

Summary

Juveniles in detention

A statistical overview of criminal recidivism of former pupils of correctional institutions for juveniles in the Netherlands

This study explores criminal recidivism following a stay in a correctional institution for juvenile offenders. The correctional institutions for juvenile offenders (abbreviated to JJIs) provide for the pre-trial custody of juvenile offenders and the execution of criminal sanctions such as juvenile detention and the placement in a juvenile institution order. These correctional institutions also accommodate juveniles who have been moved away from their homes under a family supervision order. Housing juveniles in institutions for both criminal and civil reasons has been cause for great concern over the past few years. To protect youngsters placed under a family supervision order and to prevent 'criminal contamination', these youngsters need to be housed away from young offenders in detention due to criminal sanctions. This report explores the criminal recidivism rates amongst all former pupils of correctional institutions for juvenile offenders. The outflow results for the sector are mapped out and distributed as to type of institution, term of stay and residence title. In order to provide some background information to the study results, some of the results are compared with results from similar measurements amongst under-age offenders who were imposed sanctions in 1997 (refer to Wartna, Tollenaar and Blom, 2005).

Study group

The study group comprises juveniles who left a remand or treatment centre in the years 1997-2000. Table a sets out the overall figures, as well as the number of juveniles accommodated for civil reasons and offenders in penal detention.

Table a Study data former JJI pupils recidivism measurements 1997-2000 as to legal framework

Year of leaving institution	Number	Civil law	Criminal law	Other/unknown
1997	1,469	244	1,118	107
1998	2,007	382	1,532	93
1999	2,122	401	1,633	88
2000	2,380	418	1,877	85
Total	7,978	1,445	6,160	373

The differences in the composition of the four cohorts are minor. The group who left the institution in 1999 comprised a relatively large number of girls, with the overall group comprising 88 percent boys. Almost half of all juveniles were aged between sixteen and eighteen when they left the

institution. More than two thirds was born in the Netherlands. Half of all youngsters was detained preventatively, one in five juveniles was given a custodial sentence. Some 20 percent stayed in the centre for civil-law reasons, after having been placed under a family supervision order. More than half of all juveniles stayed in the institution three months or less. About one fifth stayed in the institution for twelve months or more. Juvenile offenders who were convicted and sent to a correctional institution do not represent the average group of offenders. The number of youngsters who were locked up for committing a crime against property with use of violence was almost six times as high as the overall population of underage offenders. The number of 'frequent offenders' in the study group, too, was many times larger than normal. In the overall population of young offenders the percentage of juveniles who had been arrested or reconvicted three times or more was 7.3 percent, compared with 21 percent in the group of juvenile offenders held in a juvenile correctional institution. When interpreting the results, the youngsters' different backgrounds must be taken into account. Where recidivism rates in a particular custodial modality are lower than expected, this does not necessarily mean that this modality is more effective. The difference in recidivism rates may also be explained by other factors.

Method

The study is part of the *WODC Recidivism Monitor*, an ongoing project in which standardised measurements are being carried out amongst a wide range of offender groups. The measurements are based on data from the Justice Documentation research and policy database (OBJD). The OBJD is an anonymous version of the justice documentation system (JDS) and contains information about crimes prosecuted by the Public Prosecutors Office. The Recidivism Monitor applies fixed criteria to assess the rate of recidivism (Table b).

Table b Recidivism criteria within the WODC Recidivism Monitor

Criterion	Description
General recidivism	New criminal cases, regardless of the nature and seriousness of the crimes committed, with the exception of criminal cases that result in acquittal, dismissal by reason of likeliness of non-conviction, or another technical verdict or disposal
Serious recidivism	Reconviction* following a crime punishable by 4 years or more
Very serious recidivism	Reconviction* following a crime punishable by 8 years or more

* Including discretionary dismissals and settlements by the Public Prosecutors Office.

Recidivism in the various study groups is described based on these criteria. The period of time during which the former pupils could be monitored ranged from a minimum of 3½ years up to a maximum of 7½ years. Since the data available were limited, the report offers no explanation as to the occurrence or absence of recidivism. It does not deal with the backgrounds and causes of reoffending but merely sets out the figures of criminal recidivism, dealing with the following aspects:

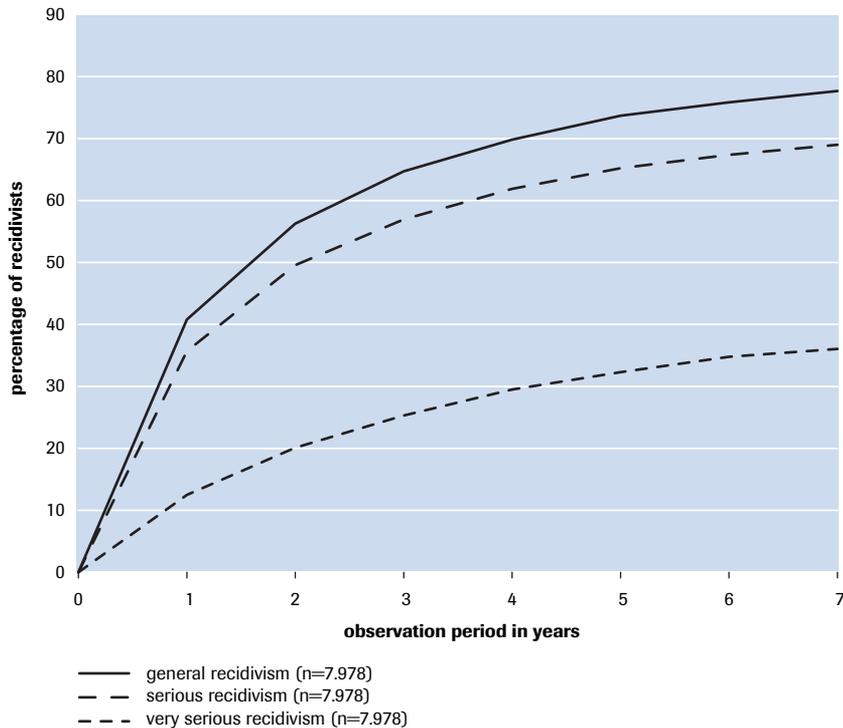
- the *prevalence* of recidivism; which part of the (sub)group has reoffended?
- the *speed* with which the person reoffended; when did he or she reoffend?
- the *frequency* of recidivism; how many times was the reoffender arrested or reconvicted following the initial case?
- the *nature* and *seriousness* of the recidivism crimes; which type of crime was committed and how was the new criminal case dealt with?
- the *magnitude* of the recidivism; what are the overall recidivism rates in the (sub)group?

Prevalence of recidivism in juvenile offenders from correctional institutions

Figure a presents an overview of the prevalence of general, serious and very serious recidivism amongst juvenile offenders leaving a correctional institution. Since the differences between the cohorts prove to be minimal, the study presents recidivism percentages for the entire study group only. Recidivism rates amongst juvenile offenders who have left a correctional institutions are very high. Within four years after leaving the institution, 70 percent of the juveniles have been (once again) reconvicted for crimes committed. General recidivism rates for the overall population of juvenile offenders are much lower: 49 percent of all under-aged offenders on whom criminal sanctions were imposed in 1997 were reconvicted within four years. After four years, the serious recidivism rate in juvenile offenders from the institutions group is 62 percent. These juveniles are prosecuted for offences punishable by four years or more at least once in this period. With serious recidivism accounting for around 90 percent of the general recidivism rates, only one in ten reoffenders committed relatively minor offences only. The remaining nine offenders (also) reoffended with serious or very serious offences.

Within four years after leaving the institution, 29 percent of juvenile offenders who left the correctional institution were reconvicted for crimes punishable by sentences of eight years or more. While very serious recidivism rates are lower than those for general and serious recidivism, it does remain relatively high. In the overall population of juvenile offenders the comparable percentage is twelve percent.

Figure a Prevalence of general, serious and very serious recidivism amongst former pupils of correctional institutions for juvenile offenders who left these institutions in the period 1997-2000



Other aspects of recidivism

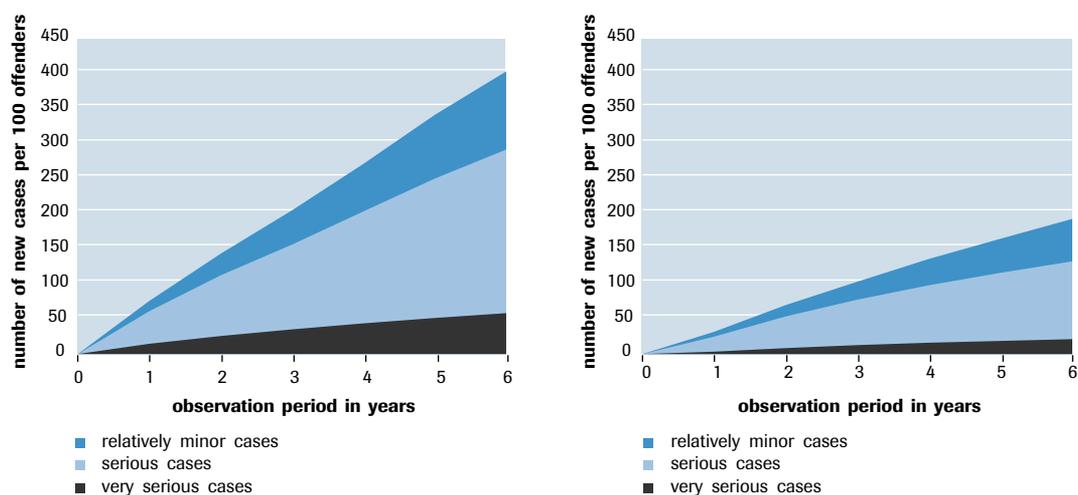
Juvenile offenders who left a correctional institution and who reoffended were reconvicted almost four times (3.88) within four years of leaving the institutions, compared with 2.84 reconvictions in the overall population of juvenile offenders. Half of all recidivism cases involved non-violent offences against property, and one third involved violent offences. Sex offences were the least common (1.1%). Of all recidivism cases, 45 percent was settled with (new) unconditional custodial sentences; this is about twenty-five percent for the population in general. The percentages of unconditional custodial sentences and community service orders were a little higher in the last two cohorts. The percentages of probation orders and discretionary dismissals seem to have dropped slightly.

When combining the results as regards the prevalence and frequency of the various types of recidivism, we get an insight into the overall magnitude of recidivism in the juvenile offenders in correctional institutions group.

Figure b1 sets out the actual number of recidivism cases for the entire group following a stay in a correctional institution. *Figure b2* does the same, but for the overall group of juvenile offenders. The numbers have been distributed

as to seriousness of the offences committed. We distinguish between relatively minor, serious and very serious offences.²³ To be able to compare the different types of recidivism, the numbers are expressed per group of one hundred offenders.

Figure b Scope of recidivism in former pupils of juvenile correctional institutions who left the institution in the period 1997-2000 and in juvenile offenders whose criminal case was settled in 1997; set out as to seriousness of the offences committed



Recidivism rates for juvenile offenders who have left a correctional institution are much higher than for juvenile offenders in general. Each group of one hundred former pupils has accumulated over 400 (new) reconvictions six years after leaving the institution, which compares to less than 200 for the overall population of juvenile offenders. Calculated over a six-year period, overall recidivism rates amongst juvenile offenders who have left the correctional institution is therefore twice as high as normal. Very serious recidivism is even 2.6 times as high. The number of cases following very serious crimes (crimes punishable by eight years or more) is 22 per 100 offenders in the overall population. In the offender group in correctional institutions this is 58, which underlines the seriousness of this group. Youngsters leaving correctional institutions form a very criminal group.

Factors that relate to the prevalence of recidivism

The risk of recidivism amongst juvenile offenders who have left the correctional institution depends on a number of factors. There are considerable differences within the actual groups themselves. Boys reoffend more than girls; under the same circumstances boys leaving a correctional

23 This distinction is based on the maximum penalty for the offences; see table 1.

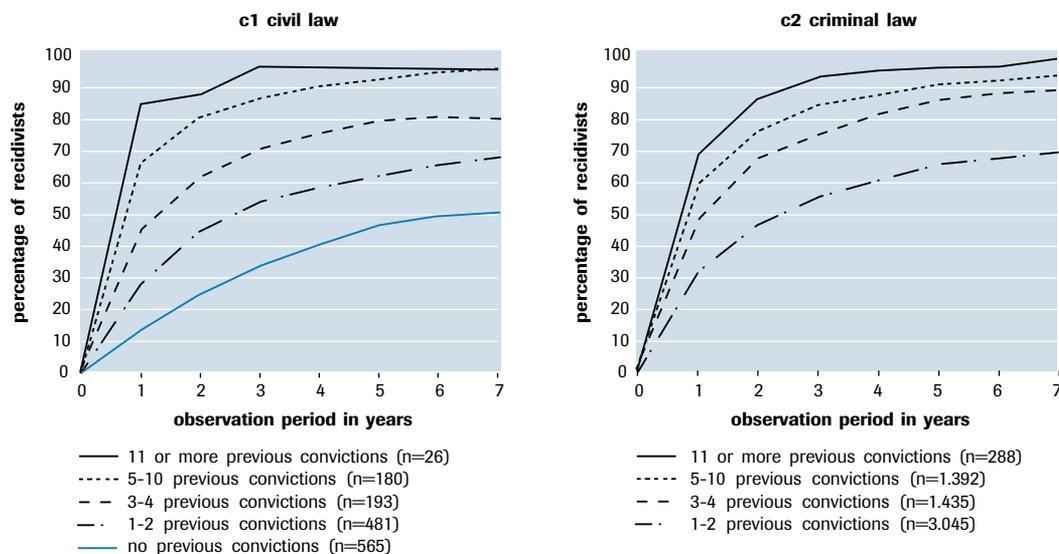
institution risk reoffending about twice as much as girls. The age of the juvenile offender also plays a role: the younger they enter the institution, the greater the risk of recidivism. Young offenders with a Moroccan, Antillean/Aruban or Surinam background reoffend more than youngsters with a Dutch background. Turkish youngsters reoffend less, however. The key indicator for recidivism however, is the number of previous convictions. Youngsters who have been convicted for an offence before their stay in the correctional institution run a higher risk of reoffending. The more convictions a youngster has prior to the stay in a correctional institution, the more likely he or she is to reoffend following the stay. If the number of previous convictions exceeds 10, there is a very high risk indeed. Within three years after leaving the correctional institution, more than 90 percent of these 'very high frequency frequent offenders' has reoffended. This percentage increases to 97 percent after seven years. Of all the youngsters who were placed in a correctional institution for civil-law reasons and who had no previous arrests or involvement in criminal cases, half of them was convicted for criminal offences following their stay in the institution after seven years.

In addition to these personal characteristics, effects have also been found to correlate to the term of the stay and the title of residence. Medium-long stays of three to six months have better outflow results than short and long stays, assuming equal scores in all other characteristics measured. Recidivism rates following a juvenile institution order (in cases where the offenders show mental or conduct disorders) are lower than following preventive custody, youth detention or a civil measure within the framework of a family supervision order. While the group of juveniles placed under a family supervision order reoffends less than other youngsters, this difference disappears when taking into account the criminal past. This is set out in *Figure c*. *Figure c1* sets out the recidivism percentages for youngsters placed in an institution for civil-law reasons, set out as to the number of convictions they had accumulated prior to their stay in the juvenile correctional institution. *Figure c2* does the same, but for juveniles who were admitted in the framework of criminal law. The figures show that if the number of previous convictions is the same, there is barely any difference between the recidivism percentages for juveniles placed in an institution for civil-law reasons or for criminal reasons. In other words: taking into account the differences in criminal history, the risk of recidivism is not influenced by the type of order under which juveniles are placed in correctional institutions.

In conclusion

This report maps out the outflow results for the correctional institutions for juvenile offenders. It remains unclear what the *effects* of the stay in these institutions are. Establishing the efficiency of a legal intervention requires a study that compares the level of recidivism of the respondents with the

Figure c General recidivism in former pupils of juvenile correctional institutions who left these institutions in the period 1997-2000; set out as to legal framework and criminal past



level of recidivism in a group of youngsters that is comparable in all relevant aspects.²⁴ Moreover, the effects of the stay in the correctional institution may be assessed properly only if there is a clear idea of the basic situation of the youngsters when they enter the institutions and there is detailed information regarding the approach to the problems these youngsters face. Such data were not available in this study, but we have now shown the extent of recidivism in this very problematic group of offenders. Rather than merely accepting these high percentages, it is important to discover – by way of more detailed studies – which interventions for which subgroup of juvenile offenders who have left the correctional institution are the most successful. For each group the ‘best practices’ need to be defined, tested and, if proven successful, applied wherever possible. Perhaps this will help reduce the recidivism levels in these youngsters.

24 The best way to achieve this is by means of a random allocation of respondents in research and control groups.