, nine a Detention Centre sentence. all had been under the supervision of the Probation Service in one form or another, e.g. Young Prisoner, Borstal or Detention Centre Licence upon release, or a Probation Order

(sixteen) or a Community Service Order (six). Every man had also received a financial penalty.

'Criminal Status' in 1985

By the time interviews were conducted, in the Spring and Summer of 1985, only two of the eighteen had remained conviction free since their Court hearing in 1979 (as confirmed by police records). The last recorded conviction dates were as follows:

Table 3.2

LAST YEAR OF CONVICTION	NUMBER
1979	Two men
1980	Two men
1981	Two men
1982	One man
1983	One man
1984	Two men
1985	Eight men

These figures suggest that the move away from crime is a gradual process and it is almost an impossibility to state that anyone has actually stopped at a particular date. Research suggests that numbers of previous convictions are one of the best predictions of future criminal activity (Brody 1976 p. 49). It should therefore follow that the fewer the number of previous convictions, the less likelihood of further crime. In a sense this assumption is born out by the sample. The two whose last recorded convictions were in 1979 had, at that time, four previous convictions; they therefore 'stopped' at five. Of the two who stopped in 1980 one also had four previous but the other had eleven, suggesting that he was perhaps then at the end of his criminal career (he was then twenty-three years old).

Another interesting point, and one which supports a statement made by West (1982) in respect of significance of conviction-free periods, is that of those convicted in 1985; two had been conviction free for six years and four years respectively. This illustrates West's point that "a gap of five years free from convictions was not quite long enough to identify those whose criminal careers had really ceased" (p. 71). However, the new offences by these two individuals does pick up on a point made by Brody (1976), that is, offending can become less serious in type with the passage of time (and with other influences perhaps). Both of these individuals had criminal records predominantly consisting of burglary and theft offences. When they reappeared in the Courts in 1985, their offences were respectively, (i) Possession of a small amount of Cannabis and (ii) D.H.S.S. deception. The danger of course in these situations, is that the changed circumstances which may have brought about a significant shift in offending behaviour, are frequently not fully explored in Court and an offender is likely to be sentenced on his record. For example, the man above who was charged with possessing Cannabis, received a sentence of 28 days imprisonment. As a result, he lost a job he had held for two years which had no doubt substantially contributed to his abstinence from more serious crime.

Overall then, approximately one half of the sample appeared to still be 'active' criminals in 1985, at least as measured by recorded convictions, although I acknowledge the debate which surrounds this criterion as a measure. The other half appeared to be moving away from crime, albeit haltingly in some cases.

Offending Behaviour

Bearing in mind that the focus of this project is to look at reasons why offenders might give up or move away from crime, it was considered important to try and ascertain

the views of offenders about why they actually believe people commit crimes (Q. 30). Much criminological research has concentrated on trying to establish predictive factors in a person's background which might point to a future criminal career. However, if an attempt is to be made to work towards a reduction of criminal behaviour, then an understanding of its causes as identified by offenders themselves must be useful. This is a very important area for those involved in the Criminal Justice System and therefore the eighteen responses to Q. 30 are quoted in full.

Why do most people offend?

1. Mainly their upbringing, unemployment, greed for money to go out and have a good time - possibly steal for the family.
2. Lack of money.
3. No money, bored, no job.
4. Personally, I think its greed rather than need, usually things stolen which were not needed - opportunist.
5. Shortage of money.
6. Lack of money - it depends on the offence.
7. Peer group pressure - keep up with your mates , money to increase spending power.
8. For money, friends have things, a state of depression, steal things, you move up from shoplifting, graduate to burglaries.
9. Easy lifestyle.

10. Pressure of no money, phantasy of what others have, material provisions, unemployment can force people into it, boredom or drink and drugs.
11. Boredom, a kick, no money, people you hang around with.
12. Boredom, you get money to go out with mates, drink, fun of seeing if you can get away with it - some have it in their blood, background and family environment.
13. Money, build up self-image, have lots of money, women around, get kicks out of it, like breaking the law, its different I suppose.
14. Unemployment, boredom, with young people a sense of adventure, something to do.
15. Some for joy, some for money, you do it because your mates do, for me the fun is getting away with it, its easy at first.
16. A variety of causes, a lot to do with social life, a need to have what others have, think that its big and clever to beat the system.
17. Depression in personal circumstances, stupidity and drink, its a kick and a giggle at the time.
18. Easy money, drink, others suggest and you go along with it.

Thirteen of the respondents specifically mention money in their answers; they become involved in crime either because they are short of money, want more money or want to come by their money easily. The simplistic solution to this problem might therefore to be to increase the money

available to these young men, perhaps in the form of well paid jobs. However, this would not override the other considerations involved in offending such as the ease with which money can be obtained, the peer group pressure and the 'kick and a giggle' or buzz that some offenders gain from their activities. There is also the offender's perception of why he needs money and for what purpose. It seems that an attitude develops that being seen to have money or possessions, or phantasising about what others might have, becomes a strong motivator for crime. The influence of offender's 'mates' is crucial in this context and it is perhaps when that emotional dependancy is transferred to someone outside of their criminal network, such as perhaps a girlfriend or wife, that their perception of their own needs begins to alter.

The chapter on work suggests that it is not necessarily 'no money' which leads to offending, although of course it may, but for many young men it is not enough for their needs as they perceive them at the time. As indicated, this perception of need may change and several factors can influence this, such as maturity, relationships, the assumption of responsibility. However, until this personal attitude develops, and it is extremely difficult to know or measure its beginning, the motivating factors for crime suggested above remain paramount and are seen by the offenders as legitimate. Offenders in this category are unlikely to be deterred by the prospect of stiffer sentences as crime remains more prone to influence by peer group pressure, alcohol and opportunity.

Self-image then appears to be a powerful motivator for criminal behaviour and it is the movement from a pre-occupation for self to a consideration or acceptance of others into your life, which may accompany a move away from crime.

My personal experience concurs with the view that other factors, like those mentioned above, are far more likely to influence a young man into crime than a Probation Officer as supervisor, or the Court as denunciator or agency of deterrence, might influence him away. However, experience also suggests that often some of the qualities which may later develop and accompany the move away from crime, are present at an earlier phase but are unrecognised or pushed away by the offender. The Probation Officer may have a role in attempting to help the offender not only recognise these qualities in himself, but also just to recognise them as legitimate or acceptable aspects of personality. The Probation Officer should utilise any information obtained in reports to the Court so that sentences might reinforce the positives in personality rather than the negatives. This point will be looked at further in the Helping Chapter and, of course, the 'broad assessment' is an argument in the Sentencing Chapter.

Undetected Crime

Statements made by the offender sample suggest that crime is often opportunistic and situational. This somewhat puts into perspective the problems of dealing with criminal behaviour, but also highlights the difficulty of knowing if someone has actually stopped offending. Although previous convictions were quite numerous among the sample, suggesting that they were not very successful criminals as they were repeatedly apprehended, their statements suggested that undetected crimes were quite numerous. This illustrates the difficulty of having claims of giving up crime on the evidence of police records, hence, as stated in the Methodology chapter, this is acknowledged but used as an indicator. Questions 28 and 29 were therefore included to attempt to ascertain if the respondents identified this as their experience and to

further explore the influence of 'mates' in the criminal equation.

All eighteen respondents claimed to know of people who had committed offences and got away with it. Five replied "Yes, lots", nine replied, "Yes" and four replied "Yes, a few". In reply to Question 29, only four replied that they had never got away with any offences they had committed, one replying, "The Police knew all about me". The remaining fourteen all admitted to getting away with crimes. Two qualified their answers by saying, " Yes, a few, but getting caught more than makes up for it", and "Yes, many times, but I've also been done for some I didn't do".

Therefore, this group, who were well known to the Police and the Courts, were nearly all admitting to offences other than those recorded against them, without of course giving any details. This type of question is of course open to bravado on the part of the respondent. However, aside from illustrating the methodological difficulties of researching this area, the responses do back up the findings of the British Crime Survey (1983) in respect of the 'dark figure' of unrecorded crime.

The other aspect of this part of the research does concern the influence of 'mates'. It is already acknowledged that peer groups do influence criminal behaviour. If some of those peer groups are committing offences and avoiding detection, and all this group claimed to know of such people, then surely this is likely to act as a strong motivation towards crime. Questions 19-22 take this issue further.

Question 19 was answered as follows:

Did you commit your offences alone or with others?

Table 3.3

Alone	2
With Others	13
Both	3

Of the sixteen respondents who offended with others, twelve described them as friends, two as mates and two as acquaintances. Again, the influence of peer groups is very strong, suggesting that moving away from crime could be difficult for someone attached to a peer group, necessitating either a physical move away from the group, strong individual will, or the group itself moving away from crime. When asked if these 'offending friends' were still in trouble in 1985, six replied "No", two were unsure and ten replied "Yes". It was anticipated that Question 22 would throw up a large number of "Yes" responses, but this was not the case. The answers to Question 22 are reproduced in full below as they address an area considered to be of great importance by those working with offenders.

Question 22:

Do you think that people have to change their friends if they are to give up crime?

1. No, not really - it depends on their willpower, if you're living with a wife or girlfriend your mates can come around but you are not led astray.
2. No, just change the style of friendship - you don't have to be a thief just because they are.

3. Change of friends is important.
4. Yes, most definitely.
5. No. I don't think so.
6. Yes and No; I changed my friends by not always going with them so much.
7. No.
8. No.
9. No - certainly not.
10. No, its down to the individuals; you must have a goal in life.
11. Sometimes it helps to get a new circle of friends - can be a good thing - moved away and it did the job.
12. Yes, definitely.
13. No.
14. No, I don't think so; its a matter of willpower - you have to walk away; you have to be able to say no.
15. Yes, emphatically, for those who are in trouble; difficulty of resisting suggestions; couldn't go out on my own to do anything; you need someone to support you (in crime).
16. Yes, if they are into crime - I had to change my friends.

17. Overall, Yes; the same lot do what they always did; a new lot might help.

18. I don't think so.

Overall, no clear pattern emerged from these responses, although the "No's" are in the majority. However, the fact is that twelve of the respondents claimed to have changed their friends since 1979 (Question 18), with three saying that it was the same people but a different relationship. This last statement is the one which implies a degree of personal change in the offender which is difficult to be precise about, involving as it does such character aspects as self-image, maturity, willpower and different perceptions of need.

Of the six respondents whose last recorded convictions were in 1981 or before, in other words those in the sample who appeared to be moving away from crime, five said that they had completely changed their friends and the other claimed that he had a different type of friendship with the same friends.

Offending then, among the particular type of offender in this sample, is often an opportunistic, peer group activity frequently spurred on by a perception of need which reflects a poor self-image and desire to have what others supposedly had. Few of these young recidivists appear to offend alone, hence the influence of friends cannot be underestimated. Equally it cannot be ignored that interaction implies a two-way process and the individual who offends with friends contributes to the total group offending. Although the sample appear to indicate that giving up crime is more of a personal choice, a good many had actually changed their circle of friends and this particularly applied to those who were most positively moving away from a criminal career.

Therefore, changing one's friends, particularly as they are likely to be delinquent also, appears to be a positive step that a person can take. However, to do this, surely other changes are needed in his life to help him to take that decision. It is those changes that will be explored in the remainder of this chapter. Other influences, technically external to the offender, are examined in later chapters, but the following is an attempt to get at offenders' own perceptions of why they and other offenders, might give up crime.

Giving Up Crime

The question of 'will' is perhaps addressed by Question 35, "Do you think you have now stopped offending?" In a sense it is almost traditional after an offence to say that "that's the last time", or "I won't do it again". Within the Criminal Justice System, such statements are heard many times and are usually taken with a 'pinch of salt'. However, as a Probation Officer, many young offenders were met who admitted that they did not think that they had ceased offending, but that the reasons for their crime, or the nature of their offending, was altering, and that this could then become an important phase in their lives. In response to Question 35, "Do you think you have stopped offending?", fourteen respondents said "Yes", two said "No" and two were unsure. However, the tenuous nature of such simplistic answers was perhaps emphasised by one man who implied in his statement that the absence of any of his 'positives' could lead back to sustained crime (he was in prison at the time).

"All depends on the circumstances when I get out - I hope so, would like a job open, kids and the Mrs. waiting there for me, and not to be harassed over every burglary in xxxxx."

Obviously some of the fourteen who replied "Yes" had actually offended quite recently and were therefore following a line of saying "no more" after recent trouble. However, some had avoided a criminal conviction for several years. If an offender says "enough", even after an offence, those who come into contact with him should perhaps build on that and look for other positives, rather than dismiss it as a mechanical statement.

Question 47 attempted to look at the sample's perceptions of a good influence in terms of their giving up crime. With hindsight, this perhaps put words into the respondent's mouth by suggesting that there is 'influence' rather than just themselves. However, this accepted, the responses are important, particularly if, as is implied in this chapter, the offender takes the personal decision to stop, he almost certainly needs other positives in his life to support him.

The responses to Question 47 were:

If you think you have stopped offending, what has been the most important influence on you?

1. Wife and kids.
2. Family/wife.
3. Getting slung out of home/shame on parents/fear of prison.
4. I obviously haven't stopped.
5. Wife and kids.
6. Wife and son.
7. Wanting to settle down.

8. Don't really know. I've always had a bird. I've wised up I suppose.
9. Wife and child.
10. The driving licence; wanting something I never had; cars have been my life. I threw my life away by being drunk once.
11. Hard to answer. I enjoy my freedom; choose what to do and when I want to do it.
12. Wife.
13. Myself - I wanted to stop.
14. Wife, children, and being free.
15. Wife and kids.
16. Wife.
17. Think I have. I'm not worried about the Police knocking on the door; once you've had a taste of peace, its nice to keep it; to be quiet and not to have worries.

To return to the six respondents whose last convictions were 1981 or before and cross-reference with the responses above, proves quite interesting in the light of assessing the importance of relationships and responsibilities. All six mention wife, and four mention children (Numbers 2, 9, 12, 14, 16 above). These are all men who positively declared themselves to have stopped offending but cite another person as the greatest influence in this decision. The other two who significantly mention wife and children (Numbers 5 and 6), were also moving away from crime in terms of their last recorded convictions, but Number 5 was

one of the two who had reoffended in 1985 after six years absence, and this offence was for financial gain for the family. This only illustrates a point made in Chapter 6, p. 83, that marriage and responsibilities can actually contribute to offending. However, the predominant view was that relationships were a positive influence and that self-will played little part (although, as stated, the design of the question may have encouraged such a response).

The four who did not answer "Yes" to Question 35, replied in the following terms to Question 48, diverse but worthy of note:

1. Alcohol education perhaps.
2. Guidance to get to the root of my problem of why I steal when I don't have to.
3. Nothing other than myself.
4. Good trade, stable job, a person to care about and who cares about me and a good environment to live in.

Summary

The reasons that people commit crimes are as diverse as the people themselves and it therefore follows that reasons for giving up crime will be as equally diverse. However, from this chapter, what does emerge is that the type of young recidivist under discussion commits many of his offences as a social activity, with little pre-planning. His perceptions at the time appear to be very much self-centred and he believes that he should have what he thinks other have, and should get it as easily as possible. The influence of peers is likely to be stronger than that of almost anyone else and it is highly unlikely

that Courts or Probation Officers will dissuade someone from crime at this particular stage.

However, as the offender finds other people in his life, it seems that they can act as a strong motivator away from crime. These others though, do have to be important for the person; casual relationships are unlikely to have much effect. In moving away from crime, at this stage the individual is likely to give up his former associates or develop a different relationship with them; the former being more likely. Support at this stage is important and certainly, if Probation Officers are in contact with a man at the pre-sentencing stage, they should be assessing the situation as broadly as possible to highlight the factors which may be involved in this process.

C H A P T E R I V

SENTENCING

This chapter will examine the effect of sentencers and sentences upon offenders and suggest that a more thorough assessment of offender and offence, as described below, by all in the Criminal Justice System, may be more productive in the long-term than what appears to be the arbitrary administration of justice at present.

'It is very important for those involved in dealing with young offenders to consider not just the bald statistics but who it is they are actually dealing with, what are the crimes they are committing, and under what circumstances. There is a need to be more selective in fitting the 'punishment', or administering the treatment, to fit the crime in question. This can only be done with a true understanding of the motivation of young offenders.' (NASPO News 1985)

Although these words were written by the Chairman of the Magistrates' Association, they do not reflect the everyday Court scenario where young recidivists are concerned, and perhaps Mr. Wheeler is trying to convert his members. Anyone who regularly works with recidivists will know that it is an uphill task to divert the offender from a custodial sentence, even if his latest offence is less serious than those shown on his Police Antecedent History. Despite the premise that an offender should only be judged on his most recent offence, there can be no doubt that previous history does play an important part in the sentencing process. This is true not only for sentencer but for those who advise them and, of course, the defendants themselves, who quite quickly become expert in

predicting a sentencing outcome. In many respects then, sentencing is seen as something of a game in which the players take their allotted places from which it is hard to move.

In this chapter, 'sentencing' will be examined which, as indicated in the Methodology section, was interpreted by the respondents primarily as custody. Concentration will be on the custody issue, but there will also be comments on fines which were seen by the respondents as another punitive measure. Those non-custodial alternatives managed by the Probation Service, such as the Probation Order and the Community Service Order, will be examined elsewhere.

The philosophy behind the opening words to this chapter, implies a stopping of the escalator so to speak so that everyone involved can take stock of the current situation. The notion of a criminal career does not, in a sense, particularly help the process. Criminal careers research would indicate a criminal life perhaps paralleling an occupational life; that is, having a beginning which gradually rises to a peak, leading to a slowing down and eventual cessation. As in 'normal' life, there are infrequent opportunities to stop and consider alternatives, with previous experiences contributing to the present. The criminal career was described by John Irwin (1970 p.213) as follows:

'....there is a strand of continuity through the prison and even into future prison years which is explained by the criminal perspective and identity acquired early in the careers and which is overlaid with other deviant features in prison.'

He underwrites this statement by suggesting that at the beginning of a criminal career, the commitment is often weak and confused. He believes that there is often a

failing on the part of 'officials' who usher the offender along a criminal path rather than open up new paths to him.

It is perhaps in the area of 'opening up new paths' that Mr. Wheeler addressed his remarks, but how far are Courts prepared to take risks, because that surely is how this process is viewed. If there is an unwillingness to go very far along this road with those in the early stage of a criminal career, the prospects for recidivists are limited indeed. Statistical evidence would almost certainly mitigate against risk taking, for instance, the age range of offenders who are the subject of the present research, 17-25, accounted for 41.96% of recorded standard list offences in January 1971 (Phillpotts and Lancucki 1979). The overall reconviction rate for males was 50% within six years, with the 17-21 group at 56% and the 21-30 group at 49%. Those convicted of burglary and robbery offences, had the highest reconviction rate (68%) of those based on offence type and emphasise the likely delinquent nature of my sample group. Reconviction rates based on offence type and sentence are equally discouraging for sentencers:

(See Table 4.1 on next page)

Table 4.1

OFFENCE	AGE	SENTENCE (% RECONVICTED)
<u>Burglary/Robbery</u> (2-4 previous convictions)	17-21	Fines (65)
		Probation Supervision (94)
		Custodial (70)
	21+	Fines (68)
		Probation Supervision (64)
		Custodial (73)
<u>Theft/Handling</u> (2-4 previous convictions)	17-21	Fines (70)
		Probation Supervision (79)
	21+	Fines (59)
		Probation Supervision (65)
		Custodial (72)

In a sense, these figures may be seen as confirming the 'nothing works' viewpoint. When faced with such evidence, Courts may well therefore choose the 'easier' option of imprisonment because that will at least remove the offender from society for a period of time. However, the figures outlined above are worthy of comment. The reconviction figures for Fines come out better than any other disposal and in particular produce the best figures for the older offender in the theft/handling category. These figures will be set into context by comments made later by Walker (1964) when he suggests that fines can be as effective a disposal for nearly all types of offender as any other. The other figures worthy of comment are those for Probation Supervision and in particular those for the older offender. Although it is difficult to view reconviction rates of 64% and 65% respectively as a success, they do represent a considerable drop off from the rates associated with the younger age group. There may be several reasons for this, not least among them

possibly a more mature attitude. However, these figures suggest that Courts and Probation Officers could recommend supervision for this age range of recidivists, but it is more likely that the older recidivist with a fresh conviction will not be viewed as a reasonable supervision prospect. The available research suggests that there is a steady rise in the proportion of males given a suspended or immediate custodial sentence as the number of previous convictions increase. (Phillpotts and Lancucki 1979 p. 8)

Considering the opening comments to this chapter and the sentencing/reconviction figures above, this research represents an attempt to ascertain when this process, described as an escalator, might be stopped or at least influenced. As indicated previously, much of the existing criminal careers research has focused on predictions, in particular who becomes delinquent and what if any are the common, causal factors. Work examining the other end of a criminal career is less extensive and has tended to examine one factor in isolation, (e.g. Knight and West 1973 Moving Home, The Gluecks 1931 Age and Maturity).

The Courts therefore have little evidence to consider about those whom Brown and Gable (1979) describe as 'Positive Outcomes'. In the absence of information concerning their sentencing 'successes' - who follows up a success? - and therefore faced with the 'failures', Courts not only come under the influence of sentencing/reconviction statistics, but that more intangible concept of public opinion. Popular newspapers and television often fuel the sentencing debate with sensational stories concerning horrific crimes. They would have us believe that the public want longer sentences and physical punishment culminating, of course, in the death penalty. It is unnecessary to expand upon the type of media campaign which recurs periodically, but some form of balance should be presented and evidence can be found in

the British Crime Survey (Home Office 1983). In a survey of victims, a far less vindictive attitude was found than might have been anticipated.

'All those whom the survey identifies as victims were asked what treatment the perpetrators deserved to receive. Only half felt that, if caught, 'their' offender should be brought before the Courts. 10% of victims favoured a prison or Borstal sentence; this figure rose for victims of burglary and car theft to 36% and 31% respectively. Perhaps surprisingly only 2% of victims favoured judicial corporal punishment. The most favoured sanction (mentioned by a quarter of victims) was a fine; a fifth wanted a formal caution from the Police or some sort of less formal reprimand. 15% mentioned some form of reparation, either Community Service or direct compensation by the offender. 12% felt that no action was called for at all.' (p. 28)

Sentences are subject to such a mass of conflicting evidence and as Brody (1976 p. 1) writes when describing sentencing policy, "today no really comprehensive or unified policy can be said to exist at all". Concepts such as retribution, deterrence, reprobation, social denunciation and reform all come into and go out of fashion and have a greater or lesser influence at particular times and for particular crimes. This situation of course does not encourage a thorough examination of an offender's particular circumstances at a specific time in relation to a certain crime.

The remainder of this chapter will concentrate on the issue of deterrence and, in particular, the effect of custodial sanctions. However, consideration will also be given to financial penalties and the stigma of court appearances.

Deterrence

The value of deterrent sentences is frequently debated and appears to be particularly vulnerable to swings in public opinion. Although retribution may be called for following specific incidents, it is probably to the making of deterrent sentences and denouncing statements that most interest is turned. It may be, however, that the concept of deterrence is strongest in the minds of those who are already deterred, a point made by Walker (1980 p. 36).

'The evidence for the inefficacy of deterrents is, however, very much scappier and weaker and at most supports the claim that the sorts of offences and sorts of people who respond to deterrence are more restricted than the man in the street believes.'

There may well be a belief in the value of deterrence but its evaluation as an effective measure is very difficult; the following illustration can serve as an example. At the beginning of the soccer season, 1983/84, there were serious crowd disturbances at Portsmouth Football Club, the worst of which witnessed two stabbings at friendly matches. As a result, the Magistrates' Court in Portsmouth took a sentencing initiative, declaring that offenders before them for football match related incidents would receive an immediate custodial sentence. The consequence of this decision was that many young men were sent into custody, frequently involving the loss of employment for visiting supporters. The following season saw very few football related offenders before the Courts. On paper this could be interpreted as a triumph for deterrence, but my own evaluation does not concur. In fact, the season of 1983/84 had begun with high hopes, a newly promoted club looking for more success. The reality was a season of struggle with visiting fans often triumphant. Their supporters were not well segregated and

trouble was bound to ensue. The season of 1984/85 was a much more successful one for the Club with good home performances. Visiting supporters were properly segregated and the whole issue of crowd control properly planned. As a result, crowd disturbances were reduced to a minimum and far less offenders appeared before the Courts. The point is that, during the season in which the sentencing initiative was invoked, the number of offenders did not reduce. The reduction was probably due to preventative measures and the better humour of the supporters. A belief in the value of deterrence could however have ensued, especially if people were unaware of some of the social dynamics of a football match.

It was therefore with some interest that the sample results from the opinion survey covering the deterrent value of custody were examined. The opinion questionnaire was completed in late 1984 when the Court climate of opinion was very much influenced by the philosophy outlined above. The results were as follows (for an explanation of the following analysis, please refer back to Methodology Chapter, Part 4).

Question No. 15 Threat of Custody as a Deterrent

Table 4.2

SCORE	NO. OF ANSWERS	% OF N
1	15	17.85
2	22	26.19
3	21	25.00
4	15	17.85
5 (Effective)	11	13.09

Throughout this study, a low rating are scores 1 and 2 combined and a high rating scores 4 and 5. On this basis, the low scores secure the highest number of responses with 37 (44%) and 26 (31%) scoring highly. These overall

scores are more interesting when compared with the figures produced by each respondent group. Just covering the high and low scores, the figures are:

Table 4.3 - Response Groups High/Low Scores on Effectiveness of Custody as a Deterrent

	NOT EFFECTIVE	EFFECTIVE
Clerks	20	50
Clients	42.8	50
Magistrates	15	35
Probation	79	16.6
Prison	43.75	31.25

The most striking results from this question are those for Probation Officers who show very little faith in the effect of deterrence on young recidivists. This may be expected with the Probation Service traditionally against custodial measures. However, the differing low scores by Clerks and Magistrates suggests that there could be substantial room for disagreement between the groups. The 50% high score by the client group is also worthy of note, particularly when compared to the Probation Officer answers, indicating that these two groups are further apart in their thinking than perhaps Probation Officers might wish.

Overall then, deterrence was not seen as a particularly effective means of preventing recidivism in young offenders. However, there were differences between the groups and the scores of the Clerks suggest that, as a sentencing philosophy, this could still be seen as important.

The Effect of Custody

For those working within the Criminal Justice System, there is widespread belief that imprisonment does little

for an offender other than remove him from society for a period of time. Probation and Prison Officers frequently see the prisoner's family as the principal victim of incarceration. More specifically, in respect of the present research, the reconviction rates following custodial sentences offer little hope that it can have a positive influence in terms of offending. Phillpotts and Lancucki's (1979) work showed a reconviction rate following a custodial sentence of 71%, the highest of all disposals. The figures therefore suggest that custody may have a very limited influence upon reconviction. Therefore it was interesting to note the opinions of the respondents about it:

Table 4.4 - Effect of Custody

SCORE	NO. OF ANS.	% OF N
1 (Not effective)	17	20.23
2	25	29.76
3	18	21.42
4	17	20.23
5	7	08.33

50% of the total sample scored the 'effect of custody' lowly in terms of its effect upon recidivism. This puts it above the low scores for deterrence, leaving the high scores at approximately the same level. The breakdown however does show a movement over the deterrence responses.

Table 4.5 - Response Groups High/Low Scores on Effect of Custody

	INEFFECTIVE	EFFECTIVE
Clerks	40	20
Clients	35.7	42.8
Magistrates	25	55
Probation	91.66	4.1
Prison	43.75	12.5

Again, Probation Officers are conspicuous for their very high number of low ratings, even more than for deterrence and once more their views do not coincide with the views of the client group. Now, although Probation Officers might base their opinions on experience of recidivists, it is worthy of note that the client group feelings are different. These figures could reveal that Probation Officers are out of step with their clients or are adopting an 'I know what's best attitude', and if replicated with a much larger sample, it could be suggested that Probation Officers would need to listen more closely to what their clients are saying. The other figure of note here is the high score from Magistrates. This could simply imply a belief that custody can affect recidivism and therefore lead to a more ready use of custodial measures. The differences in views on this subject would make for good discussion in Probation Liaison Meetings with Magistrates and Clerks.

The 1985 Offender Sample

Just under a half (8) of the sample stated a belief that sentences, which were primarily interpreted by them as custody, had no effect at all. Seventeen had actually received some form of custodial sentence and were therefore speaking from personal experience. It is acknowledged that it is often usual for an experience of custody to be minimised once it is over, perhaps no more evident than among Detention Centre trainees. However, the view expressed was that repeated custodial sentences were not only easier to cope with, but had an increasingly negative effect.

As one respondent replied to Question 32:

What effect do you think that sentences have?

"Not a lot, it does more harm than good; people have to go away sometime, but to keep doing it is negative. You come out of prison with nothing and straight away you're at it again."

A slightly 'perverse' theme emerged, with several respondents saying that Courts were not punitive early enough in a criminal career, their belief being that graduation through the sentencing system only encouraged crime. The 'short sharp shock' argument in respect of Detention Centres was not supported, although a recourse to imprisonment earlier on was, one man summing up the views of several:

"Short sharp shock is no good, bang away first offenders - prison as it stands in the system is not a deterrent."

There were two dissenting views on the overall negative response to custody, one man saying that a long sentence afforded an opportunity to "sort yourself out" and another, "custody is not a solution, but some prisons can be constructive. The Verne was a good prison, probation inside was good."

Overall then, the sample did not particularly think that sentences had much effect on the offender and in retrospect custody was not seen as that difficult for themselves. Methodologically, this particular area was difficult in that it was prone to a very subjective response but overall is worthy of note, despite its limitations. Question 33 was asked in the hope that it would enable the respondent to focus more on the positive or negative aspects of a particular sentence, possibly in

relation to other events. So as not to lead on the respondents with this particular question, the researcher's involvement was kept as brief as possible. Respondents gave various reasons concerning the sentence which had most effect upon them, with nearly all being a negative comment.

Question 33 - Has any sentence had a particular effect on you?

- A Community Service Order (CSO) - knowing I might miss and go inside - I enjoyed it.
- B Remand in 1980 - it dawned on me, the loss of family, worry about their coping.
- C The last nine months did.
- D 24 hours Attendance Centre (AC), the physical side I really hated.
- E Fines - that done me because I had a family and had to pay every week, made it hard.
- F The nine months at adult prison, Winchester - Young Persons Prison (YP) was O.K., lads the same age.
- G All of them had an effect, a bad effect.
- H 60 days, I thought it was a liberty, the others got fines.
- I Detention Centre.
- J No, not even the long ones, but I did make use of that one, got parole, an incentive, used it to get out, but having to go back to the environment you left is no good.

- K The last one - family - its mostly water off a duck's back, its a mug's game.
- L Worst was the last, wife, two children, knowing they were on their own.
- M No.
- N Yes, the ban, it put me out of work, therefore a profound effect.
- O No, Winchester Remand Centre did me, it began to get to me, I thought my future would be all bang up.
- P Prison - it was no longer a game like Borstal, it was the real thing from now on, permanent prison, its real.
- Q Long sentence - 3½ years.
- R Winchester Remand Centre - three weeks were hellish, really bad, Detention Centre (DC) was not good, also really bad were Police cells at weekends, I couldn't stand it.

Although the answers above are quite disparate in nature, it does seem that important points emerge. Perhaps of greatest importance is not necessarily what sentence was imposed, but when it was imposed. Respondents spoke of the effect on their families of various sentences, from imprisonment to fines, and it was this, rather than the sentence itself, which had the greatest effect. For example, two respondents, K and L, spoke of the 'last' sentence as having the greatest effect, because of their family responsibilities. The sentences referred to were six months and 28 days respectively. These men had both previously served a Borstal sentence (at least nine months) and prison sentences of 21 months and two years.

Therefore it appears that the longer sentences are not necessarily the ones which are most felt by offenders, but those imposed when there are commitments other than to oneself. At this stage then it is likely that the offender will have increased motivation to avoid custody. However, just because an offender might have family responsibilities, it does not necessarily follow that he is a good bet for a non-custodial penalty. However, if these responsibilities, or even something as basic as a job, have meaning for the individual, then his motivation might be high and make him a substantially better risk. It is far too easy for everyone involved in the Criminal Justice field to go along the road of sentencing on previous history. Courts should take far greater account of current circumstances and in this, the Court worker with the necessary skills to assess the situation, is the Probation Officer. Alongside this, could be a greater concentration on the actual offence, as this can often be less serious than previous history if the circumstances are as above. The report of the London Demonstration Unit (1985) suggested that Courts responded to a serious and defined statement about the offence in preference to a detailed account of the offender's background. A concentration on offending behaviour plus an account of what matters to him now, could reveal information on which Courts could sentence more effectively.

Another aspect to this debate is the point made by Walker (1980), namely the offender's perception of the sentence passed upon him. As well as being quite competent predictors of sentencing outcome, as mentioned above, offenders do also hold quite strong views on the rights or wrongs of a sentence, in particular whether it is fair or not. Probation Officers in Court Reports frequently look at the offender's response to non-custodial disposals, such as Probation Orders or Community Service Orders, to see if motivation will carry them through or allow some positive movement. However, it is easy to overlook the

perception of sentences not requiring some sort of motivation and with it ignore the perception of fairness. Therefore, included in the questionnaire is Question 42, "What did you think of the last sentence you had?", in an attempt to explore this area. For interest, included in brackets at the end of each statement is the actual Court disposal (reproduced in full below).

1. Fair, Community Service Order was an alternative to three years, I hated every minute of the last custody. (180 hours CSO)
2. Very pleased - thought I'd blown it. (2 years suspended 2 years)
3. Good, looking forward to the Alcohol Education Group. (Probation Order with conditions)
4. Fair for the crime, but not that long, I needed help as there was no need for me to steal. (3½ years imprisonment)
5. Hard, but not deserved. (Fines)
6. Terrible, couldn't wait to get out, but deserved. (9 months)
7. Made me angry, custody, sentenced on record, not offence. (4 months)
8. A liberty. (60 days)
9. Very fair. (100 hours CSO)
10. Very bitter, I wasn't actually caught, grassed up. (12 months)

11. Didn't bother me at first, but towards the end I was more positive, the turning point came when an officer said I'd be back every year, he got the ball rolling. (6 months)
12. Got away with it, didn't expect to go away so it was doubly hard. (128 days)
13. Unjust, shouldn't have got it. (3 months)
14. Took your legs away, didn't like it. (Fines, Driving Ban)
15. Thought it was a laugh, lenient, if it was heavier it would have been negative. (Borstal recall)
16. Fair, thought I was lucky, could have got more. (Prison)
17. Very grateful for the chance. (Probation Order)
18. Good, fair, avoided prison. (Banned, Fines)

Although in a sense the question begged a response inclined to 'feelings', it is interesting that the respondents raised concepts such as deserved or undeserved, fair or hard, and shows that an offender will give a considerable amount of thought to the sentence that he receives and that his feelings will stay with him for some time. Clearly, sentences which were an alternative to custody (in the offender's mind) were greeted favourably and this feeling should be seized upon by Probation Officers. However, another aspect of this situation is the concept of the 'let-off'. This emerges as part of the feeling of avoiding custody and can of course undermine attempts to do constructive work with the individual (see Walker 1983). Not only can work with the individual be affected, but the idea of a let off can also

be entrenched in the minds of sentencers who then become reluctant to pass non-custodial sentences on higher tariff offences. It is part of the job of Probation Officers in their work with offenders in the pre-sentence phase, to emphasise that the non-custodial disposal is a serious option and will be treated so. In Washington D.C. (U.S.A.), Dr. Jerome Miller is working on what he terms 'alternative punishments', preferring to describe his non-custodial options as punishment rather than treatment or therapy. He believes that Courts are more disposed to this description of his package. The systematic research being carried out into his programme will be of interest in this country, particularly to the Probation Service and their work with high tariff offenders.

It is also worthy of note that several of the negative responses above refer to quite short sentences of imprisonment, e.g. 4 months (No. 7), 3 months (No. 13), 60 days (No. 8). At this end of the scale, non-custodial penalties might have been possible or at least a suspended period of imprisonment. The period in an offender's life when he is moving away from crime, although still offending to perhaps a less serious extent, is a very important one. If at this time the perception of 'fairness' is not met, then a setback could occur. In a sense these comments are impressionistic but if replicated in a wider sample which systematically explored last offence, last sentence and present circumstances plus offenders' perceptions, evidence might support the argument for a more thorough analysis of the circumstances of offenders in this situation, and a move away from sentencing on past record.

When questioned on their views as to offenders' general response to sentencing (Question 43 What do you think most people think about their sentences?), the answers were predictably mixed, with the consensus being that a non-custodial penalty was the easy option. However, four

of the respondents considered that, although custody might be hard, it was also probably deserved and the only realistic option open to the Court. The impact of custody could easily be forgotten, as summarised by one man.

"Not many like prison, but forget it the day they get out, when they get it they are upset - non-custodial is a let-off."

Another said:

"If you see the lads in the pub when they've been fined, they are chuffed, going down is all that matters."

As stated above, the perception of a sentence by the offender is important and when the 'predicted' sentence does not materialise, then problems could start. As one young man who had experienced the total range of sentencing said in response to Question 43:

"Not a lot, there is some satisfaction, it's difficult to know what to expect as sentencing is so inconsistent."

The sentencer therefore walks a tightrope between the principles of deterrence and retribution on one side and the 'let off' on the other. Within this the offender has a notion of what is 'fair' or fits his crime and can become bitter and angry if his sentence is significantly worse than his expectations. As we have seen though, his concept of the let-off can be very powerful and could affect his performance on some non-custodial options.

Suspended Sentences of Imprisonment

Considering the comments above concerning the strength of the 'let-off' concept, it was interesting to see how the

opinion sample scored the effect of suspended sentences on young recidivists. As Brody (1976 p. 28) noted, "if suspended sentences are effective it must be - like fines - because they act as deterrents, holding out the threat of a more severe penalty..." However, in quoting the survey conducted by Shoham and Sandberg (1964) in Israel, Brody noted that, "first offenders, given sentences of suspended imprisonment, did significantly better than if they were sent to prison, but this trend was reversed for recidivists". The work of Phillpotts and Lancucki (1979), cited earlier, would appear to bear this out noting a reconviction rate of 72% for offenders aged 21 plus with 2-4 previous convictions whose last sentence had been for one of suspended imprisonment, the corresponding figure for first offenders being 26%.

The scores for suspended sentences by the sample were as follows:

Table 4.6

SCORE	NO. OF ANS.	% OF N
1 (Ineffective)	19	22.6
2	20	23.8
3	26	30.95
4	14	16.6
5 (Very effective)	5	5.95

Just under one half of the sample scored suspended sentences lowly in respect of helping prevent recidivism, with less than one in four scoring highly. As a test of motivation to avoid future trouble, a suspended sentence must figure highly, and yet, on these figures, it is not a measure likely to find general favour. However, if applied to those offenders in the process of moving away from crime, it might prove more effective, once again stressing the need for a more thorough pre-sentencing assessment.

The various groups rated suspended sentences as follows, giving only the low and high scores (total sample - low = 46%, high = 22%):

Table 4.7 - Response Groups High/Low Scores on Effectiveness of Suspended Sentences

	LOW %	HIGH %
Clerks	20	40
Clients	21.4	35.7
Magistrates	45	30
Probation	58	8.3
Prison	68.75	12.5

The Magistrates Clerks and the client group almost reverse the figures produced by the total sample, with the Magistrates also inclined to be a little more positive towards this sentence. This suggests that this disposal could be used perhaps more widely but the interesting figure is that for Probation Officers. This suggests a clear lack of faith in the suspended sentence as a preventative measure with probably a reluctance to recommend it to the Court. Indeed, it is the policy of some Chief Probation Officers to positively encourage their staff not to recommend custody, either immediate or suspended (for example - Hampshire Probation Service - Internal Staff Document - February 1986). However, the opinions of the clients in particular are worthy of note for Probation Officers when they prepare reports for the Courts. Unless someone actually listens to what the offender is saying, it may be that the 'no-comment' line increases the likelihood of an immediate custodial penalty.

Fines

In 'The Sentence of the Court (Home Office 1964), Walker suggested that fines were the most effective sentences for

all types of offender, and in terms of reconviction rates probably fared no better or worse than other measures. As Brody (1976 p. 28) points out, if fines are effective, they offer the clearest case of the value of deterrence as a sentencing aim, as no advantageous results can be accredited to training or treatment. As can be seen from figures already cited, fines compare favourably with other disposals in terms of reconviction rates for the type of offender subject to this research. However, experience suggests that fines are unlikely to be the first choice disposal for Courts when dealing with young recidivists. The opinion sample scored the effect of fines as follows:

Table 4.8 - The Effectiveness of Fines

SCORE	NO. OF ANS.	% OF N
1	27	32.14
2	31	36.9
3	16	19
4	8	9.5
5	2	2.4

The figures here suggest that, broadly speaking, the sample rate fines as singularly ineffective as a preventative sentence, with only 12% scoring it highly. 69% of the sample scored fines at the lower end, suggesting that this disposal is either unlikely to be imposed too often on young recidivists or, if it is, it is doomed to be ineffective. When broken down into status groups, the figures do not move much around the total averages (high = 11.9%, low = 69%):

Table 4.9 - Response Groups High/Low Scores on Effectiveness of Fines

	LOW %	HIGH %
Clerks	40	10
Clients	57	21
Magistrates	65	15
Probation	75	8
Prison	95	7

Of interest here are the high scores for the client group. Although not a high percentage (21%), this does represent the largest number responding positively to fines and, yet again, their responses are quite different to Probation Officers. If there is any value in 'consumer' surveys, then it appears that the Probation Service should be listening to what the offender group is saying. As was noted above, one offender described the sentence that had the most influence upon him as being a fine, because of the effect on his wife and children. The fact that the client group scored the effect of fines higher than any other group did so, emphasises the point that it is not necessarily what the sentence is that is important, it is what is in the offender's life at the time that actually increases the impact of any particular sentence.

Even disposals which people may traditionally regard as a let-off, such as fines, can have a great influence at a particular time and those within the Criminal Justice System should not underestimate this.

Stigma

Finally, a few words concerning the stigmatizing affect of a court appearance. Probably most people working with the Criminal Justice System feel that there is little stigma attached to a court appearance as far as recidivists are concerned. Overall, the sample of 84 respondents

concurred with this view, with 68% scoring the effect of stigma lowly and only 15.5% scoring highly. However, when the separate groups of respondents were examined, the client group differed quite significantly, with 42% scoring lowly and 36% highly. Yet again, the 'consumer' view differs quite markedly from the rest and also, yet again, in particular from Probation Officers who scored 91.6% on the low scale. These figures are quoted to suggest that workers in the Criminal Justice field may well underestimate the effect of a court appearance, even on recidivists, and that this could cloud the way they deal with defendants prior to and at Court.

Summary

This chapter has examined some of the sentencing options open to the Court and the influences brought to bear on the sentencing process. In particular the effect that sentences can have at a particular phase in an offender's life and especially if he is moving away from crime. This moving away phase can still include further offences, but these are often less serious than those in their past. A good many factors may influence the offender during this phase but the significance of other people in his life would appear to be the most powerful. At this stage the offender is likely to be well motivated towards non-custodial disposals. Unfortunately, the unspoken tradition of our Criminal Justice System is to sentence not only on latest offence but also previous record. This can exclude the present circumstances of the offender, circumstances which might well make him a very good risk for a non-custodial penalty, for risk is how it is viewed. Skill is needed in assessing the individual's circumstances and, in the first instance, this may well reside with a Probation Officer writing a report for the Court. The figures revealed in this chapter, albeit limited, demonstrate the extent of the differences between clients' and Probation Officers' thinking. If replicated

on a larger scale, the figures would make depressing reading. The lesson for all involved in the Criminal Justice System is to stop, listen and examine because many more men might be kept out of prison, or at the very least sentences could be very much shorter. A simple formula for assessing this process is not possible, but it seems to happen at some stage in most offenders' lives. Of course, each person's experience are those of individuals and we should look at them as such. Words from Dostoevsky (1983) express this view eloquently.

'Every different personality means a different crime ... it is impossible to reconcile or smooth over these differences, that is by its very nature an insoluble problem, like squaring the circle...'
(p. 59)

C H A P T E R V

WORK - THE RELATIONSHIP BETWEEN UNEMPLOYMENT AND CRIME

'Having a job is still the most powerful way for an ex-offender to become reintegrated into the normal pattern of society. Work gives a regular income, identity, status and a focal point for social activity. Offenders have higher levels of unemployment than other groups in society. Surveys by the Association of Chief Officers of Probation have found that a person on a Probation Officer's caseload is between three and five times more likely to be out of work than a non-offender from the same area. A period in custody worsens an offender's employment prospects and where ex-prisoners are successful in finding work it is usually at a lower level than before serving a prison sentence. Such a decline is often part of a longer term process of deterioration which can result in an almost complete loss of the work habit. NACRO therefore believes that the provision of employment and training schemes can have a profound effect on the resettlement of offenders.'

(NACRO 1984)

The above is worth quoting at length because it implies a link between unemployment and crime and suggests that occupation can help reduce the chance of reoffending. The popular concept that the 'devil finds work for idle hands' is widely held. The link between unemployment and crime is frequently made by politicians who find it quite easy to parallel the growth of unemployment with the rise in recorded crime. It is not within the scope of this project to debate the social consequences of mass unemployment. However, it is worth noting that there is a strong media contention which links crime and unemployment

and the debate which followed the Queen's speech at the opening of the new session of Parliament in November 1985 suggests that this will be more than a passing political issue.

Anyone who has sat in a Magistrates' Court will know that the acquisition of a job, or the promise of one, is one of the most frequently cited defence arguments to keep the offender out of custody. Along with what might be a simple statement of fact, e.g. "he begins work on Monday", can be other related issues intended to influence the Court. These can include, "he will be able to support his family rather than make them dependant on the state", suggesting the assumption of responsibility, or "he will have a regular income and therefore will not need to steal". What lies behind all these statements and many other similar ones used by Solicitors and Probation Officers, is that somehow the person's unemployment contributed to their offending and that work will help prevent its recurrence. There is no doubt that this argument is often successful in avoiding an offender's imprisonment and, in the present economic climate, perhaps becomes more powerful when work is scarce.

Attitudes

The link between unemployment and crime is popularly made, therefore part of this chapter attempts to examine whether employment helps people stop offending. The NACRO statement argues strongly that work can positively influence rehabilitation, so it was of interest to note if the opinion sample gave equal weight to the effectiveness of work in preventing recidivism.

The Opinion Sample

In the opinion questionnaire were two statements specifically related to work, broken down into obtaining a

job (C10) and keeping a job (C11). These two factors emerged as the highest scored by the whole sample in the questionnaire. Figures were:

Table 5.1 - Obtaining a Job

SCORE	NO. OF ANS.	% OF N
1	4	4.76
2	7	8.33
3	16	19.04
4	31	36.90
5	25	29.76
Missing Value	1	1.19

N = 84

Table 5.2 - Keeping a Job

SCORE	NO. OF ANS.	% OF N
1	4	4.76
2	4	4.76
3	12	14.28
4	23	27.38
5	41	48.80

Under the definition of high scores outlined in the Methodology Chapter, percentages are 66% and 76% (approximately) respectively for the two areas related to work. With these high averages in mind, a cross-tabulation was carried out in respect of each respondent group to ascertain their relationship to the norm in high scores.

Table 5.3 - Obtaining Work - Respondent Groups % High Scores

Clerks	70%	
Clients	85.7%	
Magistrates	90%	
Probation	45.8%	
Prison	50%	

Of interest here (bearing in mind throughout the small numbers involved) is the high percentage of Magistrates scoring the obtaining of a job as important. With Clerks also slightly above the sample norm, it would seem to confirm that the work argument is a powerful and probably effective one to put before the Court. The client group also rated this area highly. The lowest scoring group were Probation Officers. A possible reason for this might be that in preparing Court Reports where defendants have secured work and then subsequently 'failed', their views were influenced by events.

Keeping a job was the highest single rated item on the list. This was again reflected when broken down into status groups, with one exception:

Table 5.4 - Keeping a Job - Respondent Group High Scores

Clerks	50%	
Clients	78.5%	
Magistrates	90%	
Probation	75%	
Prison	75%	

The argument that regular work will help prevent reoffending is widely and strongly held according to these figures with the exception of the Clerks, who actually rated it less important than securing work.

The figures above suggest then that the acquisition of work might sway those who sentence in Magistrates' Courts, although possibly Probation Officers might not attach so much importance to it. However, regular employment is deemed to be a very important factor in preventing recidivism and the sample confirm the belief of NACRO outlined above.

The Offender Sample

The eighty-four respondents included fourteen Probation clients who were interviewed during the day. Although it is impossible to generalise, experience would suggest that a good number of these were unemployed and therefore their high rating of work items might be a case of wishful thinking. With the 1979 sample, it was hoped to find some respondents who had actually been in work to ascertain their views on its relationship to their criminality. It was also of interest to observe whether during a period of increasing unemployment (1979-85), unemployment had risen in the sample.

Having a Job

In 1979 7/18 were in work; occupations were labourer, painter, demolition, car dealer, warehouseman, lorry driver, chef. The remainder were in receipt of State Benefits, either in the form of Unemployment or Supplementary Benefit. When interviewed in 1985, 9/18 were in work. Three of those unemployed in 1979 had found work with one losing his job and remaining unemployed in 1985.

Of the three who were unemployed in 1979 and now in work, the type of their occupation was perhaps better than one might expect, being a milkman, labourer and double glazing frame maker - all these jobs were of a permanent nature.

The obtaining and retention of nine jobs in a sample of eighteen was surprising. It could have been that unemployment would have risen during the six year period considering each individual's criminal background. Obviously, the fact of being able to trace their sample suggests that they are more stable, older, and perhaps therefore more likely to be in work. However, despite that possible element of bias, it is worthy of note that 50% of the sample were in work and this reflected an 11% increase which is interesting in the light of NACRO comments at the beginning of this chapter.

Work and Crime

As indicated from the opinion questionnaire, employment was seen as a strong helping factor in preventing recidivism. Did therefore an offender's criminal history cease at the time of securing work, or did his criminal career run parallel with his employment? Of the eighteen, two had not reoffended since the sample year of 1979 (as confirmed by Police records). Both of these had been unemployed in 1979 and were now working respectively as a taxi driver and a milkman (the latter had gained an offer of a 'trial' whilst at Portland Borstal and began work immediately he was released at the end of 1979). Therefore the ending of the official criminal career coincided with the period of full and permanent employment.

Two more of the group had been unconvicted since 1980 and both were working in 1985. One of these had been unemployed in 1979 and had since gained a well paid job as a stevedore. The other had been employed in 1979 as a car dealer but by 1985 was successfully running his own antiques business (selling to dealers).

There were only two others whose 'crime free' period extended beyond four years. Both of these had been

unemployed in 1979, one still was and the other was now working as a double glazing operative.

It is also worth noting that, shortly before the interviews were carried out, two men had been in work. One was employed as a shotblaster but was imprisoned for a serious crime and therefore lost his job. The other had been four years without a conviction, but in 1985 had been convicted for possession of a small amount of Cannabis. He had received a sentence of imprisonment (28 days) and as a result lost his steady job as a Local Authority Gardener.

Work and Finance

If shortage of money is seen as a contributory factor to offending, then Question 12, "Do you have enough money for your needs", should have identified a possible problem area. 13/18 said that they had enough money for their needs. Of these, five were receiving State Benefit and qualified their answers by statements such as, "O.K. for basics but not luxuries", and, "Yes, I don't go out as much as I used to". With the exception of one, all those in work thought that their income was sufficient for their needs and overall the group reflected a changed attitude from how they viewed money in 1979; this is perhaps well summarised in the following, "Yes, adequate, money is no longer the be all and end all - at one stage I had to have the cash for the game".

Fourteen of the sample definitely stated that shortage of money had previously led them to offending. Only two felt that they could definitely say no to Question 13, "Has shortage of money ever directly led to your offending?", and interestingly these were two who had been employed for the whole period of the survey and had been crime free since 1979.

The actual possession of a job was identified by the opinion sample group as an important factor in the prevention of recidivism. Of the offender sample, only seven were able to say that they had not offended whilst in work and most of these had either never worked or had worked infrequently in temporary jobs. The rest of the sample, with the exception of one, had offended whilst in work.

Crime and Unemployment

The offender sample would have fitted in well with their views on crime and unemployment to the political debate surrounding this issue, with 16/18 linking the two. However, the reasons for linking the two were often not as simplistic as shortage of money or too much time. One man, who was unemployed and is also a well established recidivist, said:

"Crime is a kick and a giggle at the time, but is not so nice at the end - there is some link, unemployment can work two ways, you could get enough money and therefore you're O.K. - not enough money could cause problems - its more a state of mind - its what's in your life that counts."

Others suggested that fortnightly benefits led to bad money management, thereby increasing worry and the chances of offending. Others stated that it was meeting people in the same circumstances which would cause problems.

Summary

'It is most often the unemployed who go thieving, but unemployment should not lead to thieving.'

This statement by one of the offender sample, well summarises the responses to the questions on work. Overall, the securing of employment was not a guarantee of stopping crime, indeed, if so motivated, the offenders continued to commit offences whether or not in work. A steady job was influential in some cases and, of the six men who had been crime free for four years or longer, five were in regular employment.

However, what probably emerges is that, with the passage of time, the individual's perception of their needs (in financial terms) has changed. As younger men, most indicated that their money was spent in pubs and clubs, and they felt a 'need' to be seen to have money. When they were older, although the need for money was still present, it was for different purposes and this may in part explain those who felt that Benefits were 'enough for their needs'.

It is probably too simplistic to state that unemployment causes crime or that obtaining work helps reduce it. What is perhaps more pertinent is to say that obtaining a job at the right time, e.g. when other factors are at work, is very helpful.

CHAPTER VI

RELATIONSHIPS

An Overview

Within Criminal Justice circles and indeed in society generally, there is a popular belief that the influence of a 'good woman' is all that a man needs to reform his criminal ways. However, what is actually meant by this influence is rarely explained and the assumption remains that a relationship per se will do the trick. Contrary to this idea is research that indicates, for instance, that early marriages can actually positively reinforce an offender's criminal career for a multiplicity of reasons. This chapter will therefore attempt to measure the strength of belief in the effect of relationships on offending behaviour and examine the views of offenders in respect of their present and past relationship status.

Irwin (1970) suggests that, although the criminal identity does not disappear, only subsiding into latency, nonetheless an 'adequate and satisfying relationship with a woman, usually in a family context' (p. 202) is important in helping the process of giving up crime. In his study of Borstal Boys after 25 years, Gibbens (1985), noted the importance of getting married, indicating as it did increasing social stability. He described marriage as 'the most important life event'. He cited the importance of marriage as the reason given by 49% of those whose criminal careers had finished after ten years (aged 27-31). West (1982) took a less optimistic view of the effects of marriage, stating that his research revealed only a faint suggestion that delinquency less often persisted into adult years where men were married, i.e. of 181 married men, only 17 (9.4%) were convicted of an offence between the ages of 21-25 compared with 29 (13.8%)

of 210 unmarried men. In isolation, these figures reveal little other than a trend which is more similar than dissimilar. However, he did note that, at age 21, 90% of married men (compared with 56% of single men) claimed that they had become less likely to do things which might lead to further criminal behaviour. Of the various indices used to measure change, it was the use of leisure time which was much more important than, say, aggressive behaviour. What arose out of West's research, was that it was the 'right kind' of woman that was important, rather than just a relationship per se.

The whole area of marriage and relationships and its importance in the process of giving up crime, is not clarified by some of the available research. West (1982), further to the comment above, stated that his work showed married men to have experienced greater financial problems and to be worse off in regard to debts than single men. Therefore, the financial motive for crime might increase as a result of marriage. West claimed from his research that reconvicted married men are on average reconvicted more often than reconvicted single men. Other research, (Knight et al 1975), as generally reviewed below, is varied in its findings. (It is noticeable that there is a greater literature range on marriage than work, despite how strongly held is the belief in the positive influence of work.)

Prinzing felt that young married men were often more delinquent than young single men (but after twenty-five years the single men were more delinquent). Hurwitz (1952) in Denmark, found the single man's crime rate to be twice that of married men. Martin and Webster (1971) suggested that marriage under twenty-one was a characteristic of male prisoners whilst Cavan (1962) felt that early marriage might stabilise a delinquent because he has decided to live conventionally. The Gluecks (1937) concluded that a successful marriage could bring a

criminal career to an end, as did McCord (1959) who felt that marriage accompanied the acquisition of new sources of prestige in the adult world. Downes (1966) was forthright in his view of the importance of marriage, seeing it as the main check to the spread over of delinquent behaviour into adulthood.

This brief overview is inconclusive in its findings on the importance of marriage. In particular, early marriage is seen as both positive and negative and West's point about the type of partner once again becomes important. He was unable to discover any statistical significance in the relationship between early marriage and reducing delinquency. West's conclusions were that getting married did not appear to reduce delinquency but did effect a reduction in some of the social habits associated with delinquency. This is an important finding however as, if the findings of the chapter on offending are indicative, then offending is predominantly a social event and any influence on social habits is likely to affect offending behaviour.

In this chapter, the importance of relationships and any effect on recidivism will be examined and also an attempt to ascertain if relationships actually influence the pattern of offending, as this in itself could indicate a significant move away from crime.

The Importance of Relationships

Prior to analysing the responses to the ordinal scale questionnaire, Questions 13 and 14 had been expected to receive the highest total number of 4 or 5 scores. The only basis for this assumption was that popularly the influence of 'women' is spoken about more than anything else. In fact, this assumption proved to be incorrect, although the area of marriage/girlfriends came second in the high score table. The responses were as follows:

Table 6.1

Question 13 - Marriage/Cohabitation

SCORE	NO.OF ANS.	% OF N
1 (Ineffective)	4	4.70
2	8	9.52
3	21	25
4	39	46.42
5 (Very effective)	12	14.28

Table 6.2

Question 14 - Girlfriends

SCORE	NO. OF ANS.	% OF N
1 (Ineffective)	5	5.95
2	7	8.33
3	24	28.57
4	35	41.66
5 (Very effective)	13	15.47

Approximately 60% of all respondents score the importance of wives or girlfriends at the higher end of the scale, with wives scoring slightly higher than girlfriends. Although these figures can only be read as indicators of opinion, it is possible to speculate, as West indicated, that the sample group considered the 'presence' of a woman in their life as being more significant than perhaps that relationship being enshrined in something as permanent as a marriage or co-habitation.

When the figures are broken down into the separate respondent groups, the high score percentages are as follows for Question 13 (Average = 60.7%):

Table 6.3

Total Sample High Score = 60%

Clerks	70%	
Clients	64%	
Magistrates	65%	
Probation	62.5%	
Prison	43.75%	

The only groups significantly above or below the average are Clerks and Prison Officers. No specific reason offers itself for the Clerks' response figures being slightly higher, but there are two possible reasons for the low scores from prison staff. Firstly, prison staff see many failed marriages in prisons with their consequent upset and bitterness, and secondly, prison staff themselves feature very highly in divorce rate figures as measured in terms of occupational groups.

The separate figures for Question 14 did however show not only some wider movement along the average, but also changes in the Court sample figures as follows:

Table 6.4

Total Sample High Score = 57%

Clerks	50%	
Clients	57%	
Magistrates	75%	
Probation	58%	
Prison	37.5%	

Once again, prison staff score the lowest numbers, but this time it was the Magistrates who scored the greatest number, and some way above the average.

Too much should not be read into these figures, other than to say that a sample of people involved in the Criminal Justice/Penal process do believe that wives or girlfriends can positively influence an offender to give up crime. The questionnaire did not address itself to the finer details of what exactly might be involved in this process but merely serves as a baseline of opinion on which the remainder of this chapter will be developed.

Influences

In considering influence by others as helping the process of giving up crime, 78.5% considered this to be possible. Most of the separate respondent groups came near this average, although Magistrates scored a 'Yes' at 90% (18/20). Within the section on who might influence, Question 33 referred to wives and girlfriends, the high scores for this question being 66%. The percentage high scores for each group were:

Table 6.5 - Respondent Groups % High Scores on Influence of Wives and Girlfriends

Clerks	60%
Clients	60%
Magistrates	88.8%
Probation	76%
Prison	83%

The only real surprise in these figures are those for prison staff. They had scored the lowest to both Questions 13 and 14 and it was therefore interesting to note this higher percentage.

This may represent a flaw in the questionnaire, or it might have been interpreted by the sample as a comparative

exercise and, of those people listed, wives and girlfriends were selected as the most likely to influence in a positive way.

The Offender Sample

When interviewed during 1985, eight of the eighteen respondents were married, three were co-habiting and seven were single, with one of these men engaged to be married. Of the eleven who were either married or co-habiting, all except one had been in relationships existing for two years or more with five having lasted over five years. Of those who were not in a permanent relationship at the time, all claimed that they had had a steady relationship during the previous five years. It would therefore be interesting to note not only the support they had been given in any efforts to avoid crime, but also whether or not the quality of their lives had been affected in any way which might encourage them to move away from crime.

Below is produced a table (6.6) which details last known conviction date followed by the length of time they have been in their present relationship. Figures are only for married and co-habiting men and are therefore prefaced with M or C.

(See Page 89 for Table 6.6)

Table 6.6 - Married/Cohabiting Men with Last Conviction
Date and length of Relationship in Years

	STATUS	CONVICTION DATE	LENGTH OF RELATIONSHIP
1	M	1984	4
2	M	1980	6
3	C	1985	2
4	M	1985 (previous 1979)	4
5	M	1984	2
6	C	1980	9
7	M	1981	7
8	M	1979	14
9	M	1979	7
10	M	1981	3
11	C	1985 (previous 1981)	2

This table illustrates that marriage or co-habitation is not a guarantee against further offending, but it does offer some positive indicators about its influence. Of the four men who had not been convicted for five years or more, all were married or co-habiting and in relationships lasting for 6, 7, 9, and 14 years. If the two whose last convictions were in 1981 are included (their relationships lasting 7 and 3 years respectively), the issue revealed above by Prinzing and Martin and Webster relating to early marriage, becomes interesting. The figures below (Table 6.7) for these six, show the offender's age when entering the relationship, and its duration.

Table 6.7 - Age at Beginning of Relationship and Duration

17 - 14 years	19 - 7 years	22 - 6 years
17 - 9 years	21 - 7 years	27 - 3 years

These figures are in no way conclusive but suggest the following: Relationships begun under the age of

twenty-one can endure and can have an effect upon criminal reconviction. However, in all cases except one, the relationship was in existence for some time prior to the last recorded criminal conviction, therefore it would not appear that entering a relationship brought about an immediate change of behaviour, but it may be that its continuance was influential. Indeed, every man except one in this category had been convicted during the life of his current relationship. Where then does this leave us in considering the importance of wives and girlfriends upon criminal careers? It appears that a well established relationship can accompany a move away from crime and the figures support this with, on the whole, the longest relationships accompanying the longest crime-free periods. However, two were reconvicted during 1985 and at that stage had been in relationships of two years plus. Perhaps it is when looking at the opposite side that the positive can be seen. Of the seven single men in 1985, six had been convicted that year, with one last convicted in 1982.

Therefore, there does not appear to be any evidence here to suggest that getting married or co-habiting will automatically lead to the end of a criminal career, but there does appear to be merit in saying that a long-standing relationship may well accompany a period of moving away from crime and this is supported by the reconviction rates for single men.

Having established the relative importance of marriage, an attempt was made to develop the argument, e.g. to know whether or not offenders told their partners of their criminal past and what they saw as the importance of their partner in their efforts to give up crime. The fact that nearly all had been reconvicted during their relationship suggested that partners would know, and indeed all eighteen respondents claimed that their wives/girlfriends did know of their criminal past. Trying to ascertain and

discover (if possible) what each respondent had gained from the relationship, bearing in mind the various approaches of the research in this area, was of great interest considering the vagueness of the popular belief. Reproduced in full below are the responses to Question 8 (status in brackets).

Has she in any way encouraged you to keep out of trouble, if so, how?

1. Yes, having children, giving me children and something no-one else has, feelings of understanding (M).
2. Contributes to budget - working, that helps (M).
3. Yes, leave drink alone (S).
4. Yes, threatened to leave me; she has done me some good, more than my wife (C).
5. Yes, by threatening to leave; she would not wait next time; she has waited once (M).
6. Yes, threat of leaving (M).
7. Yes, threatened to leave if more trouble (S).
8. She kept me out of trouble; if you think about someone, you know they won't be there when you come out (S).
9. Yes, a little, but nothing to do with her really (C).
10. Never really discussed; no intention to get into trouble again (S).

11. No, when we met I'd given up crime (C).
12. Yes, threatened not to see me inside again, end of the marriage, threat of loss - she had travelled all those miles to Winchester and Portland ... (M).
13. No answer.
14. Yes, she keeps me in and so on (M).
15. Threatened to leave me; wouldn't see the kids; I'd lose her (M).
16. Yes, she made me see that there is more in life than playing that game out there - very lucky; she never wavered from the right path; she was complete - I would not let that side of me come out but she encouraged me; it was a terrible fight at first - I was in charge of my own destiny from the age of ten (M).
17. Yes, keeping on at me, saying no, responsibilities at home and not with friends (S).
18. Yes, if girlfriend hears about any involvement she threatens to leave, it's like a suspended threat; would be angry and upset - she has not been in trouble (S).

These responses indicate a 'negative' form of encouragement. Eight of the total sample specifically mentioned some form of loss in response to this question, that is, the wife or girlfriend 'threatens to leave' if more trouble arises, or will not be there when the offender is released from prison. It is the suspended nature of the threat of leaving which appears to be the strongest motivator in the minds of these men. Of the eight men who replied in this particular form, four were

married, one was co-habiting and three single with one of these engaged to be married. The two single men, Nos. 7 and 8, were not involved in a relationship at the time of the interview and had been recently reconvicted, suggesting that even the threat implied from previous relationships had not been sufficient to turn them from crime. At that stage, it could be said that the 'other person' was not sufficiently important to the offender to direct him away from criminal interests.

Three of the respondents mentioned the fact that their wife or girlfriend had not been in trouble with the Police previously, but do not qualify this statement, other than to imply that it must be a good thing.

The overall impression gained from these responses then, is not that the wife or girlfriend is exerting a powerfully positive influence against criminal behaviour, but they are just there. Against this stands a threat 'not' to be there if further trouble arises, and it is the possibility of losing something that they actually have, which appears to trouble the sample group.

Question 9 asked the group if a steady relationship is necessary before a man can keep out of trouble. 66% of the sample answered a definite yes to this question, although some qualified their one word answer. For instance, two implied that it was the 'quality' of the woman that was important.

"Yes, if you can find the right bird."

"Yes and no, a good one does help."

However, several of the respondents implied that it depended on the individual and therefore a relationship might help only if the man himself has decided to move away from crime. This feeling is perhaps summarised by one man's response when he said:

"No, not really - nothing to do with it - if you wanted to do something you'd do it no matter what."

It is interesting to note that the figure of 66% who believed a steady relationship to be necessary for a man to move away from crime is very close to the 61% of the first sample who scored the influence of wives at the high point of the scale.

Summary

The research which is briefly summarised at the beginning of this chapter, suggests that wives or girlfriends in their relationships with offending partners do introduce a dynamic influence into the situation, but the evidence is unclear as to whether this is a positive or negative influence. Naturally, in the field of human relationships, measurement is an impossibility and one is left with qualitative, impressionistic and subjective viewpoints. As far as this chapter is concerned, certain beliefs of attitudes do emerge however. Of the sample of eighty-four respondents, 60% or more believed a steady relationship with a wife or girlfriend to be important in the process of a man giving up crime. This no doubt reflects quite a widely held belief in the population at large and is often one of the positive factors put in mitigation by a defence solicitor at a Court hearing.

However, this belief is quite subjective as it appears to be based on no clear idea what the merits of the relationship are, although it can be assumed often to mean the positive or stabilising influence of a partner.

The offender group were equally positive in their views about relationships but rarely cited a 'positive influence' as the reason for their views. In fact they tended to take what might be termed a 'negatively positive' position as they regarded the threat of losing

their partners as a motivator for avoiding crime. Involvement in a steady relationship did appear frequently to accompany a move away from crime, but it is not possible to isolate the relationship as the primary reason for this. It appears that a change of attitude in the offender is what was needed and thus any improvement in other areas of his life, such as a steady relationship, then becomes important. Clearly, the threat of losing someone is a feeling that develops at a particular phase in life when it may not have been present at an earlier age. The evidence above suggests that marriage, or a steady relationship, will not, on its own, bring about a positive move away from crime but could well accompany and influence it.

C H A P T E R V I I

HELP OR INDIVIDUAL EFFORT

Help - The Role of the Probation Service

The idea of 'helping' an offender to mend his ways is probably dear to the hearts of many people. It is a philosophy of life which is as strongly held by some as the ideas of punishment and retribution are held by others. The Probation Service has been placed in the 'help' camp by its proponents and detractors, for different reasons, and recently has been faced with the results of seeds sown many years ago. The debate concerning the role of 'treatment' in respect of offending is too large to be entered into in this chapter. However, the Probation Service, using the basic tool of the Probation Order, still makes a significant contribution to many recidivists' contact with the Criminal Justice System and it is in this context that the role of Probation Officers in dealing with repeated offending is examined.

For many years, the Probation Order has been associated with the 'treatment' model. A quasi medical/psychotherapeutic approach suggesting a possible cure for a 'pathological' problem has not yielded results. The discrediting of this model has not only led to much heart searching among the practitioners, but has been cited as one of the major reasons for the decline in the numbers of Probation Orders made by Courts in recent years. The following remarks, from the Home Secretary's speech to Prison Governors in November 1985, develops the theme of 'credibility'.

'The Probation Service has an important part to play in continuing to develop measures which both the

Courts and the public will respect as credible alternatives to custody. They must set out wares on their stall convincingly. The Criminal Justice Act 1982 strengthened the Courts' power to attach specific conditions to Probation Orders and the Probation Service has responded to this flexibility in the statute by developing a whole range of facilities and activities at local level. Another non-custodial penalty, Community Service Order, has been a major success story. The numbers of Orders made rose from 1000 in 1974 to 33,600 last year. I have no doubt that this is because the notion of making offenders pay something back to the community strikes a genuine chord with sentencers. The alternatives to custody will not find favour with the Courts or public if they are identified with a flabby approach to crime. They should be presented and accepted as a firm and sensible response to certain types of offence and offender.'

Again, the whole debate¹ surrounding conditions has aroused much controversy, with many Probation Officers arguing that the 'straight' Probation Order provides sufficient flexibility to cover many of the areas provided for by conditions. The three basic principles of the Probation Order remain to 'advise, assist, and befriend' and to many these seem incongruent with concepts of control and special conditions. It is increasingly believed by Probation Service management that to develop its involvement with high risk offenders, it needs to move

¹ In particular, this debate was pursued through the pages of Probation Journal (NAP0). For example Drakeford M. Probation: Containment or Liberty? (P.J. Vol. 30, No. 1 1983), Griffiths W. A. 'A New Probation Service' (P.J. Vol. 29, No. 5 1982), Columbi D. P. 'A Time to be Positive' (P.J. Vol 30, No. 2 1983).

more into the style of order outlined by the Home Secretary rather than the 'relationship' style seen to be appropriate with the more 'inadequate' offender. (See for example Conference of Chief Probation Officers, working party report entitled The Development of the Probation Order 1978 which argued for a 'beefed-up' Probation Order.)

As mentioned above, the Courts' alleged lack of faith in the Probation Order is cited by many people as the reason for its decline (although there has been an upturn of late). However, personal experience in the Magistrates' Courts suggests that many Magistrates expect a Probation Officer to form a relationship with the offender and for the offender to seek help for his 'problems'. Indeed, a recent publication (Home Office 1986), in describing Probation Orders, says 'The success of supervision turns on the ability of the individual Probation Officer first to gain the offender's confidence and then to work with him to overcome some of the problems which may have given rise to the offence' (p. 31). This type of situation arises every day in Magistrates' Courts, although the idea of relationships and help often disappear when the defendant in the dock is an 'undeserving' young recidivist.

The Opinion Sample

It is against this briefly summarised background that the answers to the first questionnaire must be set. Respondents were asked to score the effectiveness of a Probation Order (without any specification) in relation to its effect on preventing recidivism. The overall response to Question 19 was as follows:

Table 7.1 - Probation Order

SCORE	NO. OF. ANS.	% OF N
1	21	25
2	11	13
3	30	35.7
4	18	21.5
5	4	4.7

It was not anticipated that 'Probation Order' would be scored highly at all and it was therefore a little surprising to see 26% of the total falling into that category. However, when the figures are broken down into separate respondent groups, the differences are quite noticeable. ('High' average = 26%, 'Low' average = 38%.)

Table 7.2

	Clerks	Clients	Magistrates	Probation	Prison
Low	<u>60</u>	43	20	<u>21</u>	<u>69</u>
Scores %					
High	10	<u>50</u>	<u>40</u>	<u>21</u>	6
Scores %					

The scores that are underlined above illustrate a potential difficulty in the Court setting in respect of Probation Orders. The low scores for Magistrates' Clerks show a considerable lack of faith in the Order and the question must be asked what sort of sentencing 'advice' would be given to Magistrates. The scores of the Clerks differ considerably from the Magistrates who score Probation Orders more highly than the sample average. When compared with the Probation Officers' scores, the scenario for a court hearing may appear more confused. It may be that Probation Officers base their scores on their experience, but the overall results suggest that the 'credibility' problem above may be more one of self-confidence on the part of the Probation Service.

Once again, there appears to be a quite noticeable difference of opinion between Probation Officers and their clients. This chapter will later develop what the sample group believe Probation Officers can actually do for them.

The 'influence' of the Probation Officer received similar high scores to the Probation Order, i.e. 25% of the total, but once again, the figures for the separate respondent groups show marked fluctuations. Figures for high scores were:

Table 7.3 - Influence of Probation Officer

Clerks	Clients	Magistrates	Probation	Prison
10%	43%	40%	17%	12%

Probation Officers again score their own position less than those closest to them in the Criminal Justice System, i.e. clients and Magistrates. If replicated on a wider scale, these figures would be disturbing for all involved in the Probation Service, suggesting as they do something of a loss of faith by practitioners and also implying a gap which could be filled if the faith or belief in the Probation Order was rediscovered by its practitioners.

The Offender Sample

As stated in Chapter III, every one of the eighteen respondents had been involved in some sort of contact with the Probation Service, some over several years under different conditions. It was therefore hoped to expand upon the consumer view which had been expressed in the opinion sample already quoted, i.e. What help can Probation Officers give? In reply to Question 39, "Can Probation Officers help people who want to go straight?", fourteen respondents replied "Yes" (77.7%), a very high number, backing and indeed increasing the earlier figures.

Question 40, simply "How?", then becomes very interesting in the light of this significant response so replies are reproduced in full.

1. Get on Government courses, give them something to do, keep them occupied. If Probation Officers can understand the criminal mind and be understanding, then Yes.
2. They can't - it was all about the Probation Officer - not me. I would never understand Probation, from 13-24 I was in contact, it was a charade, I had so many, it was just family talk.
3. Lots of ways, but difficult to be specific.
4. By giving them support and confidence in themselves, I have had some good Probation Officers. If I had listened to them, I wouldn't be here (prison) - you need to have confidence in the officer - I expect honesty!
5. Could chat over problems with him - in fact discussed a problem with him recently (P.O. had actually retired*) - getting good advice and having a good relationship.
6. Help get job - offer advice and listen.
7. Go back on your previous life - think about yourself, listen to me - its an opportunity to think properly about yourself.
8. N/A.

* Researcher's comments.

9. In every way, help and advice if they are a good one, talks directly, gives you some respect, did not hold up barriers - not pushed, gave responsibility to me, he allowed me to take the initiative.
10. Steered me away from it - help to do something realistic and sensible, be involved with decent people.
11. If you sit and listen to them, its good to have someone to talk to - not strict enough, people abuse the system - they listen to you.
12. Probation was stupid - there was a good one - more relaxed, he treated clients as an individual - he did listen.
13. N/A.
14. Inconvenience of reporting, talking to is good, keep drumming into you - its like a suspended sentence.
15. If the person wants to give up crime, then the Probation Officer could help by listening/encouraging, the signing on register was no help at all - the boys think they are hard - they won't listen but they want to.
16. Probation Officers are great if you have the will, they would sit and listen to me but not tell me what to do, encouragement in ideals and ideas, allowed me to sort myself out.
17. Give self-confidence - help with employment and proposing alternative courses of action.

18. Two ways, talking, feeling of not letting the Probation Officer down and breaking the Order - a suspended threat.

There are almost as many suggestions here as there are respondents, but closer examination reveals that some themes do emerge. Words such as listening, advice, talking, and respect appear with some frequency. The overall message from the responses is that offenders/clients expect what might broadly be termed 'help' from Probation Officers and indeed expect that such help should be focused on themselves, not on other people or other situations. This suggests that the type of Probation Order encouraged by the Home Secretary would not be welcomed by the client group. Of course, an argument could be put forward that clients should not determine the nature of Probation Orders and that Orders should be more controlling and constraining. However, there is no evidence to suggest that such an Order is likely to be any more 'successful' than what people call the traditional Order. Indeed, to take this argument a stage further, very controlled and matched supervision, enjoying increased resources, showed no significant improvement over 'ordinary' Probation Orders (Folkard et al 1976).

The responses noted above may be viewed with not a little surprise by Probation Officers and indeed others in the Criminal Justice System. They suggest a willingness on the part of offenders to look at themselves in relation to their criminality with a view to doing something about it. Experience as a practitioner would suggest that offenders/probationers may not have made such statements earlier in their criminal lives, but unfortunately when they do make such statements there is every prospect that the Criminal Justice System will not respond to them as it has been soured by an earlier response. This perhaps backs up the

findings of the first survey when the client group consistently scored Probation Orders/Officers' influence more highly than Probation Officers themselves.

The recurring theme of this work is that there does come a stage for many offenders, no doubt for a variety of reasons, when they are ready to move away from crime. These reasons can involve the basics of life, such as home and work, but more importantly appear to involve significant others in the offenders' life, accompanied by a change of attitude. That change of attitude can come whilst an offender is still 'into' crime, although, as has been seen, the nature and pattern of the crimes may be changing. Probably most Probation Officers and others working in the Criminal Justice System do not fully respond to this change in attitude. The whole system is hidebound by the new offence, previous offending history and responses to any previous supervision, but this is unlikely to allow for the flexibility needed to respond to the change at the appropriate time.

The argument which claims that to manage high risk offenders in the community, the Probation Service should develop a tighter, more controlling Probation Order, is not convincing. The evidence suggests that most disposals are as effective as any other, and the offenders' own words would indicate that motivations for crime are far stronger than those against at particular times in a person's life (see Chapter III). The Probation Service should recognise that at particular times its work with offenders is almost a waste of time, but that this should not preclude serious attempts to work with offenders who have a long criminal history but may be changing their attitude towards it. This phase is crucial in the individual's life and should be viewed as such by those working with young male recidivists.

A final comment on the 'help' or 'conditions' type of debate. Community Service Orders, although separate from Probation Orders and now very much a sentence in their own right (Home Office 1986 p. 41) were cited by the Home Secretary as a good example of what the Probation Service can be doing. Because this is a specific and relatively clearly defined sentence, its attraction to the Courts should be obvious and it could be anticipated that it would be rated more highly than less clearly defined Probation Orders, accepting of course that the scores are in respect of effectiveness on recidivism not on a preference between the two.

The overall response to Question 20 'Community Service' was:

Table 7.4

SCORE	NO. OF ANS.	% OF N
1	17	20
2	15	17.85
3	34	40.5
4	15	17.85
5	2	2.4

The overall high figures, 20%, are less than for Probation Orders, at 26%. The group breakdown shows the following:

Table 7.5 - Group Responses: High Scores on Effectiveness of CSOs

	Clerks	Clients	Magistrates	Probation	Prison
Low	40	50	15	25	75
Scores %					
High	10	7	45	20.8	6
Scores %					

Once again the Magistrates show a good deal more faith in the Order than either Clerks or Probation Officers, and on this occasion clients also. The Prison Officers continued their usual number of low scores. It had been expected that Community Service Orders would be rated more highly than they were. It may be that in terms of influencing recidivism the views of Probation Officers were based on experience but their scores, along with those of Clerks, suggest that a gap is again in existence in respect of Magistrates' views. The high percentage of low scores by the clients is perhaps the greatest surprise. It may be that this is viewed as a tougher option by clients and is scored appropriately. However, along with the absence of what might be termed 'constructive' assistance from Probation Officers cited in the second sample, it may be possible to suggest that 'occupation' of offenders is unlikely to provide much motivation for change. This is of course total speculation, but the consumer view is important and again, if replicated in larger numbers, their views may well be influential in Probation practice. It is acknowledged that there is difficulty in interpreting consumer views (Cohen 1971), but when these reflect basic character features such as reliability, fairness, dependability and respect for others, then the supervision process could be influenced positively (Coker and Martin 1985 p. 234) or negatively by its absence (Irwin 1970 pp. 149-73).

The Individual

The foregoing discussion suggests that offering 'help' to an offender when he does not want it is a useless exercise, but this should not exclude him from help at a later stage when he may ask for it. The need for help is fluctuating and this has to be acknowledged. Aside from a fluctuating need for help is also the strong possibility that a change in attitude does occur and, in this context, the remainder of this chapter will look at aspects of the

individual. The answers of the second sample will be presented first with reference back to the scored questionnaire of the first phase. Question 34 is taken as the base on which to build the argument and therefore all the answers to this question are reproduced below.

Do you think you have changed as a person over the past five years - if so, in what way?

1. More of a family man, live for home, wife and kids - well proud of what we have.
2. Calmed down a bit, mellowed in old age, more contented, quite happy with life.
3. In some ways try to limit drinking, no drugs anymore.
4. Hard to say, learned more about crime, but that's prison for you.
5. Got softer, used to be mouthy, drink, fights, family man.
6. Yes, when I was young I was impulsive, now too frightened to do it, too much to lose.
7. In some ways yes - feelings of loneliness could get into trouble, felt better, different, when I was co-habiting.
8. I have with regard to stealing, doesn't enter my mind anymore - lost the criminal mentality, thought when I finished with my girl I'd start again, but no.
9. Yes, more responsible, before had a lot of time but now fully occupied, work for self.

10. Yes, become more deep, introverted, more responsible, I sit and read, more thoughtful, prison changed me, I used not to think of the consequences.
11. Quite a lot, quietened down, more responsible, don't act on the spur of the moment, don't have anything to prove now.
12. Yes, quietened down a lot, walk away from trouble, not out so much, happier now than then, no real worries, always the wife and kids here.
13. Yes, got quieter, take things easier, grown up.
14. I have really settled down now, I like the way it is now.
15. I've come to the age, marriage/kids/car/job/money coming in - no need to go out and do crime, settled and happy.
16. Yes, more confident, I am now properly in charge of my destiny, more sure of myself now.
17. Yes, changed with the relationship, feels a lot better now than then.
18. Yes, drinking reduced, can't see the point in it, drink and trouble are linked.

The predominant attitude expressed in the above responses does suggest a change in the offenders outlook or indeed personality. Responsibility, becoming quieter and settling down, feature prominently on the list. These factors link in with the development of relationships and the acquisition of a home and with it other interests. Although not part of the survey, it was a fact that several of the respondents were engaged in home

maintenance/decoration when visited and appeared to have a genuine interest in their homes. It could be stated simply that these people are in the process of 'maturing' and indeed the idea that 'he will grow out of it' is probably more closely associated with maturity than just getting older. This is reflected in the first survey where 41% of respondents scored C2 'Age' on points 4,5, but 62% scored C3 'Age/Maturity' on points 4,5. The individual respondent groups however differed quite widely on these particular aspects as follows:

Table 7.6 - Group Responses: High/Low Scores on the Importance of Age/Maturity

	C2 Age (High Scores) %	C3 Age/Maturity (High Scores) %
Clerks	60	50
Clients	42.8	35.75
Magistrates	55	70
Probation	50	75
Prison	37.5	68.75

It is interesting to note that the value placed on maturity by many of the respondents does not appear to be shared by the client group, indeed their scores are among the lowest from this group throughout the questionnaire. This is difficult to offer explanations for, but it should be noted that the first client sample were on average slightly younger than the second client sample and were all still active criminals. It may be that the 'personal' qualities implied in maturation were believed by them to be less important perhaps than something which could be 'given' to them in the form of support or assistance, either by a partner or a Probation Officer, both of which the group scored significantly higher. These figures could be used to support the view that a change does take place in an offender's life during his mid-twenties and

that it may well need outside circumstances to facilitate it, either in terms of relationships or material developments.

Question 4, "Is feeling settled important to people and what does it mean?", in the second survey, raised some interesting points. The early questions had been designed basically on accommodation as an easy, non-threatening 'starter' to the questionnaire. However, the issue of 'feeling settled' was interpreted beyond the simple accommodation level by the respondents and quickly moved the sample into the more personal areas encountered more directly elsewhere in the questionnaire. These responses elected a simplistic response.

Is 'feeling settled' important to people and what does it mean?

1. Family roles but not in other ways.
2. Important to everyone, security, someone to lean on, they are there.
3. Obviously important, married with family and good job.
4. N/A.
5. Yes, keeps you out of trouble, that's the main thing.
6. Having a child.
7. Very important, difficult to understand, a wife and child can help.
8. Yes, if you're settled you're not in half the trouble.

9. Means a lot to me - contentment - what you have is yours.
10. I do think its important - depends on the circumstances, it's down to the individual.
11. It means a lot to me, someone, somewhere to go to, somewhere to sleep - if settled family then settled in self.
12. Yes, I suppose so, no worries.
13. Means a lot to me, relaxed, calm - take things in my stride.
14. Yes, I was settled then, with a group of friends who always nicked cars.
15. For some settling down can help - crime is then a thing of the past - you can get hooked.
16. I think yes, as I am now settled there isn't anything else, I've tried other ways. rebel, non-conformist - I have now got what others want if they admit it - they mix and play the game, they're afraid to lose face.
17. Yes, form of security - 'confidence in me' shown by my landlord, the normality of life.
18. Yes, security.

Words like security, contentment, having something in your life, feature in this list. Maturity is perhaps something more than a responsible attitude, it is a general settling down and acceptance of oneself, something the younger offenders find difficult to acknowledge. Respondent 16 excellently summarises the feelings of many. For



Probation Officers one of the tasks is to assess when this change of attitude is occurring and acknowledge it. However, the Criminal Justice System itself is very good at dismissing recidivists as failures without actually listening to what they are saying at the time.

Question 47 asked the respondents to comment on the 'growing out of it' thesis as it is commonly put forward as the only 'cure' for offenders. The question also attempted to get at what might be involved other than just age. Some of the respondents did in fact offer further insights and these are quoted selectively:

Is crime something that can be grown out of or is something else involved?

1. Yes, I think you can grow out of it, as you get older you realise you are wasting your life, when you're young you have nothing, prove yourself big with your mates.
2. Can grow out of it, realise when you're older you can only go one way, you can make as good a living by work.
3. You can stop anytime if you really want to!
4. I don't think you can grow out of it - you're more likely to grow into it if not stopped at an early age.
5. If you're going to stop you'll stop no matter what, some do it for kicks, you lose this with age, I thought it was exciting, courage deserts me now, especially if I am on my own.
6. Can be grown out of eventually - helps to have someone to talk to.

7. Marriage/settling down. If not I'd be doing 3/4 years. Its not just growing up - other things are involved.
8. I never grew out of it, but I matured when I married with responsibilities, I'm not sure that its just about growing out of it.
9. Getting older does help - older now, married and settled - there's not so much going on.

Getting older, per se, is not a recipe for ending a criminal career - the evidence of the Offending Chapter supports this. However, getting older and changing one's outlook may help the process. This can be a change of attitude towards crime or its replacement by other important life events, marriage, children. This positive change of attitude is important but it would require a very determined person to give up crime on this basis alone - it is this resolve in tandem with other significant events in his life which offers the best chance of success. The Probation Service should not underestimate its role in this process because, as Number 6 above claimed, someone to talk to helps, and the Probation Officer may be the only one prepared to listen at the time.

Throughout this chapter, and indeed throughout the thesis, the point has been made that it is almost impossible for anyone to say that a person has actually stopped offending, especially the offender himself. It is a more blurred process subject to a variety of influences or combination of factors over a period of time. By implication, one specific factor is rarely isolated, not least the offender's decision to actually stop. This work had been started because men, in interview, had said "this is it, I've stopped" and the response to this which was usually on a feelings level. It is interesting to note

that very few men in the sample declared that a positive decision to stop is all that was needed, perhaps because their experiences suggested that they needed some sort of support to carry through this decision.

Some of the results from the first questionnaire bear out the hypothesis that the individual's decision to stop is ascribed less importance than perhaps the help offered in undertaking the process of giving up crime.

Table 7.7 - C22 Positive Decision

High Scores Total Sample	57%
Individual High Scores - Clerks	40%
Clients	50%
Magistrates	70%
Probation	58%
Prison	56%

The client group are scoring below the average with Magistrates taking the most positive view. The importance they attach to an individual's own motivation is not supported by the evidence shown above.

Table 7.8 - C23 No longer Worth the Effort

High Scores Total Sample	40%
Individual High Scores - Clerks	20%
Clients	71%
Magistrates	45%
Probation	50%
Prison	37%

One of the strongest client group scores, 'Not worth it' implies not a positive decision to give up crime, but a consideration that alternatives are more or less attractive. Maturity may enter this argument but so might also the loss of something which is important if crime

individual can perhaps begin but would appear to need a variety of help or support systems to sustain him in his efforts.

Summary

There could be some uncomfortable lessons for the Probation Service based on the evidence in this chapter. The credibility gap between the Probation Service and the Courts may well be more a question of confidence and philosophy on the part of the Service rather than a major loss of faith by Magistrates. Furthermore, the Service should not perhaps run away with the 'conditions' philosophy. The test of an exercise is its result and there is little to suggest that strengthened orders with conditions will significantly affect recidivism. Indeed much of the evidence in the Sentencing and Offending Chapters would support the thesis that nothing works unless the offender is in a phase of moving away from crime. From the evidence of this chapter, if an offender is in this phase then the traditional values of a Probation Order may well be what he needs. By implication, the Probation service and indeed the Court should take careful stock of what is happening in the offender's life before sentence is passed. The conclusion will draw together some of the positive factors highlighted by this research. Certain forms of sentence could well reduce the numbers of positive factors and lead the offender backwards. The combination of life events which can influence an offender away from crime does come, it appears, with certain men in their early twenties. To dismiss these on the basis of a reconviction could be false economy. In this process, the role of the reporting Probation Officer is extremely important.

The title of this chapter, Help or Individual Effort, implies that the two are mutually exclusive, but the evidence suggests that for a successful move away from

crime the individual will need help in his decision and support in carrying it through. The Criminal Justice System needs to be made aware of this, in particular by the Probation Officer, who himself needs to listen to and talk with the offender about what is important to him at the time - not doing this can easily result in lost opportunities. Although taken out of context and describing a unique custodial setting, words from Boyle (1977 p. 263) emphasise the importance of talking and respect for the individual.

'.... the thing that costs nothing in terms of money is staff and prisoners getting together and talking; it is the one thing that has brought about results. The emphasis is placed on seeing the individual as a person in his own right without relying on labelling or categorisation in order to identify.'

CHAPTER VIII

Summary: General Issues and Discussion

The offender sample which has been examined in preceding chapters is fairly small and it therefore has to be acknowledged that the findings are tentative, although this should not diminish their significance. This chapter will attempt to draw together some of the main issues arising from the specific areas of the research. These will be discussed and two tables, 8.1 and 8.2, will specifically seek to collate previous material. These tables do not represent new material but do draw together previously separated material to support the argument that a combination of positive factors can support an offender's move away from crime.

i) Why give up Crime?

This research began with the intention of exploring the process of giving up crime and examining the factors which might influence that process. During the research, it became apparent that no simple or indeed single answer existed to the question, 'Why do offenders give up crime?' Indeed offenders themselves were not prepared to claim categorically that they had given up crime despite several years without a fresh criminal conviction. What did emerge from the research, and indeed is widely known in the Criminal Justice field, is that most offenders slowly give up crime after the age of twenty-one. This research indicated that this process, described as moving away from crime, can happen to many offenders at a particular time of their lives. Its success depends on a combination of factors and its acknowledgement by the Criminal Justice System is essential not only to divert

offenders from unnecessary custody, but also to help prevent a regression into delinquent behaviour.

ii) Moving Away From Crime

Moving away from crime is a gradual rather than a sudden process; it is almost impossible to pinpoint a beginning, and the offenders themselves would be reluctant to identify its end. Nevertheless, the process would definitely appear to exist and, because it can be a dynamic phase of personal change and development, the potential exists for the offender to continue his criminal behaviour because such behaviour has been a part of his life thus far. The evidence produced in Chapters III and IV would suggest that criminal behaviour shown during this phase may well be less serious than the offender's previous criminal history. The acknowledgement by the Court of this phase is therefore very important, a sentence which is harsh for the current offence because the Court has taken account of previous criminal behaviour, could well prevent the moving on into less delinquent behaviour, for reasons already outlined.

iii) The Magistrates' Court: Opinions About Giving Up Crime

As stated above, moving away from crime is a dynamic phase in an offender's life when he is still prone to break the law. Those involved in the Court sentencing process need to acknowledge the phase an offender may be in and, perhaps more importantly, what might positively encourage that phase to progress. For all those involved in the Court scenario, their opinions about what might encourage an offender to move away from crime is important. Indeed they need to come back even one stage from

this and acknowledge that offenders can actually move away from crime, the opinions of the Magistrates' Clerks demonstrates little belief in this fact.

The limitations of the opinion questionnaire have been acknowledged in Chapter II but, because the questionnaire was equally applied to respondent groups, the opinion contained therein should not be lightly dismissed. Generally speaking, there was agreement on certain aspects of the questionnaire from all respondent groups. However, some significant differences of opinion were highlighted which, despite the size of the sample, do offer themselves for debate. For example, the percentage scores for Probation Orders' and Probation Officers' influence (see Chapter VII) suggested that Probation Officers underrated their own potential to help relative to the views of their own clients and Magistrates. In the face of mounting pressure to strengthen the conditions of Probation Orders, the Probation Service might more usefully rebuild its confidence in the traditional role of 'advise, assist and befriend'. Certainly, the evidence from the client group would support a perseverance with traditional practice and values. Furthermore, the opinions of Magistrates might suggest that the recent decline in Probation Orders has been one of Service loss of faith rather than on the part of the Court. This is not to detract from the fact that Probation Officers do make positive recommendations for Probation Orders which are then rejected by the Courts, but this should not encourage a headlong rush down a road where it may be unnecessary to go.

As stated above, there were differences reflected in the opinion sample, not only in scoring individual items, but also which items were most important to

the process of moving away from crime. Table 8.1 (below) lists the top three factors identified by each respondent group; this draws together information previously described under separate chapter headings or that was a small sub-heading not warranting separate analysis.

Table 8.1 - Top 3% High Scores by Respondent Groups

<u>Clerks</u>	1. Obtaining work and cohabitation/marriage.	70%
	2. Age (growing older).	60%
	3. Influence of Wife/Girlfriend	59%
<u>Clients</u>	1. Obtaining work.	86%
	2. Keeping a job.	78%
	3. Not worth it and accommodation.	71%
<u>Magistrates</u>	1. Obtaining work.	90%
	2. Influence of girlfriends and self respect.	75%
	3. Age (growing older) and keeping a job.	70%
<u>Probation Officers</u>	1. Keeping work and age (maturity).	75%
	2. Self respect.	71%
	3. Giving up former friends.	67%
<u>Prison Officers</u>	1. Giving up former friends keeping a job.	75%
	2. Reducing alcohol.	69%
	3. Age (maturity).	68%

This table, and the evidence of Chapter V, emphatically supports the view that work is considered crucial to the process of moving away from crime.-- All five respondent groups place obtaining or keeping work in their top three. In a country with substantial unemployment, the offenders' prospects for securing work are less than for people without criminal records. Therefore, not many offenders would be able to state in Court that they are either in work or sustaining work and, as such, are unable to meet the major positive factor identified by the entire sample. The evidence from Chapter V however would suggest that unemployment should not count against the offender in Court because unless he has other positive factors in his life he will struggle to successfully move away from crime.

Despite its broadbased popularity, the notion of 'the good woman' being a positive influence did not feature in the lists of clients, Probation and Prison Officers. As shown in Chapter VI, the whole issue of relationships and their influence is a complex one and it is too superficial to claim that a woman can exert a positive influence upon her partner to move away from crime. As stated above, it is the significance of the relationship to the man which is an important positive influence. If the opinion questionnaire had been completed by the offender sample, it is quite likely that the influence of wives and girlfriends would have been scored more highly because of the significance of their relationships. The client sample who completed the opinion questionnaire were generally younger and, it could be suggested, less established in their relationships with the opposite sex. This differentiation, signifying the development of moving away from crime, needs to be acknowledged by

Courts. Their awareness of this phase should come from those in the best position to assess its significance and this should be Probation Officers in their Social Enquiry Reports.

Two factors not discussed under specific chapter headings are accommodation and reduction of alcohol. The client group's listing of accommodation is interesting because no other group scores it so highly. Accommodation is one of life's necessities offering security and shelter. Clients have identified this as important to help them move away from crime; those who have not identified it so strongly should note the clients' opinions. Similarly, the reduction of alcohol is identified only by Prison Officers and this despite the well known fact that alcohol abuse contributes significantly to offending. It is perhaps not surprising that the client group does not score 'reduction of alcohol' highly. Generally, an offender will acknowledge the role alcohol played in his crime, but will not describe this as a problem, therefore no action is required. It is more surprising to note that Probation Officers and Magistrates omit the issue of alcohol from their top three when they would see everyday evidence of the contribution alcohol makes to crime.

iv) The Argument for a Combination of Positive Factors

Throughout this thesis, an argument has been put forward that the success of any move away from crime depends on a combination of positive factors, not one in isolation. The evidence from the offender sample supports this argument. The test of this argument could well be the number of positives that an individual could lose before regressing into more sustained and serious offending.

This research sought to identify which were the most important factors influencing the process of moving away from crime. The focus of the work was to question offenders, some of whom it was hoped had been crime-free for at least five years and matched the criteria outlined in Chapter II. From the sample of eighteen offenders, only one man exactly matched all criteria with a five year crime-free gap, others meeting the criteria but with shorter crime-free periods. This man has therefore been used as a baseline in Table 8.2 (see Appendix ^b). The positives identified by him have been listed, most of these have been dealt with under separate chapter headings previously. The positive factors identified by this man (No.15) are marked with an asterisk and, so as to quantify the analysis, are given a score of five points each with a maximum of 50. Other information, namely year of last conviction, age then and now, last sentence and duration of relationship, is included, although these factors do not form the core of the argument.

It is not being suggested that a maximum score of 50 represents the end of a criminal career. However, a score approaching this or, in other words, several positive factors, could suggest a significant move away from crime. The following points arising from Table 8.2 are worthy of discussion.

a) Crime-Free Gaps

West (1982) made the point that a five year crime free period did not represent the end of a criminal career but did represent a significant shift towards less delinquent and more socially acceptable behaviour. The proposal that a combination of positive

factors is necessary to move away from crime suggests that crime free periods are less significant than developments in the offender's life at any particular time, two examples from Table 8.2 illustrate this point.

As stated above, it is difficult to identify the beginning of a move away from crime, but it must start somewhere. The phase is a dynamic and changing one and no use is served by waiting for its completion (if that ever comes). The importance for the Courts and Probation Officers is its recognition whilst it is happening. For example, Column 6 shows a man with a maximum score of 50 whose last offence at the time of interview was a year ago. His sentence then was nine months' imprisonment. Such a sentence could well result in the loss of several positives, e.g. wife, home, job, and lead to a regression into further crime. As it was, this man's positives endured through his sentence and he now appears to be involved in a significant move away from crime. Two points emerge from this analysis, (i) the man could have been dealt with by the Court with an alternative to custody thus minimising the risk to his rehabilitation and (ii) he could well reoffend; if so, it is likely he would be dealt with severely because his last sentence was imprisonment. The strength of his positives therefore would need stressing were this so; no guarantees can be given to the Court but a strong argument for non-custodial sentencing could be advanced.

Column 10 reflects something of a contradiction in that a four year crime free

period is accompanied by a lowly positive score of 15. The evidence of this thesis and the argument would suggest that such a low score would indicate not only a risk of further offending, but that the move away from crime is not proceeding on secure foundations. Of course, no evidence could support this argument because this man had remained unconvicted for four years. However, in interview he did not quite ring true; he gave the impression of bordering on illegality in the motor trade where all his previous offences had occurred. As stated, no evidence could support the argument other than the experience of a Probation Officer used to interviewing offenders.

It can be seen from Table 8.2 that nearly all the low scores came from men with very recent criminal convictions. Their lifestyle reflected an absence of positives and it is in the light of their scores that Column 10 can be viewed somewhat doubtfully.

b) The Significance of Positives

Column 5 reveals a comparatively high score of 40 considering that the man had been re-convicted during the currency of this research. In fact, prior to his current offence, this man had been last convicted in 1979 and his latest crime was to steal from his own electricity meter. He was unemployed, short of money and stole from his nearest source of cash. He argued that the positives in his life, particularly his family, prevented him returning to a life of crime. If he had been imprisoned, he could well have

lost some of his positives. Equally, it could be said that the addition of one further positive in his life, namely a job, could well sustain and strengthen his move away from crime. Again, such an analysis should be made available to the sentencing court.

c) The Individual's Role

Evidence from the opinion sample differs as to whether moving away from crime is a process primarily reliant on the individual offender or if the help of others is needed. Those in the offender sample who appeared to be most successfully moving away from crime had cited the help given by others as important. Table 8.2 illustrates a list of factors which are technically in the control of the individual, albeit with outside help. The statements made by the offender sample do suggest that a combination of positives does very much assist the process. The person who makes a personal decision to give up crime and achieves his aim without assistance is likely to be a rarity. Most of those in Table 8.2 who put themselves into this category were still offending. One exception to this could be No. 11 who, despite a recent conviction, had a reasonable score of 30. This man had been conviction-free from 1979 until 1985 when he was imprisoned for possession of Cannabis. As a result, he lost one of his positives, a job, but retained the rest. However, he did not cite cohabitee and family as being the most important influence upon him; this he saw as an appreciation of freedom. He also believed that giving up crime was by personal effort alone. From the evidence produced in this thesis, he would not

be the norm and therefore his example is worthy of note for that alone.

v) Points for the Criminal Justice System

Just as an individual commits a crime for a variety of reasons, so is he likely to stop, or begin to give up, for various reasons. Offending is one aspect of his life which in all other respects is probably quite normal (Coker and Martin, 1985, p. 235). However, once caught in the penal process, these areas are examined and assessed and contribute to the impression of the person gained in Court which in turn influences sentencing. For this reason emphasis should not be concentrated upon an offender's life history but on a detailed account of his present offence and personal circumstances at the time. Three aims of sentencing might be to punish, deter and help an offender away from further crime. The argument proposed in this thesis is that the move away from crime does need assistance in various respects and the Courts should be informed fully how much credit, in a sense, an offender has at that particular time.

It is often argued during debates on the penal system that there comes a time in a custodial sentence when the impact made on the prisoner is at its maximum and that further imprisonment is a waste of time, indeed it is quite likely to embitter the man. However, little is said as to what influences the timing of this optimum point. From the evidence of this research it could well depend on the offender's view of what punishment is fair and deserved for his crime. Any sentence less than anticipated is a bonus and any longer is a 'liberty' (sic) and produces a very negative response. Evidently the offender does think quite deeply about

any sentence he might receive and relates his crime to that of other people. As the person who responds to the sentence, this feeling from the offender should not be minimised by those carrying out the sentencing process.

In comparing the scores of both the opinion and offender samples, it can be seen that those involved in the Criminal Justice System are in general agreement with offenders as to what is important to an offender attempting to move away from crime. Beliefs or opinions which are popularly held are indeed substantiated to a certain extent by the offenders themselves. However, there may well be differences of emphasis and it is clear that there are not any simple solutions to criminal careers, even when there are positive factors in the individual's life, such as work or relationships. If Courts wish to maximise the positives in an offender's life and indeed build on them, they need to fully assess the significance of the positives to the offender at that particular time. If they are meaningful to the offender he may well be more motivated to move away from crime. Conversely, a sentence which ignores or brings about the loss of these positives, could be a very damaging experience.

Concluding Remarks

Moving away from crime is an important phase of a person's life and would appear to be quite fragile in its early stages. However, its existence needs to be acknowledged. The opinion sample scores in particular suggest that Magistrates' Clerks need to acknowledge it, demonstrating as they do a lack of belief in the offender's ability to

rehabilitate himself. Magistrates themselves did appear to be hopeful that certain positive influences could help an offender to move away from crime. As suggested above, Sentencing Magistrates actually need advising of these positive factors and their significance at that time. A bland statement that a person is to begin work on Monday is no use whatsoever. Magistrates need and deserve better quality information than they are frequently given and what's more should ask the questions to obtain this information. Probation Officers, on the evidence of this research, are caught between their traditional antipathy towards penal sanctions and something of a loss of confidence in the Probation Order. The Probation Service is under pressure to tighten up on its provision and yet the evidence from the offenders themselves suggests that this will not prove effective. The designing of particular sentencing packages to offer the Court could well also fail unless the packaging fits the needs and aims of offenders as identified by themselves. The evidence of this thesis suggests that a thorough assessment of the offender and his crime is a prerequisite of effective sentencing and in this the role of the Probation Service is crucial. One can only welcome initiatives such as that currently being undertaken by the Hampshire Probation Service whereby staff are undergoing a retraining programme in the preparation of Social Enquiry Reports, with emphasis on offending behaviour and recommendations.

Finally, offenders themselves appear to need a degree of support in their efforts to move away from crime. Personal motivation and commitment may well initiate the process, but its maintenance requires it seems the combination of positive factors described throughout this research.

It is clear, but it should still be stressed, that most offenders will move away from crime at some time during their lives. Explaining and describing this process may be more effective and realistic than asking 'who became delinquent' and then looking for a cure.

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WHY DO OFFENDERS GIVE UP CRIME?

The statements overleaf form part of a research programme examining the reasons why young (20 - 25) male recidivists stop committing offences.

Could you please look at each individual statement and rate them all on a scale of 1 - 5. 1 will always be of low importance or disagreement, and 5 will be high importance or total agreement.

Could you indicate by ticking the boxes your biographical details:-

Sex:	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Clerk:		<input type="checkbox"/>		
Client:		<input type="checkbox"/>		
Magistrate:		<input type="checkbox"/>		
Probation Officer:		<input type="checkbox"/>		
Age:	21 - 25	<input type="checkbox"/>		
	26 - 30	<input type="checkbox"/>		
	31 - 35	<input type="checkbox"/>		
	35 - 40	<input type="checkbox"/>		
	41 - 45	<input type="checkbox"/>		
	46 - 50	<input type="checkbox"/>		
	51 - 55	<input type="checkbox"/>		
	56 - 60	<input type="checkbox"/>		
	61 - 65	<input type="checkbox"/>		
How many years since qualification, becoming JP, etc.		<input type="checkbox"/>		

16)

1. <u>ACCOMMODATION</u>						
Obtaining own home or stable lodgings	1	2	3	4	5	C 1
2. <u>AGE</u>						
Simply getting older	1	2	3	4	5	C 2
3. <u>AGE</u>						
Linked with maturing personality	1	2	3	4	5	C 3
4. <u>CONSCIENCE</u>						
Development of	1	2	3	4	5	C 4
5. <u>FAMILY</u>						
Starting one's own	1	2	3	4	5	C 5
Acceptance into another one	1	2	3	4	5	C 6
Coming to terms with one's own	1	2	3	4	5	C 7
6. <u>FRIENDSHIPS</u>						
Forming new ones	1	2	3	4	5	C 8
Giving up former peer group	1	2	3	4	5	C 9
7. <u>JOB</u>						
Obtaining one	1	2	3	4	5	C10
Keeping one	1	2	3	4	5	C11
8. <u>LEISURE</u>						
Finding new ways of spending time or using time constructively	1	2	3	4	5	C12
9. <u>MARRIAGE</u>						
or cohabitation	1	2	3	4	5	C13
10. <u>GIRLFRIEND'S INFLUENCE</u>						
Steady relationships	1	2	3	4	5	C14

11. <u>COURTS</u>		
Threat of custody as deterrent	1 2 3 4 5	C15
Effect of custody	1 2 3 4 5	C16
Stigma of court appearance	1 2 3 4 5	C17
Fines	1 2 3 4 5	C18
Probation Order	1 2 3 4 5	C19
Community Service	1 2 3 4 5	C20
Suspended Sentence	1 2 3 4 5	C21
12. <u>OFFENDER</u>		
Makes a positive decision that he wants to give up crime	1 2 3 4 5	C22
Develops a feeling that it (crime) is no longer worth the effort	1 2 3 4 5	C23
Views life chances differently	1 2 3 4 5	C24
Develops or is given a sense of self worth or self-respect	1 2 3 4 5	C25
Reduces alcohol consumption	1 2 3 4 5	C26
13. Do you think that other people influence this particular group to give up crime?	Yes No	C27 C28
14. If so, could you offer your opinion as to the relative importance of the following:		
Parents	1 2 3 4 5	C29
Probation Officer	1 2 3 4 5	C30
Friends	1 2 3 4 5	C31
Extended family	1 2 3 4 5	C32
Wife/girlfriend	1 2 3 4 5	C33

--	--	--

1984

Y		R1a
N		R2a
Y		R3a
N		R4a
Y		R5a
N		R6a
Y		R7a
N		R8a
Y		R9a
N		R10a

Y		R3a
N		R4a

Y		R5a
N		R6a

Y		R7a
N		R8a

Y		R9a
N		R10a

1979

Y		R1
N		R2
Y		R3
N		R4
Y		R5
N		R6
Y		R7
N		R8
Y		R9
N		R10

Y		R3
N		R4

Y		R5
N		R6

Y		R7
N		R8

Y		R9
N		R10

Y		R11
N		R12

Y		R13
N		R14

Y		R15
N		R16

R1
R1a
R2
R2a
R3
R3a
R4
R4a
R5
R5a
R6
R6a
R7
R7a
R8
R8a
R9
R9a
R10
R10a

Y		R17
N		R18

R11
R12
R13
R14
R15
R16
R17
R18
R19
R20

Y		R19
N		R20

(2b)

<u>1984</u>		<u>1979</u>		
IN WORK	<input type="checkbox"/>	E1a	<input type="checkbox"/>	E1
UNEMPLOYED	<input type="checkbox"/>	E2a	<input type="checkbox"/>	E2
How long since you last worked ?	6 months	<input type="checkbox"/>	E3	
	12 months	<input type="checkbox"/>	E4	
	1-2 years	<input type="checkbox"/>	E5	
	2 years +	<input type="checkbox"/>	E6	
How long in present job ?	6 months	<input type="checkbox"/>	E7	
	12 months	<input type="checkbox"/>	E8	
	1-2 years	<input type="checkbox"/>	E9	
	2 years +	<input type="checkbox"/>	E10	
Do you think that having a job has helped you to stop offending ?	Y	<input type="checkbox"/>	E11	
	N	<input type="checkbox"/>	E12	
If so, why ?				
Did your employment position have any effect on your last offence ?	Y	<input type="checkbox"/>	E13	
	N	<input type="checkbox"/>	E14	
Can you recall if periods of unemployment have directly coincided with offences you have committed ?	Y	<input type="checkbox"/>	E15	
	N	<input type="checkbox"/>	E16	
Sometimes	<input type="checkbox"/>	E17		
Do you think that losing your job could put you at risk of a further offence ?	Y	<input type="checkbox"/>	E18	
	N	<input type="checkbox"/>	E19	

FINANCE

2(c)

NOW

1979

What is your major source of income?

Wages	<input type="text"/>	F1a	<input type="text"/>	F1
U/B	<input type="text"/>	F2a	<input type="text"/>	F2
D.H.S.S.	<input type="text"/>	F3a	<input type="text"/>	F3

F1	<input type="text"/>
F1a	<input type="text"/>
F2	<input type="text"/>
F2a	<input type="text"/>
F3	<input type="text"/>
F3a	<input type="text"/>
F4	<input type="text"/>
F5	<input type="text"/>
F6	<input type="text"/>
F7	<input type="text"/>
F8	<input type="text"/>
F9	<input type="text"/>
F10	<input type="text"/>

Are you financially more secure now than in 1979?

	Y	<input type="text"/>	F4
	N	<input type="text"/>	F5
About same		<input type="text"/>	F6

Has shortage of money caused you to offend at any time?

	Y	<input type="text"/>	F7
	N	<input type="text"/>	F8

Do you spend your money any differently now - if so in what way?

Have the additional financial pressures of family/home actually led to an offence?

	Y	<input type="text"/>	F9
	N	<input type="text"/>	F10

ACCOMMODATION

NOW

1979

Own home	<input type="text"/>	A1a	<input type="text"/>	A1
Private landlord	<input type="text"/>	A2a	<input type="text"/>	A2
Council accommodation	<input type="text"/>	A3a	<input type="text"/>	A3
Shared with relatives	<input type="text"/>	A4a	<input type="text"/>	A4
Bedsitting room	<input type="text"/>	A5a	<input type="text"/>	A5
Hotel	<input type="text"/>	A6a	<input type="text"/>	A6
Hostel	<input type="text"/>	A7a	<input type="text"/>	A7

A1	<input type="text"/>
A1a	<input type="text"/>
A2	<input type="text"/>
A2a	<input type="text"/>
A3	<input type="text"/>
A3a	<input type="text"/>
A4	<input type="text"/>
A4a	<input type="text"/>
A5	<input type="text"/>
A5a	<input type="text"/>
A6	<input type="text"/>
A6a	<input type="text"/>
A7	<input type="text"/>
A7a	<input type="text"/>

4. Is your accommodation situation better now than in 1979 ?

Y		A8
N		A9
S		A10

5. Do you think any improvement has helped you to keep out of trouble?

Y		A11
N		A12

6. Do you think that good accommodation is important when trying to give up crime (and can you give reasons for your answer) ?

Y		A13
N		A14

	A8
	A9
	A10
	A11
	A12
	A13
	A14

Individual

7. FRIENDSHIPS

Do you have the same group of friends now as in 1979 ?

Y		F1
N		F2

8. If yes, have they stopped getting into trouble do you know?

Y		F3
N		F4

9. If no, why have you changed your friends?

	F1
	F2
	F3
	F4
	F5
	F6
	F7
	F8
	F9
	F10

10. Did you tend to get into trouble with your friends or mostly alone?

A	F5
F	F6
B	F7

11. Do you think it is necessary to change your friendship group if you want to give up crime?

Y	F8
N	F9
S	F10

12. Any other comment on friends?

33. Have you made a definite decision that you want to give up crime?

Y		P1
N		P2

34. Can you say what prompted that decision?

P3

35. Why do you think that you are still getting into trouble?

P4

36. Do you spend your time differently now than in 1979?

Y		P5
N		P6

37. If so, how?

38. Do you have any regular hobbies or pastimes now?

Y		P7
N		P8

39. Has boredom ever been a reason for your committing an offence?

Y		P9
N		P10

40. Has alcohol or drugs been a contributory factor to any of your offences?

Y		P11
N		P12

41. Are these still a problem?

Y		P13
N		P14

	P1
	P2
	P3
	P4
	P5
	P6
	P7
	P8
	P9
	P10
	P11
	P12
	P13
	P14

24)

42. Can you indicate which offences you have been convicted of?

Theft	<input type="checkbox"/>	S1
Burglary	<input type="checkbox"/>	S2
Deception	<input type="checkbox"/>	S3
Assault	<input type="checkbox"/>	S4
GBH	<input type="checkbox"/>	S5
Driving offences	<input type="checkbox"/>	S6

43. What was your last offence?

44. Which of the following sentences have you received and what was the last?

Adult Prison	<input type="checkbox"/>	S7
Young Persons Prison	<input type="checkbox"/>	S8
Borstal	<input type="checkbox"/>	S9
Detention Centre	<input type="checkbox"/>	S10
Suspended Sentence	<input type="checkbox"/>	S11
Probation	<input type="checkbox"/>	S12
SSSO	<input type="checkbox"/>	S13
Community Service	<input type="checkbox"/>	S14
Conditional Discharge	<input type="checkbox"/>	S15
Last sentence:	<input type="checkbox"/>	S16

<input type="checkbox"/>	S1
<input type="checkbox"/>	S2
<input type="checkbox"/>	S3
<input type="checkbox"/>	S4
<input type="checkbox"/>	S5
<input type="checkbox"/>	S6
<input type="checkbox"/>	S7
<input type="checkbox"/>	S8
<input type="checkbox"/>	S9
<input type="checkbox"/>	S10
<input type="checkbox"/>	S11
<input type="checkbox"/>	S12
<input type="checkbox"/>	S13
<input type="checkbox"/>	S14
<input type="checkbox"/>	S15
<input type="checkbox"/>	S16

45. Can you say if any particular sentence had an effect on you giving up crime and if so why?

46. Do you think any sentences that the Court can pass can help an offender give up crime? - if so, which?

APPENDIX 3(a)

1. How long have you been at your present address?
2. Were you settled before 1979?
3. Do you feel settled now?
4. IS "FEELING SETTLED" IMPORTANT TO PEOPLE AND WHAT DOES IT MEAN?
5. Are you married or living with someone?
6. (a) How long has this relationship been going?
(b) Have you had a steady relationship in the last 5 years?
7. Does your wife/girlfriend know that you have been in trouble with the police?
8. Has she in any way encouraged you to keep out of trouble, if so how?
9. IS A STEADY RELATIONSHIP NECESSARY BEFORE PEOPLE CAN KEEP OUT OF TROUBLE?
10. What is your main source of income now?
11. What was it in 1979?
12. Do you have enough money for your needs?
13. Has shortage of money ever directly let to you offending?
14. Have you ever committed an offence whilst you have had a job?
15. WHAT DO YOU THINK ABOUT CRIME AND UNEMPLOYMENT?
16. How do you spend your time now?
17. Is this different to 1979?
18. Do you have the same group of friends now as then?
19. Did you commit your offences alone or with others?
20. If with others - were these your friends?
21. Are your friends still in trouble?
22. DO YOU THINK THAT PEOPLE HAVE TO CHANGE THEIR FRIENDS IF THEY ARE TO GIVE UP CRIME?
23. How old were you when you first committed an offence?
24. How old were you when first convicted?
25. What was the first sentence that you received?
26. What sentences of the Court have you had?
27. What was the last sentence you received?
28. Do you know of many people who commit offences and get away with it?
29. Has that happened to you?

3(b)

30. WHY DO MOST PEOPLE OFFEND?
31. DO YOU THINK SOME PEOPLE ARE MORE LIKELY TO GIVE UP CRIME SOONER THAN ~~THE~~ OTHERS?
32. WHAT EFFECT DO YOU THINK THAT SENTENCES HAVE?
33. Has any sentence had a particular effect on you?
34. Do you think you have changed as a person over the past 5 years - if so, in what way?
35. Do you think you have now stopped offending?
36. Have you ever talked about giving up crime with anyone?
37. If so, who?
38. DO YOU THINK THAT GIVING UP CRIME IS SOMETHING THAT CAN BE DONE ALONE OR IS THE HELP OF OTHERS NEEDED?
39. CAN PROBATION OFFICERS HELP PEOPLE WHO WANT TO GO STRAIGHT?
40. HOW?
41. Has the Probation Officer talked to you about giving up crime?
42. What did you think about the last sentence you had?
43. WHAT DO YOU THINK MOST PEOPLE THINK ABOUT THEIR SENTENCES?
44. What pressures have there been on you to get involved in crime?
45. How have you resisted these?
46. IS CRIME SOMETHING THAT CAN BE 'GROWN OUT OF' OR IS SOMETHING ELSE INVOLVED?
47. If you think you have stopped offending what has been the most important influence on you?
48. If you haven't stopped what might best help you?
49. IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD?



Home Office

H M PRISON

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ext 61

APPENDIX 4

THE MANAGER

D.O.E.

Please reply to the Probation Officer

Your reference

Our reference

MN/AMO

Date

Dear

I am writing to seek your assistance with a research project I am presently engaged in. I am registered part time at the University of Southampton for a M.Philosophy degree. My employers, Hampshire Probation Service, sponsor me in terms of time and financial assistance.

I am exploring the area of 'Giving up Crime' and the base sample is a group of young male offenders who appeared before Portsmouth Crown Court. My difficulty is of course, tracing the whereabouts of my sample. To date I have checked through our own Probation index, the telephone directory and the local electoral list. I have found just over $\frac{1}{3}$ of my sample and am looking for means of tracing the rest.

I would suspect that a fair proportion of my sample are unemployed and/or in receipt of supplementary benefit. Is it possible for the present addresses of the attached list to be revealed to me? Of course the information remains confidential to me and if the sample agree to speak to me, they are ensured of confidentiality within the research project.

I am regarded as a personal research fellow at the University of Southampton and both Peter Ford and Bryan Glastonbury of the Department of Social Work Studies could authenticate my position.

Yours sincerely

M R Nash
Probation Officer

Ref: MRN/AMO

Dear

I have contacted you with the help of the unemployment office to ask for your assistance. My name is Mike Nash and I work as a Probation Officer in Portsmouth. I am also attached to Southampton University where I am working on a project about giving up crime.

You are one of only 43 men in Portsmouth who I would like to interview. I am interviewing men who were under 25 and living in Portsmouth when they appeared at Portsmouth Crown Court in 1979. As the numbers are so small every interview is important so I hope you can help me.

The interview consists of about 40 questions which I will ask you personally and lasts about 30-40 minutes. If you would like to help me I can meet you wherever is convenient to you. I can be contacted on Portsmouth 829561 Ext. 61 during the daytime and Portsmouth 832180 evenings or weekends, or any Portsmouth Probation office.

Thank you for reading this letter.

Yours sincerely

A black rectangular box redacting the signature of Mike Nash.

M R Nash
Probation Officer

TABLE 8.2

	1	2	3
Last Recorded Conviction	1984	1980	1985
Age Then	25	23	24
Age Now	26	28	25
Last Sentence	CSO	Suspended Prison	Prob- ation
Married/Cohabiting*	M	M	S
How Long (Years)	4½	6	0
Children*	Yes	Yes	No
Feeling Settled?*	Yes	Yes	Yes
Working*	No	Yes	Yes
Own Home*	Yes	-	-
Lodgings	-	-	-
Parental Home	-	Yes	Yes
<u>Leisure Time</u> (79-85)			
Same	-	-	✓
Different*	✓	✓	-
<u>Friendships</u> (79-85)			
Same	-	✓ Diff. Relation- Ship	-
Different*	✓	-	✓
<u>Help to Stop</u>			
Self	-	-	✓
Others*	✓	✓	-
Most Important Influence (wife and children score)*	Wife and Children	Wife and Children	Thrown out of home - shame of parents
<u>Summary Positive Indicators*</u>			
Score (Max. 10 x 5 pts.)	45	45	15

Table 8.2

6(b)

	4	5	6
Last Recorded Conviction	1985	1985	1984
Age Then	27	28	24
Age Now	27	28	25
Last Sentence	Prison	Fine	Prison
Married/Cohabiting*	C	M	M
How Long (Years)	2	4	2
Children*	Yes	Yes	Yes
Feeling Settled?*	No	Yes	Yes
Working* .	Prison	No	Yes
Own Home*	Yes	Yes	Yes
Lodgings	-	-	-
Parental Home	-	-	-
<u>Leisure Time</u> (79-85)			
Same	✓	-	-
Different*	-	✓	✓
<u>Friendships</u> (79-85)			
Same	-	✓	-
Different*	✓	-	✓
<u>Help to Stop</u>			
Self	-	-	-
Others*	✓	✓	✓
Most Important Influence	"Not	Wife	Wife
(wife and children score)*	Stopped"	and	and
		Children	Children
<u>Summary Positive Indicators*</u>			
Score (Max. 10 x 5 pts.)	25	40	50

Table 8.2

b(c)

	7	8	9
Last Recorded Conviction	1985	1984	1980
Age Then	26	22	21
Age Now	26	23	26
Last Sentence	Prison	Prison	CSO
Married/Cohabiting*	S	S	C
How Long (Years)	0	0	9
Children*	0	0	Yes
Feeling Settled?*	No	No	Yes
Working*	No	No	Yes
Own Home*	-	-	Yes
Lodgings	Yes	Yes	-
Parental Home	-	-	-
<u>Leisure Time (79-85)</u>			
Same	✓	-	-
Different*	-	✓	✓
<u>Friendships (79-85)</u>			
Same	-	✓ Diff. Relation- Ship	-
Different*	✓	-	✓
<u>Help to Stop</u>			
Self	✓	✓	✓
Others*	-	-	-
Most Important Influence (wife and children score)*	Want to Settle Down	Unsure, Girl- friend wised up	Wife and Children
<u>Summary Positive Indicators*</u>			
Score (Max. 10 x 5 pts.)	5	10	45

Table 8.2

6(d)

	10	11	12
Last Recorded Conviction	1982	1985	1981
Age Then	27	26	24
Age Now	31	26	28
Last Sentence	Prison	Prison	Prison
Married/Cohabiting*	S	C	M
How Long (Years)	0	2½	7
Children*	0	Yes	Yes
Feeling Settled?*	No	Yes	Yes
Working*	Yes	No	No
Own Home*	-	Yes	Yes
Lodgings	-	-	-
Parental Home	Yes	-	-
<u>Leisure Time</u> (79-85)			
Same	-	-	-
Different*	✓	✓	✓
<u>Friendships</u> (79-85)			
Same	✓	-	-
Different*	-	✓	✓
<u>Help to Stop</u>			
Self	-	✓	-
Others*	✓	-	✓ & Mot- ivation
Most Important Influence (wife and children score)*	Driving Licence	Apprec. of Freedom	Wife
<u>Summary Positive Indicators*</u>			
Score (Max. 10 x 5 pts.)	15	30	40

Table 8.2

6(e)

	13	14	15
Last Recorded Conviction	1985	1979	1979
Age Then	26	25	20
Age Now	26	31	26
Last Sentence	Prison	Fine/ Ban	Borstal
Married/Cohabiting*	S	M	M
How Long (Years)	0	14	7
Children*	0	Yes	Yes
Feeling Settled?*	Yes	No	Yes
Working*	No	Yes	Yes
Own Home*	-	Yes	Yes
Lodgings	Yes	-	-
Parental Home	-	-	-
<u>Leisure Time</u> (79-85)			
Same	-	-	-
Different*	✓	✓	✓
<u>Friendships</u> (79-85)			
Same	✓	-	-
Different*	-	✓	✓
<u>Help to Stop</u>			
Self	✓	-	-
Others*	-	✓	✓
Most Important Influence (wife and children score)*	Self- Motiv- ation	Wife and Children/ Freedom	Wife and Children
<u>Summary Positive Indicators*</u>			
Score (Max. 10 x 5 pts.)	10	45	50

Table 8.2

6(f)

	16	17	18
Last Recorded Conviction	1981	1985	1985
Age Then	26	28	25
Age Now	31	28	25
Last Sentence	Prison	Prob- ation	Fine/ Ban
Married/Cohabiting*	M	S	S
How Long (Years)	3	0	0
Children*	Yes	0	0
Feeling Settled?*	Yes	Beginning To	Yes
Working*	Yes	No	No
Own Home*	Yes	-	Yes
Lodgings	-	Yes	-
Parental Home	-	-	-
<u>Leisure Time (79-85)</u>			
Same	-	-	✓
Different*	✓	✓	-
<u>Friendships (79-85)</u>			
Same	-	-	-
Different*	✓	✓	✓
<u>Help to Stop</u>			
Self	-	-	✓
Others*	✓	✓	-
Most Important Influence (wife and children score)*	Wife	People/ Work	Freedom
<u>Summary Positive Indicators*</u>			
Score (Max. 10 x 5 pts.)	45	15	15