

# Paper and reality

Developing research hypotheses for determining the degree to which developments in registered juvenile delinquency can be attributed to registration effects



Summary

**At the request of**

Wetenschappelijk Onderzoek- en Documentatiecentrum (WODC), Ministerie van Veiligheid en Justitie

**Cover and dtp**

Marcel Grotens

*Summary and conclusions form:*

## **Papier en werkelijkheid**

Een hypothesevormend onderzoek naar de mate waarin ontwikkelingen in de geregistreerde jeugdcriminaliteit aan registratie-effecten kunnen worden toegeschreven

*Tom van Ham, Eric Bervoets en Henk Ferwerda*

© 2015, WODC, Ministerie van Veiligheid en Justitie. Auteursrechten voorbehouden. Voor deze publicatie is licentie verleend aan Bureau Beke en Bureau Bervoets.

# Summary and conclusions

The number of registered crimes committed by minors (aged 12-18) and young adults, aged 18 to 24 ('juvenile delinquency'), shows an upward trend from the 1980s until 2007. Since then, the registered youth crime has decreased considerably. Besides the influence of socio-demographic and economic changes, law enforcement and policy efforts can affect the registered crime rate as well.

Insight into the causes of the decline in juvenile delinquency is essential in order to evaluate which organizational measures must be taken and which policy must be pursued in the short and (medium) long term. In this context, the Research and Documentation Centre (WODC) requested Bureau Beke and Bureau Bervoets to develop research hypotheses on how registration effects influence the decline in juvenile delinquency. In the research the next four questions are focused on:

1. How does registration with police and the Public Prosecution Service (PPS) take place?
2. Which factors are mentioned in the scientific and grey literature that (could) affect the registration of youth crime?
3. In which direction, how and to what extent do these factors (potentially) affect the registration of youth crime? How is this ascertained or substantiated in the literature?
4. What is the scope (qua time) of these factors?

## *Research methods*

We have used different sources of information in the research. First, scientific literature was examined, with a focus on articles in Dutch and English peer reviewed journals published between 1995 and 2014, as well as the contained references. Additionally, Dutch research reports and the contained references were consulted and current issues (2007 until 2014) of the journals *Opportuun*, *Secondant* and *Het Tijdschrift voor de Politie* were examined. Furthermore, grey literature (such as protocols, working papers etc.) from the period 2007-2014 has been recorded. This was

done in various ways. Contact persons in the field (police, PPS) and education were contacted via email; the research was brought to the attention in the newsletters of Bureau Beke and Bureau Bervoets; a temporary group was set up on the business-oriented social network site LinkedIn and key informants have been interviewed. The search for scientific and grey literature resulted in 24 and 30 relevant documents and/or sources, respectively.

Per relevant source was examined what findings about the registration effects have been described and which relevant factor or factors per variable (reporting, detection and registration probability) can be distinguished. Based on this analysis, fifteen hypotheses regarding registration effects have been formulated. These have been examined and discussed in a sounding board meeting with experts from science and practice. More precise this sounding board meeting was concerned – in view of future research – with the prioritization of hypotheses for future study, based on their plausibility and testability given the personal experiences and insights of the participants.

### *Results*

What is considered crime is variable and not an established fact. Developments in social standards for desired and undesired behavior can lead to behavior which was not against the law before, becoming a criminal offence. The reverse can also be the case. The police are the first authority in the criminal justice chain where youth crime is registered. This can be done by civilians and companies who report this, or because the police detect crimes themselves. However, not all reported and detected crimes are registered. To sum up, several factors which could affect the completeness and reliability ('registration effect') of the police registration can be distinguished. In this research we, first of all, focus on the probability that a criminal offence is reported to the police (reporting probability). Then we distinguish the efforts the police make to detect youth crime (detection probability). Finally, it is important to take into account the probability that the police will make a report when they are informed of a criminal offence (registration probability). Since registrations at the PPS are gathered from what is recorded by the police (see next paragraph), we have not focused on registration effects on the level of the PPS in the current research.

### *Police and PPS registration*

Since 2009, the ten current police units use the registration system BVH (Dutch: Basisvoorziening Handhaving) to record crimes. A criminal offence that is recorded in BVH gets a unique identification number. In some cases it is possible to link a specific code to the crime, such as 'HG' to indicate that the crime involves domestic violence. All cases recorded in BVH and in which there is a known suspect – this is necessary to determine whether the suspect is a juvenile – can be used for police

statistics. If criminal proceedings are instituted, a case transfers from the police to the PPS. At the moment, the PPS uses (as yet) two systems: COMPAS and an integrated system for criminal proceedings, called GPS (Dutch: Geïntegreerd Processysteem Strafrecht). Transferred criminal offences are given a unique PPS number where it is important that the prosecution of multiple criminal offences (the so-called ‘combining’ of cases) leads to a registration under one PPS number. Or: whereas the police creates a separate registration of each crime, the registration with the PPS can contain multiple criminal offences. If there is insufficient information available – for example due to lack of a good official report – the case is not yet given a PPS number. Instead, this report is recorded in the BOSZ system, awaiting additional information from the police. Also crimes which are considered Halt-worthy, end up in BOSZ and are not given a PPS number. One of the consequences is that such criminal offences are not mentioned on the criminal record. The police are of course acquainted with these crimes and they can be involved in generating police statistics.

#### *Factors which can affect the reporting, detection and registration probability*

Scientists have, to a very limited extent, conducted empirical research on the influence of registration effects. The scientific literature pays attention to factors which can influence the registration of juvenile delinquency, and thereby particularly focuses on the reporting probability. For this purpose, they search for factors which affect the willingness to report (so-called observational research), based on existing data such as victim surveys and/or police information.

The findings from scientific research show that the characteristics of a person, crime and perpetrator can affect the willingness to report. Female victims for example are more likely to report a crime than male victims, whereas adults are more likely to report than young adults and minors. Furthermore, there is a higher probability of crime reporting if it concerns a group crime and the crime results in damage or injury. Also the location of the crime plays a role. Victims are more likely to report when a crime is committed in their own house or direct surroundings. Moreover, the reporting probability decreases when a minor is involved or the perpetrator is an acquaintance of the victim. Additional to these elements, the police work procedures can also affect the willingness to report. When a victim is advised to report, he is more willing to do so. The same is the case if there is a wide range of possibilities for reporting a crime. Besides, reporting a crime should not require too much time: if this takes (too) much time, the victim’s willingness to report decreases.

The scientific literature gradually dwells on factors that affect the detection and the registration probability. The few performed researches ascertain that more police on the streets will result in a higher detection probability. Focusing on youth

crime also contributes to this. Furthermore, the registration probability increases when the willingness and possibilities to register increase.

Findings regarding the detection and registration probability are being discussed more frequently in the found grey literature. Many titles involve documents which intend to improve the work procedures with the police and the PPS, thereby increasing the detection and registration probability. These include protocols and so-called procedure descriptions, such as suggested procedures for detecting youth groups earlier. Furthermore, documents were found concerning the decrease in the detection and registration probability, such as protocols about the reprimand or Halt. The first is a procedure (which looks like the old 'educational talk') where minor offences have been kept out of the criminal justice chain since 2012. Also the Halt-punishment is meant to keep minor offences out of the criminal justice system. However, research on the actual registration effects lacks here as well. Nevertheless, it can be stated that a number of changes has a too limited scope to be able to generate a continuing decline for many years.

Basically, from the answers of members of the LinkedIn group we created and from the email survey, we can assume that the decline in youth delinquency is partly realistic. Just like in the grey literature, in our LinkedIn group and in contacts with professionals by email, there is particularly a focus on the influence of the registration and detection probability on the perceived decline. Among other things, the shifting from offline to online crime is mentioned, but also other priorities with the police and the use of new registration systems and work procedures. However, research on these points lacks as well.

### *Hypotheses for further research*

The findings from the scientific and grey literature have resulted in fifteen hypotheses which have been further discussed during a sounding board meeting. Four of these hypotheses involve the reporting probability and three hypotheses focus on the detection probability. Most of the hypotheses which were discussed during the sounding board meeting therefore focus on the registration probability.

The people who attended the sounding board meeting particularly see an advantage in further examining the influence of extra possibilities for crime reporting on reporting probability. Regarding the detection probability, the shifting from offline to online juvenile crime and the consequences of alterations in the investigation process, were especially considered during the sounding board meeting. Finally, the people who attended the sounding board meeting ascertained that, in regard to the registration probability, a number of hypotheses are closely related and can be merged by adding them to the work procedure. In addition to the input during the sounding board meeting, a source verification has been conducted (where possible) for a number of hypotheses. For this purpose, figures from Statistics Netherlands

(Dutch: Centraal Bureau voor de Statistiek) have been used. Particularly is examined how realistic the suggested hypothesis is, considering alterations in the demographic profile of the population, type of committed crimes and the intake of minors at Halt. This source verification largely confirmed the input from the sounding board meeting and resulted in deleting a number of hypotheses.

#### *Assumptions based on current research*

The hypotheses which are suitable for further research, particularly involve the detection and registration probability. Regarding the detection and registration probability, it is assumed that the next developments could have contributed to a decrease in the registered youth crime:

1. A more explicit role of special investigating officers (Dutch: BOA's) in the surveillance;
2. A decreased priority in the investigation of youth crime;
3. An increase in juvenile cybercrime;
4. Alterations in the computerization of/with the police (i.e. the introduction of BVH and the deprecation of HKS).
5. Alterations in the work procedure with the police (i.e. the Salduz ruling and the introduction of ZSM. These alterations could have resulted in:
  - a. An increase in the number of intervention referrals;
  - b. An increase in the number of reprimands or case dismissals;
  - c. An increase in the number of (not-registered) 'educational talks'.

Finally, it should be noted that regarding the reporting probability it can be relevant which effect extra reporting possibilities (i.e. the internet) have had. An important question then is to what extent such reports can contribute to the investigation process or taking a suspect into custody.

#### *To conclude*

This research has specifically focused on hypotheses formulation. These hypotheses can be tested in future research to see to what extent there are registration effects regarding the decline in the registered youth crime. However, we have to realize that registration effects alone cannot account for the perceived decline in youth crime. For a decline in registered youth crime does not only occur in the Netherlands, but also in other surrounding countries. Furthermore, for the Netherlands relevant developments will probably temporary and not permanently affect the registration of youth crime. Therefore one must keep in mind that the pursued policy itself could have been effective.