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Executive summary

Introduction and background

- The SACRO Young Offender Mediation Project is based on principles of restorative justice rather than a punitive model of criminal justice. It has three main principles: early intervention; inclusion of a victim perspective; and, finally, voluntary reparation.
- The evaluation of the SACRO (Fife) Young Offender Mediation Project is multi-faceted. It is based on 28 qualitative interviews (with young offenders, their parents, victims and professionals); analysis of the SACRO database of all offenders referred to the scheme between January 1996 and October 1998; analysis of a previously conducted postal survey of offenders, victims and parents; and, finally, analysis of tracking information relating to a sample of 117 offenders referred to the project.

The Young Offender Mediation Project in operation

- SACRO is responsible for the day-to-day running of the project, however, the overall management of the project is based on a multi-agency approach. A Working Group consisting of representatives of the police, Social Work Department, SACRO and the Reporter's Office meets every two months.
 - The decision to refer a young person to the project lies with the Reporter. Cases deemed suitable for referral are discussed with the SACRO project workers and, if relevant, the Social Work Department.
 - The project is aimed at young offenders living in Fife, between the ages of 11 and 16 years.
 - The project aims to target young people showing signs of developing a pattern of offending behaviour. It is not intended as a resource for dealing with first-time offenders.
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Number and characteristics of cases

- Between January 1996 and October 1998 the project dealt with 505 cases, involving 343 individual offenders.
- In 359 of the 505 cases, the young person agreed to participate in the project and subsequently did so.
- Most of those referred to the project were male and, while there was a wide range of ages, most young people were aged 14 or 15 years old.
- The project dealt with a wide range of offences. The most common types being theft, vandalism and assault. Most cases involved a young person being charged with only one offence.
- The project emphasises the importance of the immediacy of the disposal. It aims to ensure no more than 6 weeks elapses between the offence being committed and referral to the Reporter. However, less than a quarter (23%) of cases were dealt with in this time period. This problem is currently being addressed by the police.
- In almost a third of cases (31%), the time from the offence being committed to completion of the programme was 3 months or less. The vast majority (83%) were completed within 6 months. The average length of a case, from committal to closure, was 9 weeks.

General perceptions of the project

- While there was almost universal support for the principles of restorative justice on which the project is based some, particularly parents and victims, also felt that it was a punitive sanction. Those involved in delivering the service were keen to stress that it was not meant to be a punishment.
 - Service providers - SACRO, the Reporters and the police - felt the project was a useful addition to existing resources. The project focuses specifically on particular incidents and on the young person's offending behaviour.
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- Both the Reporter and SACRO provide young offenders, parents and victims with information about the project - what it is trying to do and why they have been invited to take part. They receive both written information and a personal visit (or sometimes a telephone call) so they can discuss the project in more detail. As a result, the restorative aims of the project were clear to most users of the service.
- Despite agreeing that information provision was adequate, some parents and young people appeared unaware of the voluntary nature of the mediation project. For young people, much of this appeared to arise from parents telling them they *had* to participate.

Why do offenders, parents and victims agree to participate?

- While some young people found it difficult to explain why they agreed to participate in the project, the main reasons to emerge from the research were as follows: lack of awareness of choice; a perception of the project as a better option than other alternatives and; for some, a wish to make amends for their offending behaviour.
- Parents' reasons for agreeing that their child should participate in the project were similar to those identified by the young people themselves. The most common reasons were to avoid the formal justice system (primarily the Children's Hearing System and the Social Work Department); to directly address their child's offending behaviour; and, finally, to make amends for their child's actions.
- Victims agreed to take part for 2 main reasons - to help themselves (by being involved in the case and being able to have a say in how the offender should be dealt with) and to help the young person address their offending behaviour.

Who should go to the project?

- Although the project is aimed at 11 to 16 year olds, occasionally children below this age are included. This only occurs after the
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case has been given special consideration. Parents and victims felt that the project could be used for children of all ages.

- The project is not intended for first-time offenders but those young people showing signs of developing a pattern of offending behaviour. However, two main issues arose from this. Firstly, many parents and victims considered the project to be an ideal way of dealing with first-time offenders - it was thought the project would be more effective than, say, a police warning in deterring young people from offending in the future. Project staff felt this would result in unnecessary net-widening. Secondly, there is some evidence that, despite the rhetoric of service providers, the project involves young people who show little evidence of a pattern of offending behaviour.
- While very serious offences, such as rape and murder would, of course, be dealt with by the adult criminal justice system, no particular types of offences were automatically excluded from the project, although most felt that sexual offences would be inappropriate for inclusion.
- The project does not prevent a young person from being referred on more than one occasion. Although SACRO recognises its work with offenders must be limited, it very much depends on the individual offender. However, parents and victims interviewed during the research were less enthusiastic about allowing young people to attend the project more than once, seeing it as a first chance disposal before being referred to the Children's Panel.

The individual programmes

- There are 3 main options available to young people who participate in the project: undertaking a task for the victim or the wider community; meeting the victim face-to-face to discuss their offending behaviour; and, finally, writing a letter of apology or explanation to the victim.
 - Occasionally an offender may not undertake any of these three options but instead participate in a non-mediation programme which concentrates on addressing their offending behaviour yet without any involvement of the victim. Similarly, young
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offenders may agree to a non-harassment agreement based on discussion with the victim and with the young person.

- If the victim agrees to take part in the project, they are responsible for deciding which of the options the young offender should undertake. Project workers provide guidance on the suitability of options and, in general, victims tend to be reasonable in their requests. SACRO project workers try to ensure the experience is not degrading or humiliating. There was some evidence, however, of victims, and even some parents, feeling this would be the best way of reducing youth crime.
 - While a face-to-face meeting between the victim and offender was often considered to be the most likely disposal to impact on a young person's thinking about criminal behaviour, these were relatively uncommon. Young people who participated in such meetings tended to find the experience difficult. The personalisation of an offence often made young people feel guilty about what they had done because of the association made between their actions with the end result. However, there was little evidence to suggest that it was any more successful than other available options.
 - Parents are able to attend meetings between offenders and the victims, if offenders so wish. SACRO are, however, aware that in some cases parental presence can cause more harm than good. The decision regarding the suitability of a parent's presence depends on the circumstances of each individual case.
 - The most common option was to undertake a task either directly for the victim of the particular offence or a task to benefit the wider community. This depended on the type of offence and the wishes of the victim.
 - Although it is not always possible to undertake a task directly related to the offence or the victim, most people interviewed felt this would have the most impact on a young person. Seeing the results of their offending behaviour, either physical or emotional, was thought to be the best way of making young people think about the consequences.
 - Writing a letter of apology and explanation was thought to be useful if used in conjunction with other programmes. However, parents, victims and young people themselves tended to think
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writing a letter was a 'soft option' and would not impact on a young offender's behaviour. Conversely, SACRO project workers felt that writing a letter was a difficult process for many young people and a valuable exercise in getting them to think about the reasons for and consequences of their offending behaviour.

- Some parents, victims and young people felt that the project, in general, was a soft option. For most people, however, this appeared to stem from a lack of knowledge about alternative disposals. In contrast, project workers, Reporters and the police felt that participation in the project was often a lot harder for young people than either a police warning or an appearance in front of the Children's Panel.

How effective is the Mediation project?

- While there is little conclusive evidence to say how effective the mediation project has been in terms of its three main aims - raising awareness of offending behaviour; providing an opportunity for young people to 'make amends; and to prevent re-offending - most people interviewed felt that it was more likely than more traditional approaches to be so.
 - The project was seen as particularly important in raising awareness of the consequences of offending behaviour because of the focus on the offence and the involvement of the victim. Many felt that other disposals failed to make the young person face up to what they had done.
 - The involvement of the victim appeared to be beneficial to both the young offender and the victim. Victims felt that the criminal justice system usually took little account of them and was too offender focused, whereas the SACRO project gave them a central role in their case.
 - As with any evaluation of a criminal justice programme, it is difficult to assess the impact on levels of recidivism. In an attempt to ascertain such an impact, SACRO and the Fife Reporter's Office joined resources to track young offenders referred to the project for a 12-month period. However, information was only available for 117 young people, making it difficult to draw firm conclusions about the project.
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- Of the 87 young offenders in the tracking study who participated in the SACRO project, 62% (54) were not referred again to the Reporter in the 12 months following the project.
- Slightly fewer young people without a referral to the Reporter in the 12 months prior to involvement with the Mediation Project were referred again to the Reporter in the 12 months after involvement with the Project than were those who were referred in the previous 12 months (35% compared with 42%). This difference was not, however, statistically significant.
- There appeared to be no difference in the proportion of referrals to the Reporter in the 12 months after their initial referral to the Project between those who had participated and those who had not. Just over a third of both groups were referred in the subsequent 12 months.
- While the 87 young people who participated in the programme for whom tracking information is available undertook a range of different options, there appeared to be little evidence to suggest that any one option was more successful than the others.
- More of those who had face-to-face contact with the victim were subsequently referred again to the Reporter than those who carried out a task for the community but numbers were very small and such results are not, therefore, particularly reliable.

Conclusions and recommendations

- The research identified strong support from both service providers and service users for continuation of the project. Many felt that it filled an existing gap in the juvenile justice system.
 - A small number of weaknesses were identified, namely a delay in getting reports from the police to the Reporter, a contradiction between the rhetoric of who the project is aimed at and who is actually referred to it, confusion over the project's voluntary nature and, finally, a perception by some that it is a soft option.
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- The main strengths of the project were identified as early intervention, the direct focus on the young person's offending behaviour and making amends by involving the victim.

A. Introduction and background

The Young Offender Mediation Project ('the project'), based in Fife, is the first of SACRO's mediation projects to work with young people. With the support of Fife Council Social Work Department, the project began in January 1996, initially covering the Glenrothes area. However, on the basis of its perceived success, coverage gradually extended to other areas of Fife, and by June 1997 the project covered the whole region.

The model for the project was derived from existing mediation and reparation schemes dealing with adult victims and offenders and draws on the principles of restorative justice rather than on a punitive model. In particular, it has three main principles:

- early intervention
- an emphasis on the victim perspective
- voluntary reparation.

The project involves victims and young offenders and, sometimes, the young offender's parents. It is entirely voluntary - neither the young offender nor the victim is under any obligation to participate

The Social Research Unit at System Three was commissioned by The Scottish Office Central Research Unit to undertake a short evaluation of the project. The evaluation drew on data gathered from a number of different sources:

- qualitative interviews conducted with young offenders (7), parents/guardians of young offenders (8), victims (8) and professionals involved with the project (5)
 - the project database maintained by SACRO
 - a SACRO/Fife Council survey of victims, offenders and parents/guardians
 - tracking forms collected by the Reporter's Office.
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While the qualitative component of the study was relatively small, with a total of 28 qualitative in-depth interviews, the evaluation also drew on the methodology and resources of a previous evaluation of the project undertaken by SACRO and Fife Council.¹ The previous quantitative evaluation involved analysis of the project's database and a postal survey of victims, young offenders and their parents - these elements also proved helpful in designing the research tools for the qualitative element of this research study. Our evaluation conducted further analysis on both the SACRO survey and database, both of which had been updated since the previous report. Further methodological details can be found in Appendix A.

This report presents the main findings of the evaluation and has the following structure: Section B outlines the way in which the project operates. Section C presents quantitative information about cases and offenders referred to the project. Section D outlines perceptions of the project's aims. Section E provides a discussion of why offenders, parents and victims appear to agree to participate in the project. Section F provides a brief discussion of perceptions regarding suitability for referral to the project. Section G presents details, and perceived effectiveness, of the individual programmes which young offenders undertake. Section H looks at the overall effectiveness of the project in raising young people's awareness of the consequences of their offending behaviour, making amends and reducing re-offending. The final section presents conclusions emerging from the research exercise.

All names used in this report have been anonymised.

¹ Young Offenders Mediation Project: Project Progress Report (1998) unpublished.

B. The young offender mediation project in operation

How does the project work?

The Working Group

The project is based on a multi-agency approach, involving Reporters, the Social Work Department, SACRO and the police. From late-1995 to the start of the project in January 1996, the Working Group, consisting of representatives of these agencies, met on a monthly basis to ensure the operational model adopted was acceptable to all parties involved. Since implementation, the Group has met every two months.

Decision-making procedures

The Reporter initially receives a police report and, on the basis of agreed criteria, considers whether a case is suitable for referral to the SACRO Project. The eligibility criteria used to guide the decision-making process are as follows:

- the young person concerned is aged between 11 to 16 years (inclusive)
 - the young person resides within Fife
 - the young person has been charged with committing an offence and the Reporter considers the evidence sufficient to meet the criminal standard of proof
 - no more than six weeks have elapsed between the time of the offence being committed and the time of referral to the Reporter
 - the Reporter deems that a referral to the Mediation Project is more appropriate than a request to the Local Authority Social Work Service for initial enquiries to be undertaken; OR, where an offence has been committed by a child who is currently subject to compulsory measures of care, it has been agreed between SACRO, the Children's Reporter Service and the Local Authority that a Mediation and/or Dispute Resolution package is appropriate.
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The project also has guidelines to indicate when a case may not be suitable for referral to the project. These are as follows:

- if there is a possibility that major procedural difficulties are likely to result from the fact that there are multiple co-offenders or multiple victims
- where there are existing counter-charges relating to the circumstances of the offence
- where the young person has a long-term history of drug or alcohol misuse
- where the young person has a history of non-co-operation with care agencies (such as the Social Work Department)
- where there are substantial existing issues which are (or appear to be) affecting the everyday care offered to the young person.

The Reporter and SACRO Project Workers discuss each case referred to the project and, if the child is already receiving social work support, discussions are also held with the appropriate representative of the Social Work Department. The project is entirely offence-focused and, therefore, does not distinguish between young people with social work involvement and those without. Should the social worker feel the case is inappropriate for referral, however, neither the Reporter nor the Project Workers would challenge this judgement.

Contact procedures

Once a case is referred to the project, the Reporter will send a letter to the various parties involved, with the victim usually being the first to be contacted.

After the victim, young offender and their parents have received an initial letter about the project, each is visited (or receives a phone call) from a SACRO project worker to discuss the project in more detail and to establish whether they are willing to participate. At these meetings the Project Worker discusses how the matter might be resolved, explaining the different options available and, in relation to victims, seeking suggestions as to the appropriate way forward. The main options are for the offender to:

- undertake a task for the community or victim;
-

- have a meeting with the victim;
- write a letter of apology and/or explanation to the victim.

As participation in the scheme is entirely voluntary, should the victim agree to take part but the offender deny the offence or decide not to participate in the project, the case is returned to the Children's Reporter. If, however, the young person agrees to participate but the victim does not wish to be involved, it is still possible for the young person to participate in the project. SACRO can either develop an individual non-mediation programme aimed at raising the awareness of the young person about the consequences of their offending behaviour, or assign them an appropriate community task.

After the initial referral, it is possible that the case may be withdrawn, usually by the Reporter but occasionally by the project itself.

Section G provides a discussion of what actually happens once the various parties have agreed to participate in the scheme.

C. Numbers and characteristics of cases

Number of cases and offences

Between the start of the project in January 1996 and 14 October 1998 - a period of just over 34 months - the project processed 505 cases, involving 343 individual young offenders.

During this period, 40 cases involved young people who denied the offence(s) with which they had been accused and, consequently, were referred back to the Children's Reporter, and a further 16 cases were withdrawn. In addition, in 76 cases, either no programme was undertaken or the relevant information had not been recorded; and a further 14 cases involved children who had already made amends to their victims in some form. Therefore, there were 359 cases in which the young person participated in the programme in some form.

Table C-1: Case outcome (frequency and %)

Case outcome	Frequency	%
Participate in programme	359	71
Denied offence - referred back to Reporter	40	8
Case withdrawn	16	3
Child already made amends	14	3
No programme or information missing	76	15
Total	505	100

Offender characteristics

Gender and age

The vast majority (89%) of cases referred to the project involved males. For both boys and girls the number of referrals increased with age. However, while for boys this was a steady increase, for girls the number of referrals rose sharply at the age of 15.

As shown in Table C-2 the most common age at which young people were referred to the project was 15, with this age group accounting for 41% of all cases - 40% of boys and 52% of girls.

Table C-2: Age of young offender for each case referred to the project by gender (n and %)

Age Group	All offenders		Male		Female	
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage
11 or under	20	4	19	4	1	2
12	50	10	45	10	5	9
13	91	18	82	18	9	17
14	104	21	96	21	8	15
15	207	41	179	40	28	52
16	11	2	10	2	1	2
Missing information	22	4	20	4	2	4
TOTAL	505	100	451	100	54	100

Note: percentage columns for male and female may come to slightly over or under 100% due to the effects of rounding.

While the project is primarily aimed at 11 to 16 year-olds, it occasionally involves younger children (the reasons for which are discussed in Section D). As Table C-2 shows, 4% of referrals were aged 11 years or under. The youngest individual involved in the mediation programme was 9 years old.

Referrals to the project

While almost three-quarters (72% or n=247) of young people involved in the project were only referred once, the remaining 28% (n=96) were referred on more than one occasion. As Table C-3 shows, most of these (n=65) were only referred to the project twice, though a small number were referred more often. One young person was referred to the mediation project on 8 occasions.

Table C-3: Number of times individual offenders were referred to the project, by gender (n and %)

No. of referrals	All offenders		Male		Female	
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage
1	247	72	214	71	33	79
2	65	19	58	19	7	17
3	16	5	15	5	1	2
4	6	2	5	2	1	2
5	2	*	2	*	0	0
6	4	1	4	2	0	0
7	2	*	2	*	0	0
8	1	*	1	*	0	0
TOTAL	343	99	301		42	100

Note: Percentage columns may total less than 100% due to the effects of rounding

* Denotes a value of less than 1%

While males were far more likely than females to be referred to the project, there appeared to be little difference between the sexes in the number of times offenders were referred to the project.

Social work involvement

The information contained in the SACRO database suggests that 20% of cases involved young people already receiving social work support - 11% statutory and 9% voluntary. Only 7% of families appeared to be receiving social work support - just over 6% voluntary and less than 1% statutory support.

Offence characteristics

Number of offences

The vast majority of the 505 cases referred to the project, involved young people charged with a single offence. However, 15% of cases involved 2 or 3 charges, a further 4 cases involved more than three charges. The maximum number of charges for any one case was 5. The distribution was very similar for both boys and girls.

Table C-4: Number of offences per case by gender (n and %)

No. of offences per case	All offenders		Male		Female	
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage
1	427	84	381	84	46	85
2	59	12	53	12	6	11
3	10	2	9	2	1	2
4	1	*	1	*	-	-
5	3	*	3	*	-	-
Missing information	5	*	4	*	1	2
TOTAL	505	100	451	100	54	100

Note: Percentage columns may total less than 100% due to the effect of rounding.

* denotes a value of less than 1%

Offence type

Of all the charges (n=588), theft was the most common, followed closely by vandalism and assault. The 343 young offenders accumulated 154 theft charges, 129 vandalism charges and 92 assault charges between them. Table C-5 shows that almost a third of all cases involved a charge for theft and just over a quarter involved a charge of vandalism.

Although these were clearly the most common offence types with which the young people had been charged, the project also dealt with a wide range of other offence types. Road traffic offences, housebreaking, and breach of the peace were also represented, accounting for 9%, 7% and 5% of all charges respectively. Some of the less common charges were fraud, drug offences, carrying an offensive weapon, fire-raising and indecency (none of which accounted for more than 1% of either charges or cases).

Table C-5: Type of offences as proportion of all charges and as proportion of cases

Offence type	Frequency	% of all charges	% of cases
Theft	154	26	31
Vandalism	129	22	26
Assault	92	16	18
RTA	51	9	10
Housebreaking	39	7	8
Breach of the Peace	30	5	6
Reckless/ malicious damage	24	4	5
Fireraising	22	4	4
Opening a lockfast place	13	2	3
Offensive weapon	6	1	1
Fraud	6	1	1
Possession of drugs	3	*	*
Indecency	1	*	*
Attempted robbery	1	*	*
Other	17	3	3
Total	588	100	118

Note: Individuals referred to the project have been charged with more than one type of offence.

* denotes a value of less than 1%

Victim characteristics

The information collected by SACRO classified victims into 5 categories - private (adult) individual; commercial; public body; child victim and, finally, the general public. Private adult individuals were the single most common type of victim, accounting for 40% of all cases, and a further 16% of cases involved children/young people as victims. In 21% of cases, the victim was classified as a commercial organisation and in 17% the victim was classified as a public organisation. In only 5% of cases was the victim classified as the general public (this would apply, for example, in breach of the peace cases where there was no clearly identifiable victim).

Project milestones

One of the perceived benefits of projects of this type is the relative immediacy of the disposal. From a young person committing an offence to it being dealt with by the Children's Hearing System can often be a very lengthy process. However, because the mediation project focuses on the specific offence, it is considered important

that the young person passes through the project as early as possible in order to increase the impact of the programme undertaken. As a result, the project tries to ensure that no more than 6 weeks elapse between committing the offence and referral to the Reporter. Analysis of the SACRO database suggests, however, that the project is experiencing some difficulties in meeting this target.

Of the 497 cases for which offence and referral dates are available, only 23% were dealt with in 6 weeks or under. Perhaps of most concern is the finding that almost a third (29%) of cases were not referred to the project within 3 months of the offence. (See Table C-6).

Table C-6: Time between offence being committed and referral to the Reporter.

Time lapsed between offence and referral	Frequency	%	Cumulative %
2 weeks or under	7	1	1
> 2 and up to 4 weeks	36	7	8
> 4 and up to 6 weeks	76	15	23
> 6 and up to 8 weeks	77	16	39
> 8 and up to 10 weeks	89	18	57
> 10 and up to 12 weeks	68	14	71
Over 12 weeks	144	29	100
Total	497	100	-

Nevertheless, as shown in Table C-7, the figures for the time between the offence being committed and the actual closure of the case are more positive. Of the 463 cases for which this information is available, one third (31%) were completed within 3 months of the offence being committed. However, this figure includes cases where the young person did not agree to participate and hence the case was concluded quickly. The vast majority (83%) of cases were dealt with in a 6-month period. The average length of time between the offence being committed and closure of the case was about 9 weeks. In a small number of cases (n=28) the time between the offence and closure of the case was more than 8 months.

The time between *referral* to the Reporter and closure of the case also appears to be relatively short, with 85% of case taking 3 months or less to complete. These findings suggest that the main time delay is at the initial reporting stage from the police to the

Reporter. The qualitative interviews suggest that the 6 week cut-off point is viewed reasonably flexibly.

Any offences referred to the project shouldn't have been committed more than 6 weeks ago but sometimes the report won't come in until after that. Depending on the individual case we have to make some allowances and obviously if reports aren't coming in until months after the event they are almost excluded from the project.

(Reporter 1)

Unfortunately, it has been impossible to provide further time analysis because a large amount of the data appears to be missing from the SACRO database. For example, it is only possible to provide information on the time between referral to the project and the agreement to participate in the project for 72 cases. However, based on this small sample, it appears that this process took two weeks or less in 50% of cases.

Table C-7: A comparison of the time between offence being committed to closure of the case and referral to the Reporter to closure of the case.

	Time between offence and closure			Time between referral and closure		
	Frequency	%	Cumulative %	Frequency	%	Cumulative %
	12 weeks or under	143	31	31	397	85
> 12 and up to 14 weeks	60	13	44	25	5	90
>14 and up to 16 weeks	56	12	56	18	4	94
>16 and up to 18 weeks	46	10	66	15	3	97
> 18 and up to 20 weeks	26	6	72	2	*	97
> 20 and up to 22 weeks	30	6	78	4	1	98
> 22 and up to 24 weeks	24	5	83	3	*	98
> 24 and up to 26 weeks	19	4	87	2	*	98
> 26 and up to 28 weeks	14	3	90	1	*	98
> 28 and up to 30 weeks	17	4	94	0	*	99
> 30 and up to 32 weeks	9	2	96	0	*	99
Over 8 months	19	4	100	0	*	100
Total*	463	100	100	467	100	100

Note: column 2 totals 463 as information is missing for 42 cases. Column 5 totals 467 as information is missing for 39 cases.

D. General perceptions of the project

This section of the report draws mainly on material from the qualitative in-depth interviews with service users (young people, parents and guardians, victims) and service providers to examine perceptions and understandings of the aims of the project. It should be noted that the data is based on a relatively small number of interviews but also draws on the findings of SACRO's own quantitative survey of project participants. Even with such a small-scale evaluation, common themes could be clearly identified.

The aims of the project

The providers' views

Interviews with representatives of the project and the Children's Hearing System clearly highlighted the project's emphasis on restorative justice, within the existing welfare-based juvenile justice system. Respondents tended to emphasise, in particular, the twin aims of increasing awareness of the consequences of their offending behaviour and allowing an opportunity for these young people to make amends for their offending.

It's trying to make the child more aware of the effect of what they have done, make them think a bit more about it and give them an opportunity to ... 'make amends'.

(Reporter 2)

We are trying to impress on them the consequences of their actions on the victim and themselves.

(Project Worker 1)

Underlying this, however, was an overarching goal of reducing re-offending among young people and to divert them from the criminal justice system.

While the SACRO workers recognised that some people would see the project as a punitive sanction, they actively sought to counteract this view.

I try to make it quite clear when I go out on visits to both young people and the parents that we are not there to punish the kids. Okay, we are not condoning what they have done; they have done something wrong, they have made a mistake. This is an opportunity for them to put right what they have done wrong, to make amends to the victim. I have tried to make that very clear. But some people are just blinkered and it is like, 'well they have done wrong, they should be punished'.

(Project Worker 2)

The Project Workers and Reporters also recognised that, regardless of the project's aims, many people actually wanted the young person to be punished.

This tension was also evident in police attitudes to the project. While the police were fully supportive of the project and the principles on which it is based, they were more likely than other service providers to view it within a punitive framework. Before the project existed, many police officers were thought to be reluctant to report children to the Reporter for relatively minor offences, as they felt that little action would be taken. However, this is thought to have changed since the SACRO Project has been available, because it is seen as both a positive and immediate action, incorporating the principles of restorative justice and punitive sanctions. Thus, regardless of the Project's own perspective, there does appear to be a potentially punitive element in how it is used and not just in how it is perceived.

If the child is put through the normal referral system it may be a Supervision Order, it may be a Police Warning, but at the end of the day it isn't a great deal of punishment for them. At least in this case, there is some form of punishment - they are having to meet with their victim and/or they are having to make an apology, they are having to work for the victim or work for the community... I think this is definitely the way to go on the part of restorative justice, you know, they are making some payment back to society.

(Police representative)

Most professionals associated with the project who were interviewed as part of the research felt that the scheme had been broadly supported by social workers. The reason for this, they suggested,

was that social workers, though concerned with the child's overall welfare, were often unable to focus in such a direct fashion on the offending behaviour because of the broad nature of their remit.² The Children's Hearing System was felt to be at a similar disadvantage in this regard, being generally unable to abstract particular incidents or instances of offending behaviour from a broader welfare context.

It has its advantages in that we are able to deal directly with the child on this specific offence and look at that, which is something that a Children's Hearing doesn't really get a chance to do.

(Project Worker 1)

From our point of view it's really another resource at our disposal to deal with the offender. Doing something different. I think the impression I get from social workers as well is it's been something that they can't do yet. Kind of working more directly on offending...it's more a kind of focused addressing of offending with young people.

(Reporter 2)

The fact that all agencies who took part in the research study appear to agree on the purpose of the project, the criteria for referral and the referral process has meant that the multi-agency approach has been a success, with no apparent tensions between the various interests.

The users' views

Information issues

Perceptions and understanding of the service among its users are clearly dependent on the amount and quality of information they

² It was originally proposed that interviews would be conducted with social work representatives. However, because of the tight timescale involved and the time associated with the formal access procedures, it was not possible to do so.

receive. Very few had actually heard of it prior to their own involvement. Some of the young offenders knew of other young people who had been involved with the project but knew little about the format or its aims. A few parents thought they might have heard about it from their child's school but were similarly unclear about the details. One victim had not heard of the SACRO scheme but had heard of a similar project and this had encouraged him to take part.

Well I heard about it because I had watched a documentary on TV some time ago where they had a victim and the offenders plus their parents in a room together...whereby they confronted the youths to try and find out what they done, try to make them realise the consequences of their action...I thought it was a bloody good idea.

(Victim 5, private individual)

As the project is voluntary, both the Children's Reporter and SACRO emphasise that they try to supply participants with as much information as possible about its aims and processes. The research appears to point up a slight contradiction in this respect, with users reporting a high level of satisfaction with the information they received, though also often apparently misunderstanding key aspects of the project.

The results of the SACRO survey of victims showed that 67 (94%) of the 71 respondents felt that they had received enough information about the mediation project to make a decision about whether or not to participate. This view appeared to be confirmed by the in-depth interviews with parents, young offenders and victims, with virtually everybody appearing to have received plenty of information about the project. In addition to being praised for distributing sufficient and informative materials about the project, the SACRO Workers were also generally seen in a very positive light - the young people, parents and victims interviewed typically described the Project Workers as being very helpful, hard working and approachable.

They work very, very hard to give people a chance and treat them with humanity and try to be friends and encourage them. We've been impressed with the workers that come our way. They work very hard to try and build relationships.

(Victim 2, public body)

However, there appeared to be a discrepancy between what people were told and what they understood about the project. For example, it appeared that many people interviewed were actually unsure about the voluntary nature of the scheme. While the letters from SACRO and the Reporter explain the voluntary nature of the project, many parents and young people appeared to be under the impression that they had no choice. Nevertheless, most people interviewed during the course of the research felt they knew what the project was trying to do.

Perceived aims

While the vast majority of service users felt they had received sufficient information, either written or verbal, to appreciate the restorative principles on which the project is based, many still insisted on regarding it as a punitive sanction. This was particularly so if the offender undertook a task, either directly for the victim or for the wider community, as it was seen as analogous to community service. Not only did they tend to see it as some form of punishment, most parents and victims actually wanted to see the project to be a mixture of both approaches.

I mean you obviously want retribution but you also want to feel as though you have had some dealings in trying to turn this individual around.

(Victim 5, private individual)

While parents were, of course, disappointed that their child had been in trouble with the police, most welcomed the fact that somebody was actually trying to address the offending behaviour. Many, especially those with direct experience of them, felt that other disposals, such as a police or Reporter's warning or an appearance in front of the Children's Panel had little effect on young people's behaviour.

Summary

Interviews with representatives of all the main groups involved in the research highlighted a strong awareness of the project's aims, primarily due to the information provided by SACRO project workers. There was, however, some desire among parents, victims and to a

lesser extent, the police for project to incorporate a punitive element. In addition, while victim, parents and young people appeared aware of the project's aims and objectives, some were less clear about its voluntary nature.

E. Why do offenders, parents and victims agree to participate?

As already mentioned, participation in the project is entirely voluntary - neither the young person nor the victim is under any obligation to participate. So why do young people, their parents and victims agree to be involved in the project?

Young offenders

The findings presented here are primarily based on a small number (n=7) of qualitative interviews with young offenders, although it also draws on findings emerging from SACRO's own survey of 68 offenders. The research found some young people simply could not explain their decision to participate, while others had particular reasons for doing so. However, it is interesting to note that many of the reasons for participating to emerge from the qualitative interviews were similar to those identified in the SACRO postal survey. Each of the main reasons to emerge from the research is discussed below.

Lack of awareness of choice

Interestingly, some of the young people interviewed did not seem to feel they had been given a genuine choice about participation. For some young people this decision had been taken for them by their parents and some appeared not to have been told that it was a voluntary project.

My Mum just told me I had to go...my Mum told me I was going.

(Young offender 4, female, age 15)

Despite the fact that the letters sent from the Reporter and SACRO clearly state that participation in the project is voluntary, some young people had not been shown the information, while others had not understood the voluntary nature of the project. This clearly undercuts, to some extent, one of the basic principles of the project.

Better option than the alternatives

Some young offenders took part in the project because 'it sounded OK' (Young offender 2, male, aged 11). For many, this reflected a concern - probably an ill-founded one - that something 'worse' might happen to them, such as being referred to the Children's Hearing System or sent to 'a home'. This was particularly common among young people with no previous involvement with the police or Reporter. For these children, becoming involved with the authorities was often a disturbing experience.

I mean he is awfully sorry ken that he done it. I mean he was upset too - I think he thought he was going away to a youth kind of thing.

(Parent 6)

Some young people who had a history of offending, but who had not yet received anything more than a warning, were willing to participate primarily because they believed it was an easy option and a final warning. These young people were also relieved to be referred to the project, and for them the fear of a harsher disposal was more realistic. For example, one female young offender had already received 3 police warnings for shoplifting offences and, when caught for the fourth time, was pleased to be referred to the project as she feared being put into residential care.

It's an easy way out.

(Young offender 3, female, age 15)

Well, it was just a bit of gardening and I thought, yes, it would be alright.

(Young offender 2, male, age 11)

SACRO's own survey of young offenders who had participated in the project found that 81% percent (n=55) of respondents agreed that they took part in the project because they did not want to attend a Children's Hearing. Seventy-one per cent (n=48) of respondents agreed to take part simply to 'get the offence dealt with'.

Making amends

By contrast, a less common reason for participating was that some young offenders appeared to recognise that had done something wrong and wanted to make up for this. For example, in response to being

asked why she decided to go with the SACRO Project, one young offender accused of housebreaking replied:

Because I wanted to help them. I felt stupid for doing it.

(Young offender 5, female, age 15)

This type of attitude was more common among young people without an established history of offending and sits comfortably with the aims of the project. It is perhaps in such cases that the project is most likely to succeed - a point returned to later in the report.

The SACRO survey also found reasons associated with reparation and mediation to be less prominent in the minds of young people taking part in the project, with only 22% (n=15) saying they took part to 'let the victim know why they committed the offence' and 44% (n=30) because 'they wanted to give something back to the victim'. It should, however, be noted that these figures are possibly inflated by the fact that those offenders with little concern for their offending behaviour may be less likely to respond to a self-completion survey of this nature.

Parents

These findings are based on 8 in-depth interviews with a parent or guardian of a young offender involved in the SACRO project and, also, on the 79 completed questionnaires from SACRO's own survey. In general, parents welcomed the fact that their child had been referred to the project rather than dealt with by any other type of disposal. As with the young people interviewed, parents identified 3 main reasons for agreeing to participate.

Avoiding the formal justice system

In the first instance, many parents had been shocked to find out that their child had been in trouble with the police and, as a result, the receipt of a letter from SACRO was often met with relief, as most were keen to avoid contact with the formal juvenile justice system.

Just the thought of him going in front of a Panel...

(Parent 6)

She hasn't got what you would call a criminal record, she is known to the police. Just need to try and stop her from that - just try and get through to her how much that will hold her back when she has actually got it.

(Parent 3)

I was quite pleased she was going to get something to make her sort of realise the severity of the thing, so she wasn't going to get off scott free but at the same time I thought, well this is probably better because I wouldn't have liked to have thought you are getting sent away to a young offenders institute.

(Parent 4)

Like many of the young people, parents often saw the Children's Hearing System as a 'court' which would impose a sentence on the child. These parents were also often concerned about subsequent involvement with the Social Work Department. The small number of parties involved in the mediation process was considered preferable to more formal procedures involving a large number of people.

It is keeping contact with the people who are really involved rather than introducing different people - police, lawyers, court.

(Parent 7)

While this point came across clearly in qualitative interviews with parents, only 25 (32%) of the 79 parents responding to SACRO's own survey said they agreed to take part to avoid the Children's Hearing System.

To address the young person's offending behaviour

Most parents, including those of children with existing social work support and/or previous experience of the Children's Hearing System, welcomed the fact that the project focused directly on their child's offending behaviour. Many said they were pleased that 'somebody was actually trying to do something'. Most parents felt that warnings and the Children's Hearing System were ineffective ways of dealing with offending behaviour.

Making amends

Parents appeared to welcome the opportunity for the young person to make amends for the crime(s) committed. Many felt that the direct

and focused approach, which involved the victim either directly or indirectly, was a positive experience for both the young person and the victim. Most parents felt that their children had committed a 'wrong' and welcomed any attempt to rectify the situation. For some, the thought of their child making amends for their behaviour eased their own sense of shame and responsibility.

SACRO's own survey of parents found that 85% (n=67) said they agreed to their child taking part in the project because it allowed them to make amends to the victim, 62% (n=49) said it was so they could learn how the victim felt.

Victims of offences

The crux of any offender mediation and reparation project is the involvement, whether directly or indirectly, of the victim. Such schemes can only hope to succeed if both parties agree to what they are entering into and understand its purpose. Some of the 8 victims interviewed in-depth appeared to recognise the importance of their role in the process.

The one thing I would say is that people taking part in it have got to go in there with a constructive attitude, it's got to be constructive and objective. There is no good going in there just to scream and shout at them because at the end of the day it will not achieve the objective.

(Victim 5, private individual)

Only one victim spoken to during the course of the research appeared to have agreed to participate while actually disagreeing with the principles of the project.

It was just a waste of time I felt. I mean I thought that from the beginning.

(Victim 1, private individual/commercial organisation)

However, this case clearly involved an existing poor relationship between the victim and the young person.

In general, most of the victims spoken to agreed to take part in the project for two main purposes - to help themselves and to help the young offender address their offending behaviour. Each of these is discussed below.

To help themselves

Many victims said that they wanted to be involved in the project because it gave them an opportunity to hear why the young person had committed the offence. Many appeared to think that the normal criminal justice channels neglected the victim, whereas the SACRO project gave them a chance to remain informed about their particular case.

The victim gets more benefit from the SACRO Project because they get to know why the offender did it. I wanted to find out why she had done it and what her reaction would be to what I had to say...I did want to make her think. It gives you a chance to find out why they had done it I suppose, in a safe way rather than talking outside when you don't know who she is going to be with or whatever.

(Victim 3, private individual - child victim)

I wanted them to realise that they can't just go round doing this and what the consequences could be if they continued along that sort of lifestyle.

(Victim 5, private individual)

By getting feedback, and even just being able to put a face to the offender, the victim was often assured that something was actually being done. Being given the opportunity to have a say in how the young person should be dealt with was identified as one of the most positive aspects of the project for victims of crime.

The SACRO survey found that 53 (or 75%) of the 71 victims who returned questionnaires felt that participating in the scheme had allowed them to express their feelings about being offended against. The same number felt that they had been able to influence what the offender should do to make amends.

To help the young person address their offending behaviour

While most of the victims saw the project as some form of punishment, many also appeared to want to help the young person involved in their case. It was recognised that, because of the age of the offender, participating in the project might make them think about their future behaviour.

I think I wanted them to see in daylight the extent of the damage that had been caused...again it's going back to the consequences and I really wanted to tell them don't be so bloody stupid, think what you could have done, is it really worth it.

(Victim 7, public body)

While there appeared to be a strong feeling that parents were ultimately responsible for the individual child's behaviour, there was also a sense of community responsibility - if the victim had a chance to help the offender and, therefore, the wider community, they should do so.

Ultimately there has to be a combination because the authorities can only do so much but, at the end of the day, it's the local community saying 'we'll not tolerate this'.

(Victim 2, public body)

This sense of community responsibility was evident in a number of ways - not only did some people think it was their responsibility to be involved in the project, others tried to mediate with the offender informally, prior to the authorities becoming involved. One victim of housebreaking tried to get the offenders to apologise and, over a period of 5 weeks, to pay back the value of the damage caused. The young people involved did not accept this offer and, hence, the victim finally reported the incident. However, the victim maintained that he would have preferred to have dealt with the issue informally for the sake of community relations. Similarly, a shop manager who was frequently the victim of shoplifting, reported how she often dealt with incidents informally - she normally did this by calling the young person's parents to the shop rather than informing the police. Reporting the case to the police was considered to be a last option.

Summary

There appear a number of conflicting reasons why people agree to take part in the SACRO project. On the positive side, making amends and the focus on the particular offence were seen as particularly important. Victims particularly welcomed the chance to have some say in how their case was dealt with, something which they considered the mainstream criminal justice system failed to do. On the less positive side, many young people and, to a lesser extent,

their parents, agreed to take part in the project because they felt it was better than the alternatives. For some, it was simply seen as an easy option while for others it was the avoidance of the formal criminal justice which was important. Nevertheless, it is important to note that many respondents were not clear about the voluntary nature of the project and simply felt they had to take part.

F. Perceptions of who should go to the project

As discussed in Section B, referrals to the Mediation Project are based on informal guidelines. While these exist to guide the decision-making process, including the meetings between the Reporter and SACRO to discuss the suitability of particular cases, ultimately the decision rests with the Reporter's discretion. However, this section presents the views of all categories of people involved in the project - not just those responsible for this decision.

Age of offender

While the eligibility criteria are regularly applied, the project occasionally accommodates cases that appear to be outwith these criteria. In all cases, the decision whether or not to refer is based on the circumstances surrounding the individual offender and the particular offence. For example, while the project primarily deals with young people between the ages of 11 and 16, when deemed appropriate, it occasionally involves younger children.

A wee girl we had...was only 10 but this was her second offence in vandalism. You thought, 'Wait a minute, although she might be a bit young she is a bit young to get into offending as well.'

(Project Worker 2)

In general, very young children are only referred to the project if they appear to be developing a definite pattern of offending or if they have been involved in incidents with an older co-accused. The figures from the project database (presented in Section B) show that 4% (n=20) of all cases involved young people aged 11 years or under.

Parents and victims did not have strong opinions on this matter, although many felt that the earlier offending behaviour was addressed, the better.

First-time or repeat offenders?

One of the most important criteria that the project advocates, but which is not specified formally, is that the project, in general,

should not be used for first-time offenders. All professionals interviewed felt the project was more appropriate for young people who were starting to show signs of developing a pattern of offending behaviour. The project was identified as an intermediate disposal, with a minimal approach, such as a police or Reporter's warning, being more appropriate for first-time offenders. There was some concern that if the project was used to deal with first-time offenders it would lead to net-widening within the juvenile justice system.

It might be a one-off offence, one offence. They may never do anything in the future. That is why we try and not take first offenders.

(Project Worker 2)

I think with the kind of first, second offenders then ... you know I think you look first of all to the kind of normal processes to deal with things and I think to get SACRO or anybody else would have been net-widening...and it's not appropriate and it's not necessary.

(Reporter 2)

As with the age of young people, professionals identified cases where this criterion may sometimes be over-ridden. For example, if a case involved a number of co-accused, with one being a first time offender, the likely outcome is that they would all be referred to the project, in order to avoid selecting out any one person.

The information from the SACRO database does not provide complete information about the young offenders' previous convictions. Nevertheless, the tracking exercise (discussed in more detail in Section H) suggests that the project may be being used as a way of dealing with young people with no previous referrals or those who show little sign of embarking on a career of crime. While the rhetoric of professionals suggested that these young people were not suitable for referral, the evidence suggests that in practice it may be these individuals who are participating in the project. (See Table F-1).

Table F-1: Number of times young offender referred to the Reporter in 12 months prior to involvement with SACRO (n and %)

Number of referrals in previous 12 months	Frequency	%	Cumulative %
0	72	61	61
1	28	24	85
2	15	13	98
3	2	2	100
Total	117	100	100

Base: tracking information on 117 young offenders.

In contrast to the views of service providers, parents and victims thought that the project was an ideal way of dealing with first-time offenders, believing that intervention should be as early as possible if it was to be effective in reducing offending behaviour among young people.

I think at that age (10-13), if you catch them at that age you stand a better chance of turning them around than you do if you leave it until 16, 18.

(Victim 5, private individual)

It has potential if it is caught in its infancy when he first starts doing anything wrong. If it is caught straight away and then put on this project, let them know what is going to happen.

(Parent 2)

Most parents and victims tended to feel that warnings, either from the Reporter or the police, were fairly ineffective ways of trying to reduce offending behaviour among young people. By contrast, the mediation project, because of its focus on the offence, was considered a useful way of stopping children from re-offending before they became involved in the formal juvenile justice system.

While for most young people the project was seen as early intervention, many of the professionals felt that it could also be used for older more serious offenders for whom alternative disposals had clearly failed. Professionals were keen to divert young people from the adult criminal justice system and, therefore, felt that for a 16 year-old who had been through the Children's Hearing System but continued to offend, an alternative approach might be more

effective. As part of the programme, Project Workers spend some time with all young people discussing the impact of the young person's behaviour on their own future. This is felt to be particularly important for older young offenders who risk becoming involved in the adult criminal justice system.

A lot of our offenders are 15 and in a years time they are going to be adults. The whole ball game changes then from being a system where it is what is in the best interest for this young offender. That is what the Reporter has to look at, that is what he is looking at. What is in this child's best interest? Turn 16 and they are an adult and it is punishment. It is a completely different ball game, they need to be aware of that.

(Project Worker 1)

While most victims and parents agreed that the project was useful for young people who had not yet become involved in the formal juvenile justice system, there was less support for using it to target those young people with a history of offending.

They're probably past it and need the community type activity but a much more intense exposure - probably beyond what SACRO could do [because of resource implications].

(Victim 2, public body)

One parent also commented that, although she did not think the project had made her daughter think more about the consequences of her behaviour for others, it had at least made her think about the consequences for herself.

I think she learnt a lot more about what is likely to happen. It didn't actually stop her until she got a wee bit further on. That really got her - the thought of going one step further than SACRO.

(Parent/ guardian 3)

Offence types

As the Mediation Project is firmly based on restorative justice principles and is not meant to be a punitive sanction, parents and victims tended to feel it should only accommodate referrals involving relatively trivial offences.

Just minor. Well vandalism, I think they should have to take their own graffiti off or they have to pay their own damage, things like that.

(Parent 6)

Crimes such as rape and murder would, of course, be dealt with by the adult criminal justice system. Excluding crimes of this level of seriousness, perhaps the only offences which professionals universally agreed were unsuitable for the project were those of a sexual nature. Referral of other offences, such as assault, depended very much on the characteristics and circumstances of the individuals involved. In its current format, most users of the service felt that it should not take young people accused of very serious offences. However, some interviewees suggested a similar model of project could be set up to deal specifically with more serious types of cases, involving more in-depth and long-term work with the offender.

Something similar to this...but a lot more involved in it so they realise what they have done. Either that or a talk group, where they are all sitting, something similar to like AA. So 'why did you do that?', 'what was the reason you did that?' Trying to get through to the nitty gritty.

(Parent 5)

A programme like that but perhaps more intense would be more appropriate. The more one-to-one type of thing, or even smaller groups which allow relationships to form would be good.

(Victim 2, public body)

This suggests support for the reparation and mediation approach to dealing with young offenders and a feeling that this type of project may succeed where alternatives have failed.

One mother of a serious offender who was not involved in the project (but her daughter had been involved) felt that this type of approach would be more productive than his repeated appearances in front of the Panel had been.

Because it is taking all his privileges away. He's been told he has to do this because you did that and it's taking up his time. Time he could be with his mates.

(Parent 5)

Bearing in mind that the project is of a voluntary nature and the victim has the chance to agree or disagree to participate in it, the project was seen as suitable for most types of offence.

How often should young offenders be referred to the project?

As the figures presented in Section C show, the project does not prevent a young person from participating more than once. While SACRO workers realise they can only work with a young person on a certain number of occasions before alternative disposals have to be resorted to, this very much depended on the individual offender and the circumstances surrounding the particular offence involved. However, victims and parents were somewhat more cynical about the usefulness of repeat referrals to the project.

I think, on the surface, it looks more suited to first-offenders or those with not much of a history, because for some people if its gone further than that they do become wise to the system and it's a case of 'say this and that and you've got a better chance of coming out of it' and you don't actually mean it. I think the shock tactic doesn't work as well with someone who has been through the system a few times.

(Victim 7, public body)

Again, this highlighted a discrepancy between the views of service providers and service users.

Summary

While the project has developed criteria to guide decision-making, it appears that these have sufficient flexibility to allow the project to accommodate some cases which do not match these, on the basis on their particular characteristics. For example, even though the project targets 11 to 16 year-olds, this does not mean that those below this age group are automatically excluded. Parents and victims tended to think that the project may be most effective for young children. The research found some difference of opinion over whether the project should be used for first-time offenders. The

project is intended to be an intermediate disposal, targeting young people who are showing signs of developing a pattern of criminal. While professionals felt that including first-time offenders would lead to net-widening, parents and victims felt that it was these young people the project was most likely to succeed with. In terms of offence types, most people participating in the research felt the project was unsuitable for serious offences. Some felt that the model could, however, be adapted to be used in such cases.

G. Perceptions of the individual programmes

Introduction

Once a young person has been referred to the SACRO Mediation Project, there are a number of options available to them. The three main options are as follows:

- undertaking a task for the community or victim
- meeting with the victim
- writing a letter of apology and explanation to the victim.

In conjunction with SACRO, the victim decides which of the options the offender should undertake. Once this decision has been made, the Project Worker will inform the young person about the choice of programme, who then decides if they are willing to participate or not. If the young person is unwilling to undertake the programme suggested by the victim, the case is referred back to the Reporter and the victim will be told that the case is not suitable for mediation. However, incidents occasionally arise where some level of negotiation takes place and, if an agreement can be reached, the mediation/reparation process can continue. In all cases, the Project Worker spends some time with the young offender, discussing their offending behaviour.

Of the 359 cases in which a young person participated in the project in some way, the most common option to be taken by young offenders referred to the project was to undertake a task for the community, with just under a third (31%) having done so. A further 11% carried out a task for the victim. Eighteen percent of cases involved the young person participating in a non-mediation programme - usually consisting of an individually designed programme where SACRO and the young person work together to address the offending behaviour. An apology or explanation was given to the victim, usually in the form of a letter, in 13% of cases. Only 11% of young offenders met the victim on a face-to-face basis.

Table G-1: Type of programme undertaken per case, by gender (% and n)

Type of programme	Total		Male		Female	
	n	%	n	%	n	%
Face-to-face meeting	39	11	35	11	4	9
Community task	112	31	101	32	11	26
Task for victim	40	11	35	11	5	12
Letter of apology	48	13	43	14	5	12
Non-mediation programme	66	18	56	18	10	24
Non-harassment agreement	22	6	17	5	5	12
Duplication of previous option	32	9	30	9	2	5
Total	359	99	317	100	42	100

NB: total percentages may not equal 100 due to the effects of rounding.

Table G-1 provides a breakdown of programmes by gender. Although the numbers are very small for females, it shows females were slightly more likely than males to be given a non-harassment agreement or take part in a non-mediation programme.

Victim and offender meeting face-to-face

It is perhaps not surprising that the face-to-face meeting was the programme least likely to be undertaken by young offenders. In the first instance, not all offences involve an identifiable or individual victim with whom to have a meeting, even if the young person was willing to do so. Secondly, even if the young person agreed to meet the victim, understandably, the victim may not want to do so. Thirdly, having to sit in a face-to-face meeting to explain your offending behaviour was seen as too daunting a prospect for many young people and, therefore, the hardest option for them to opt for. However, most people interviewed - both professionals and users of the service - felt that this was likely to be the most effective option in terms of making the child think about the consequences of their offending behaviour and tackling the behaviour itself. The direct personal contact was seen to be the most important factor in getting the young person to realise the consequences of their behaviour.

It is very easy to throw a stone through a window but it is not so easy to throw a stone through a window when the person's whose house it is is watching you. It is always such an anonymous crime, vandalism, but then to suddenly meet this frail, elderly person, I think it is an eye-opener for them. They have to come face-to-face with the person they have offended against, it is much more human, the sight of them.

(Police)

I think the face-to-face sometimes can have more effect than other methods because, as I say, they just don't realise half the time the consequences of their actions. How would they feel if it was somebody they thought a lot of, their granny, for example, their sister or brother?

(Victim 5, private individual)

I think face-to-face is best...if they are going back to the place they had been in daylight or you are looking at the house with the person - the faceless person who actually lives in there..

(Victim 7, public body)

Most of the young people who had met their victim had found the experience difficult but also felt that it had made them think about what they had done. Some of the young people had clearly committed an offence without thinking of the implications for the victim but were forced, as a result of the programme, to confront this.

Highly emotional, usually crying head down, full of remorse. That is the kind of reaction.

(Project Worker 1)

I said if the [victim] will be showing emotion then that will get to Fiona more than anything because Fiona hates to see people crying, she really hates to see it and if that girl had shown any sign, the smallest sign, of emotion talking about that fight that would have got Fiona more than anything.

(Parent 7)

I think there's probably quite a dramatic potential emotional thing that could happen being confronted face-to-face with the person you've done something to and I'm sure that sobers up some of the kids.

(Victim 2, public body)

I could see the two of them almost close to tears. One initially was you know, you don't scare me mate but then went very quiet as we continued. The other one was very difficult to judge. He didn't say a great deal but I had the impression that he was taking it all in and would think about it.

(Victim 5, private individual)

[I felt] a wee bit guilty.

(Young offender 2, age 11, male)

The project staff have to be very careful to identify any cases which may actually be made worse by meeting face-to-face. It is made very clear to participants that the purpose of the meeting is to make amends - not to shout and accuse. Project staff emphasise that the parents can be present, if the child so wishes, and stress that the meeting will take place at a neutral venue, in the presence of project staff. Before the meeting takes place, ground rules are set (such as no shouting or signs of aggression) to ensure that participants do not feel threatened in any way.

The Project Worker explained everything before they went. At first I was sort of on a knife-edge but when she told them what would happen they seemed to accept the fact that they were going to go.

(Parent 2)

There was a consensus of opinion among victims, young people and parents that the SACRO Project Workers provided clear and full information about what to expect and how the meeting would be run.

The suitability of this type of programme very much depends on the individual characteristics of the offender and circumstances surrounding the particular incident. One young offender interviewed for the evaluation, aged 15, was very angry about his most recent housebreaking offence (which was dealt with by undertaking a task for the community) and when asked how he would have felt about meeting the victims face-to-face he said 'I'd batter them'. This

case would clearly be unsuitable for face-to-face mediation and, some may argue, whether it is suitable for mediation at all.

Some young people are simply too shy or afraid to have this type of meeting. In contrast to the young offender above, another young person's response to being asked the same question was simply 'I would have died' (Young offender 5, female, 15). This case is particularly interesting because she did actually meet the victims during the course of the task she was asked to do but no mention was made of her offence. The offender was treated as one of many volunteers and, although the victim knew who she was, nobody else was told. The prospect of being questioned by the victim was too much for the young person to cope with.

Although it was felt face-to-face meetings may be useful for all types of offenders, in terms of age and offence types, there was some concern that it might be too traumatic for very young offenders.

I think it's probably more suitable for older children to meet their victim because they should be aware, or better able to take in the actual effect of their behaviour by that stage. A young child would probably be best to do some task.

(Reporter 1)

However, the voluntary nature of the project enables any young person, no matter what age, to decide if they want to take part in the meeting. As long as the voluntary nature of the project is made clear - and, as already discussed, there is evidence that some people are not aware of this - no child should take part in an option that they find too difficult or traumatic. Some young children are willing to take part in a face-to-face meeting while some older offenders are not.

In other cases, the young person may be willing to meet their victim but not vice versa. One young offender's mother felt that the face-to-face meeting would have been most effective for her son but recognised that this was not possible because his victim, an elderly lady, was too distressed to take part.

Well, I was thinking it would have been better if he had met the woman but it was up to the woman and she wasn't wanting to do that so [carrying out a task for the community] is better than nothing at all and I prefer that to a Children's Panel. He would have been very upset [if he had met the victim]. Think there would have been a tear in his eye.

(Parent 6)

Those victims who had met the offender face-to-face appeared to feel that the experience had been extremely useful for both themselves and the young person. Many felt that more traditional approaches to young offenders neglected to inform the victim about what happened with the case. The SACRO project not only satisfied their curiosity about how the young person was being dealt with but also gave them a chance to explain the damage - physical, emotional and financial - that had been caused. Victims appeared to think that, while it was often difficult for the young person to have to explain their behaviour and apologise on a face-to-face basis, the directness and personal nature of the approach meant it was extremely beneficial to them.

Face-to-face meetings between the victim and offender can also involve the child's parents. Their presence can, of course, have both advantages and disadvantages. While many service providers and users felt that the presence of parents was extremely important, others felt that it might in fact reduce the impact of the session. It was felt that many young people might not talk openly in front of their parents and it might make the situation more intimidating for the victim. On the other hand, some children, especially younger offenders, may need the reassurance of their parents' presence to be able to undertake such a task. Similarly, some parents felt that they needed to be there to be reassured that their child was not unnecessarily distressed by the experience. One parent said that he would have liked to have been present but felt he had been excluded from the meeting:

I thought it was a good idea for them to go and see the people but I wasn't quite sure of the circumstances at first, like where they were going to meet and with just the bairns going to be there I did not know what was going to be the reaction from the people who had the thing done to them. How are they going to treat the bairns? The fact that we weren't going to be allowed there. [The Project Workers] said they would be there and they would have them in an independent place, not in their homes. In a way I would have liked to have been there in case there was any difficulty. I wasn't happy about what the bairns had done of course but I wouldn't like them to be terrorised as well.

(Parent 2)

It is also interesting to note, that while the victim in this particular case felt the face-to-face meeting between himself and the offenders benefited from the parents not being there, in some ways he would have still liked the parents to have been present, as he felt the parents would also have to face up to, and perhaps take responsibility for, their child's actions. However, others felt the issue would have less chance of being resolved if parents were present.

I think it is better for the kids do deal with it themselves.

(Parent 3)

Parental presence may be particularly inappropriate in cases in which both the victim and the offender are older children. One such victim of assault felt that to have her and/or the offender's parents present would have inhibited the meeting.

They don't really know [the details]. I mean they know what happened but they would end up saying something you know.

(Victim 3, private individual - child victim)

While, generally, the Project Workers encouraged parents to be involved, it was acknowledged that there was sometimes a conflict of interest between the parent and child and, hence, the less parental involvement the better. However, adult victims tended to think that parents had a very important role to play in tackling their child's offending behaviour.

That was the disappointing thing, the parents weren't there. They were there by themselves accompanied by the social worker. I would have liked to have seen at least one parent for each child there. If for no other reason to realise the seriousness of the situation.

(Victim 5, private individual)

While the meetings were considered beneficial to both sides, there was some concern from victims that the one-off meeting might have only a limited impact on offending behaviour. Some felt it would be more worthwhile to have follow-up meetings between the young person and the Project Workers.

I think probably if SACRO went to see her once a month that would maybe have an effect.

(Victim 3, private individual - child victim)

However, this again contradicts the aim of the project - to focus attention on a particular incident, to address the offending behaviour in that case and make amends for that specific case. Project Workers clearly supported the one-off approach and warned of the dangers of extending the timescale.

I think they should cut off because for some kids that have been involved in an offence they might not go out and re-offend. For you to keep going back is to remind them 'yes I done something wrong'. A short piece of work, deal with the offence and leave it there.

(Project Worker 2)

The tracking is useful for the project to see are we doing a reasonable job. So I think we should be tracking the kids but stop the involvement after the piece of work.

(Project Worker 2)

Carrying out a task for the victim or the wider community

Although it was not possible to do so in all cases, most providers and users of the project felt that it was slightly more useful, in terms of raising awareness of their offending behaviour, if young offenders undertook a task directly related to either the offence they committed or the victim they offended against. Again it was

this personalisation of the offending behaviour that was seen to have most impact on young offenders.

Well I knew it was wrong once we had done it but [when I returned to the place with the project] I realised how bad it had been.

(Young offender 4, female, age 15)

While some young offenders undertook tasks that were not related to their own offending behaviour, these were, nevertheless, still seen as positive disposals. While they were conscious that the young offenders were not to enjoy the task too much, the experience was sometimes seen as a positive incident in the young person's life, for example, by providing work related skills. Some young people took pride in the work they had done, and others expressed a desire to become involved in voluntary work.

Whenever we pass there, they always look at it and say 'we did that'. So they are feeling quite chuffed because they said we did that bit and our bit is better than the bit they did.

(Parent 2)

However, some parents and victims felt that undertaking a task was a useful disposal because the young person was identified as an offender and, consequently, 'humiliated' in the presence of the victim or community. This clearly creates some tension with the restorative justice aims of the projects which SACRO tries to promote.

What tasks do the young people do?

The tasks undertaken vary widely, depending on the type of offence and the individual offender involved. The project specifies that the task should not be menial and should not be in any way humiliating. In fact, in most cases it is hoped that the young person may take something from the experience. As already mentioned, SACRO will, if possible, try to arrange for the young offender to undertake a task which is relevant to the offence. For example, one young offender was required to clean the stairwell to which she had set fire. In cases where this is not possible, SACRO tends to use a small number of organisations repeatedly for placements for the young people. For example, the Woodlands Trust and the Letham Glen Country Park support the project's work and regularly involve young people in tasks such as clearing streams,

trimming hedges and painting fences. SACRO would very much like to encourage more organisations to become involved with the project. However, understandably, many victims - both at a corporate and individual level - do not want to have any further involvement with the young person.

I wouldn't want them doing any work here or anything like that. That would cause too many problems.

(Victim 6)

I think it is certainly easier for a company or organisation... to be a bit more forthcoming because I think if I had been a victim of crime myself...I don't know that I would have taken the same line.

(Victim 7, public body)

As a result of this resistance, SACRO tends to rely on the goodwill of a small number of organisations to provide tasks for the young people.

How long do the tasks last?

Most tasks last for a period of a few hours, although older offenders may work for up to a full day. For example, one 15 year-old, charged with shoplifting, spent a Saturday working in the shop she had taken goods from. While the professionals involved in the running of the project felt that this was a sufficient amount of time for the young people to be expected to work, parents and victims felt that it was often not the case, again highlighting their perception of the project as a punitive measure.

Many parents and victims thought that the task should be more long-term. For example, some suggested they should be involved in this type of work every Saturday morning for a month. Others suggested that the length or degree of difficulty of the task should vary with the type or seriousness of the offence with which the young person has been accused.

They should actually [make it tougher] because a couple of hours is nothing ken, they should actually give them more than that. It's them that are in the wrong, they have got to make up for it.

(Parent 5)

Well it's the only way they'll learn isn't it. Why have I been taken away from my free time?

(Victim 5)

However, some victims and parents seemed to forget that the project was actually dealing with children and suggested tasks that would be hard even by adult standards. What may seem like an easy task to an adult may in fact be quite testing for a young person.

It was pretty hard because at the end of the day you had a pretty sore back.

(Young offender 2, male, age 11)

Some victims felt that it would be more effective if the project were to adopt a more long-term approach, and suggested that they could be kept informed about the progress made by young offenders.

It would be nice to see some of the kids more often. It would be nice to know in the coming months and years whether it made any difference.

(Victim 2, public body)

As with the face-to-face meeting, however, most of the professionals interviewed argued against this, as a more long-term approach would contradict the restorative justice principles on which the project was based.

It's not meant to be punitive - it would become punitive if it was excessive.

(Reporter)

I think it would lose all meaning for the kid. A one-day piece of work, maybe two days, yes. They can make the connection - 'I am doing this because'. You make it on going and say they don't like what they are doing, they are going to resent it...You are losing all meaning of the process.

(Project Worker 2)

The SACRO Project Workers reported that most victims who had suggested a task, either directly for themselves or for the wider community, tended to be very reasonable.

Normally most people are quite reasonable and they will have thought about it and come up with something they think will be suitable for amends. Quite often it is 'oh well, if he or she does something for the community then that will be fine.

(Project Worker 1)

However, some were more extreme in their calls and clearly failed to understand the aims of the project. For example, one woman suggested a young boy collected dog faeces with his bare hands. Perhaps less extreme but also stigmatising, one man called for a young boy to pick up sweet wrappers from outside his shop at a time when all his friends would be leaving school. This highlights a tension in what people considered to be the aim of the task. While the Project Workers are extremely careful to ensure that young people are not identified as a young offenders some parents and victims saw their identification and humiliation as a positive part of the process.

Letter of explanation and apology

In general, the letter of apology or explanation was seen as the least effective of the various different options, unless used in conjunction with another disposal. SACRO Project Workers were less sceptical about this disposal, believing that the composition of a letter required the young person to give a great deal of thought to their offending behaviour. However, most other people interviewed felt that it was of limited use.

I think it is a bit of a cop out

(Parent/ guardian 2)

It still sort of distances them from it. I don't feel they are having to face up to it. Having to go into the shop and having to meet face-to-face is entirely different.

(Parent/ guardian 3)

If they write a letter it's almost, to a certain extent, a slap on the wrist.

(Victim 5, private individual)

If they don't have to do anything else, if they don't have to pay back to the community or work in the community. I worry about that one but at least it is something, they are having to examine their actions at least to some degree.

(Police)

While victims tended to be happy to receive a letter, as it gave them some form of direct contact with the offender and a sense of what was happening with the case, most project users felt that if used alone it was not a sufficient disposal. Young offenders themselves seemed to think that it would be, or was, very easy to apologise via a letter as they neither had to face the victim nor give up any of their spare time. For example, one young offender interviewed had been involved with the project on a number of occasions and the first time he was referred to the scheme had agreed to write to the victim of his shoplifting offence. He described how the Project Workers helped him compose a letter and said that he could not really explain why he had committed the offence. However, his main reaction when told the option of writing a letter was simply, *'It's alright, I'm getting off the hook'*.

Other options

The project can also involve the young person in a non-harassment agreement or a non-mediation programme. The latter usually involves the SACRO Project Worker developing an individual programme aimed at raising awareness of the consequences of the young person's behaviour. Such an approach can be used if the victim does not want to participate in the project but the young person is willing to do so. For example, a group of young offenders charged with fire-raising were taken to a fire station to hear about the impact of their behaviour on the Fire Service. SACRO attempts to tailor individual programmes to be directly relevant to the particular young person involved. Non-harassment agreements may be arranged as a stand-alone disposal or in conjunction with any of the 3 main disposals discussed above. Such an agreement would usually be agreed in cases involving a history of incidents between the offender and the victim.

Is the mediation project a soft option?

Mediation schemes have sometimes been accused of being a 'soft option'. While the interviews with parents, young people and

victims found some evidence of this perception, most of the professionals interviewed felt that it was actually harder than alternative disposals and that those who considered the programmes to be an easy option only did so because they had little understanding of the existing welfare-based juvenile justice system. For example, many young people, and even some parents, thought the Children's Hearing System was the same as an adult court and, consequently, that sentence would be passed on them.

The impression I get is children and parents' thinking is not welfare-based. They think of hearings and everything as being punishment and warnings as being let off.

(Reporter 2)

I think people are saying that without any real understanding of the system in which it takes place and I am sure if they knew what happened normally they would think that was a really soft option. If you are looking at what we are doing with that kind of punishment orientation then the whole system is kind of pointless. You are never going to be happy with it. They are only ever going to be happy if we were to move to an adult justice based structure.

(Reporter 2)

What they don't understand is that young person has probably never had to sit down and explain why they have committed the offence or talk openly about it. We are actually challenging their behaviour and that can be very, very uncomfortable.

(Project Worker 1)

I don't think it is a soft option at all. I think for the young person to face up to what they have done and at times face their victim, I think it is quite difficult. Bearing in mind they are only kids. It is quite a responsibility for them as well. I don't think it is a soft option for the kids at all.

(Project Worker 2)

I don't think it is a soft option at all, basically because if the child is put through the normal referral system, it may be a supervision order, it may be a Police Warning but at the end of the day it isn't a great deal of punishment for them.

(Police)

In reality, the welfare-based system would be likely to either warn the child about their offence, or send them to the Panel, where their general behaviour would be discussed and they might or might not be placed under supervision. While an appearance in front of a Panel would involve a discussion of the young person's offending behaviour, it would not be the main focus of the meeting. The Panel takes a broader approach and does not have the resources or expertise to focus on this particular aspect of a young person's life. Those parents who had previous experience of the system thought it was ineffective in reducing young peoples' offending behaviour.

I think it is a lot better than going to the Panel. I mean a Supervision Order is not... going to stop them from doing anything.

(Parent 6)

I think it does these kids good to have to go and face their actions and things, whereas if the local bobby just comes around and says 'don't do it again', I don't think the kids bother. It's just in one ear and out the other and away for more mischief. If they are going to be pulled back to do something about their offence, I think it has got more chance of drumming into them how serious things could be.

(Parent 4)

While some parents and victims called for the project to issue 'tougher' disposals, Project Workers stressed that they are legally responsible for the young people while they are in their care and that particular attention must, therefore, be paid to what exactly they are asked to do. In addition, the Project Worker's role is not to punish the children but to tackle their offending behaviour through discussion and mediation.

I feel that parents do want to see their own child punished for what has happened. And they will say sometimes that sounds a wee bit easy to me, that is a bit of a soft option. But what we have got to remember is it is the victim that has decided It is an agreement between the young offender and the young offender's victim.

(Project Worker 1)

If the parent wants their child to be punished it is up to them to do so.

In addition to some parents and victims thinking these disposals were 'soft', some also expressed concern about Project Workers being too 'soft' with the young people.

When the Project Worker was here they sort of molly-coddled them a bit and I don't think that should have happened. She should have left them feeling worried about what they were going into and said we would be there to protect you but not to soft soap.

(Parent 2)

In a sense what SACRO was doing was probably OK: mediate, try to teach them but I felt it was too much like using kid gloves.

(Victim 4, private individual)

One victim was particularly upset when he heard that the young offender in his case had a 'great day splashing about in the water'. He felt the young person did not care at all about his behaviour, nor about the consequences of his behaviour and showed no remorse.

This is just a big joke to him. It's just like me flinging £300 (the cost of the damage caused) in the burn and watching it going down there into the sea.

(Victim 1, private individual and commercial organisation)

Some victims were also uncomfortable with the voluntary nature of the scheme. Some found it annoying that the ultimate decision over whether a mediation programme will be undertaken or not rests with the young offender. It was felt that the victim should have more say and the young person's involvement should be compulsory if the victim decided to participate. However, as discussed earlier in the report, the philosophy and experience of mediation and reparation

schemes suggests that they can only hope to succeed if all parties agree to participate and are willing to try to make amends.

They were to go on such and such a day but they didn't want to go so they didn't go. So it was arranged for them to go another day. That's how lax it all was: easy come, easy go, when you're ready sort of thing... Don't give them a choice, just do it.

(Victim 4, private individual)

Summary

The most common option taken by young people involved in the project was to do a community task. Only a small proportion of young people met their victim face-to-face. In general, there was a feeling that meeting the victim face-to-face or carrying out a task directly related to the offence they had committed was more effective than any other disposal. While the Project Workers felt that it was quite difficult for young people to produce a written apology, parents, victims and, even young people, tended to consider this as a 'soft option'. In direct contrast to the principles on which the project is based, many parents and victims were keen to see the disposal as some form of punishment.

H. How effective is the Mediation Project?

This section attempts to assess the effectiveness, and perceptions of the effectiveness, of the mediation project in terms of its three main aims: raising awareness of offending behaviour; providing an opportunity for young offenders to 'make amends'; and preventing re-offending. This analysis is largely based on qualitative interviews, although it also draws on quantitative information about recidivism collected by the project and Reporter's Office.

Raising awareness of the consequences of offending behaviour

Most professionals involved in delivering the service felt that a mediation and restorative justice approach to dealing with young offenders was more likely than traditional approaches to increase a young person's awareness of the consequences of their offending behaviour. Not only do the Project Workers discuss this directly with each individual offender, the involvement of the victim - either directly or indirectly - reinforces the reality of what they have done. This direct focus appeared to be valued highly by service providers.

It makes kids take responsibility and have a look at the wider picture. I think it is raising kids' awareness of the effects of offending. They can switch off from their parents telling them 'you shouldn't be doing this because...' But when a stranger comes in, and the only thing you have in common with this stranger is this offending behaviour, they tend to think 'this is serious'. This isn't Mum or Dad saying 'don't do this'. They are looking at the bigger picture.

(Project Worker 2)

They were telling her things that I have been telling her for years, so whether she hears it from a stranger and it's not just me nagging her all the time it might do a lot more good.

(Parent/guardian 7)

It just makes you see what you have done.

(Young offender 4, female, age 15)

I think it's a good thing like, ken. It's making them stand up to their responsibilities you know. They have done it ken.

(Parent 5)

It made her realise that you don't just go about doing these things and get off with it...I think it has made her grow up

(Parent / guardian 6)

They hadn't really thought of the detail of what could have happened and that did seem to register. I don't think they will play with matches again.

(Victim 7, public body)

I think that she has learned if you do something, you have got to take the consequences and, also, is what we think is funny really funny - it's not. I think it has taught her to think about things, use her brain instead of just going along.

(Parent 5)

One parent felt that her daughter had always relied on other people, mainly adults, to take the blame for her behaviour. For example, her parents had been fined for her truancy. However, the mother felt that this Project was the first time she was made to take responsibility for her own actions.

This is the first time where somebody actually said 'you were the one that did something wrong and you are the one who is going to have to make amends for it'. I think that made a difference. It's getting to the point where I am no longer legally responsible for her and there comes a point that she is legally responsible for herself and we've had a bit of bother getting through to Carol with that one.

(Parent/ guardian 3)

There appears to be a perception that young people are more likely to be made aware of the consequences of their offending behaviour by attending the project than if their case been dealt with differently. If the project was not available as an option for the

Reporter, it is likely that young offenders would either receive a police or Reporter's warning or a referral to the Children's Panel - in any of these, the actual offence and, more importantly, their offending behaviour would not be addressed in the same depth as by the mediation project.

The impression I get is that it does make the children think about their offending much more than other means that are currently at our disposal and I would think that the conclusion of that is that it reduces the likelihood of them offending in the future.

(Reporter 2)

Like any disposal, the extent of the impact depends very much on the individuals involved. This was highlighted by a case in which two brothers were referred to the project. They both undertook a task for the community (cutting a hedge) and also met with the victim. The step-father of the two boys felt the impact of the experience was very different for each of them because of personality differences.

John did [think about the consequences of his behaviour]. Like when they realised how much damage and its cost and what they had to do to put everything right. But like I say, with Steven, money doesn't mean anything. Possessions - he doesn't even look after his own things. Steven could say anything. With John you could see he definitely meant it [his remorse] so it definitely registered with him.

(Parent 2)

There was a general view that the project was more likely than other disposals to raise awareness of the consequences of offending behaviour because of the relative immediacy of the project. The programme is supposed to be implemented within 6 weeks of when the offence was committed:

She wasn't getting to forget. Like if it had been a Panel, maybe it would have been six months or three months before we would go in front of them. In that three months, you're forgetting about all what happened.

(Parent/guardian 7)

However, as shown in Section B, this target is not being met. While this is primarily an issue for the police to address, and one that the SACRO project can do little about, it obviously impacts on the likely success of the scheme. If young people are to discuss their behaviour and explain the reasons behind it, the mediation exercise must take place when events are fresh in their minds. Similarly, the involvement of the victim necessitates that the programme must take place quickly.

Making amends

In terms of making amends, the project appears to have been relatively successful. Victim involvement has been central to the project and appears to have had a positive impact on all those involved. While the involvement of victims 'personalises' the offence for the young offenders, victims who participated in the scheme also found the experience to be beneficial. Many felt the conventional criminal justice system ignored the victim, failing to keep them informed, receiving little, if any, feedback about what happens to the case and providing no opportunity for the victim to express their opinions about how the case should be dealt with. The SACRO mediation project appeared to address all these concerns.

Victims tended to feel that, while it was often difficult for the young person to have to explain their behaviour and apologise on a face-to-face basis, it was extremely beneficial to them. Again, the main benefits appeared to spring from the relative immediacy of the programme and the personalisation of the offence.

One interesting case involved a face-to-face meeting between a young girl (age 16) and her attacker, who was of a similar age. Although the offender has since been in trouble with the police, the victim felt the project succeeded in making amends between the two individuals involved in that particular case. The victim felt this would not have happened had the offender received any other type of disposal.

Recidivism among project participants

Tracking exercise

The Reporter's Office and SACRO have worked together to track, for a period of one year, young people who participated in the project.

Initially, the tracking exercise covered a 6 month period only, however, it was felt that a 12 month follow-up period would provide more robust data.

This particular exercise involved the Reporter and SACRO completing a form for each young offender, stating any charges within the 12 month period prior to referral to the project, details of why they were referred to the project and details of any charges in the 12 months since taking part in the project. It also includes details of the type of programme within the mediation project that the young person participated in.

In the event, tracking forms were only completed for a total of 117 young offenders, that is to say around a third of all young people referred to the project. Since completion of the research, the Reporter has agreed that project staff can regularly access files to extract tracking information.

As with any evaluation of a criminal justice initiative, it is extremely difficult to draw definitive conclusions about its impact on levels of recidivism. It is, however, even more difficult to make categorical statements relating to such issues when looking at such a small sample. This section, therefore, merely presents the findings of the analysis and does not attempt to draw conclusions about the mediation project's success or failure in reducing offending behaviour among young people.

Of the 117 young people for whom tracking information is available, 73% (n=87) agreed to participate in the mediation project. Of the remaining 31 young people who did not participate, 8 had denied the offence, 17 were said to be uncooperative, 3 were felt to have already made amends for their offending behaviour and 2 had their cases withdrawn by the Reporter. Information was missing for one young offender.

Reflecting the figures for all young offenders involved with the SACRO project, the age of the young people involved in the tracking exercise ranged from 9 to 16 years, although the majority were between 14 and 16 years old. Table H-1 shows that the distribution of age among those who agreed to participate in the mediation project was similar to that of all those referred to the project, with the exception of those aged 16 who appeared somewhat less likely to agree to participate, with 63% doing so compared to 76% of 14 and 15 year olds.

Table H-1: Age distribution of 'tracked' young offenders referred to the project and those participating in the project

Age	Referred to the project (n)			Participated in the project (n)		
	Total	Male	Female	Total	Male	Female
9	1	1	0	0	0	0
11	7	7	0	6	6	0
12	12	12	0	8	8	0
13	16	14	2	15	13	2
14	24	21	3	17	14	3
15	27	25	2	22	21	1
16	30	24	6	18	13	5
Total	117	104	13	86	75	11

Of the 87 young offenders who agreed to take part in the project, 62% (54) were not referred to the Reporter again in the 12 months following the project.

A total of 45 of the 117 young people had been referred to the Reporter in the 12 months preceding their involvement with the mediation project. SACRO project workers felt that young people with previous convictions were less likely to agree to participate. While full offending histories were not available, it is worth noting that analysis of the tracking forms found that 87% (n=39) of the 45 young offenders referred to the Reporter in the previous 12 months agreed to participate compared with 67% (n=48) of the 72 young people who had not been referred within this period.

The project is aimed at young people with a history of offending behaviour, or those identified as being particularly at risk of re-offending. Analysis of the tracking forms found that 62% (n=72) of the young people had *not* been referred to the Reporter in the 12 months preceding their involvement with the SACRO project. While it is impossible to say whether those without referrals in the previous 12 months were first-time offenders, the finding suggests that the project may be being used for young people showing no obvious signs of a pattern of offending behaviour.

Of the 45 young people referred in the 12 months preceding their involvement with SACRO, 28 (62%) had been referred on only one occasion. Fifteen had been referred twice and 2 had been referred to the Reporter on 3 occasions. Although referral to the Reporter is only one indicator of offending behaviour, it again appears that the project may be dealing with young people showing little sign of

developing a pattern of such behaviour. While a young offender may have no record of being referred to the Reporter in the previous year it is, of course, possible that they might have received police warnings on a number of occasions during this period.

Forty-two percent (n=19) of those who had been referred to the Reporter in the 12 months prior to their involvement with the project were also referred in the 12 months after the involvement and 35% (n=25) of those without previous referrals were referred in the 12 months after involvement. This difference was not, however, statistically significant and does not, therefore, necessarily suggest that the project had more impact on young people without a history of offending behaviour in the previous 12 months.

As shown in Tables H-2, a similar number of young people were referred to the Reporter in the year preceding involvement with SACRO (46) and the year after involvement (44). Slightly fewer in the 12 months after the project had 2 or more such referrals (12, in contrast to 18) but again numbers are very small and cannot be taken as an accurate reflection of the impact of the project.

Table H-2: Number of referrals to the Reporter in the 12 months before and after referral to the SACRO Project (n)

No. of referrals	12 months before SACRO			12 months after SACRO		
	Total	Male	Female	Frequency	Male	Female
0	72	62	10	73	62	11
1	28	26	2	32	30	2
2	15	15	0	3	3	0
3	2	1	1	8	8	0
4	0	0	0	0	0	0
5	1	0	0	1	1	0
Total	117	104	13	117	104	13

Of the young offenders in the tracking exercise who were referred in the preceding 12 months, those who had been referred on 2 or more occasions were more likely than those with only one referral to be referred again in the 12 months following SACRO. The numbers are, however, small and should be treated with caution. For example, while 39% (11 of the 28) referred only once in the 12 months before involvement with SACRO were referred again in the following 12 months, 47% (7 of the 15) referred twice during this period were referred again.

As shown in Table H-3, for most (n=25) of those young people who had been referred to the Reporter in the 12 months before their involvement with SACRO, their referral had only involved one charge. However, the remaining 20 young people had been referred for more than one charge. The maximum number of charges for a single young person was 12. The distribution of the number of charges on which young people were referred to the Reporter was similar in the 12 months after involvement with SACRO. Most (n=26) referrals in this period involved only one charge.

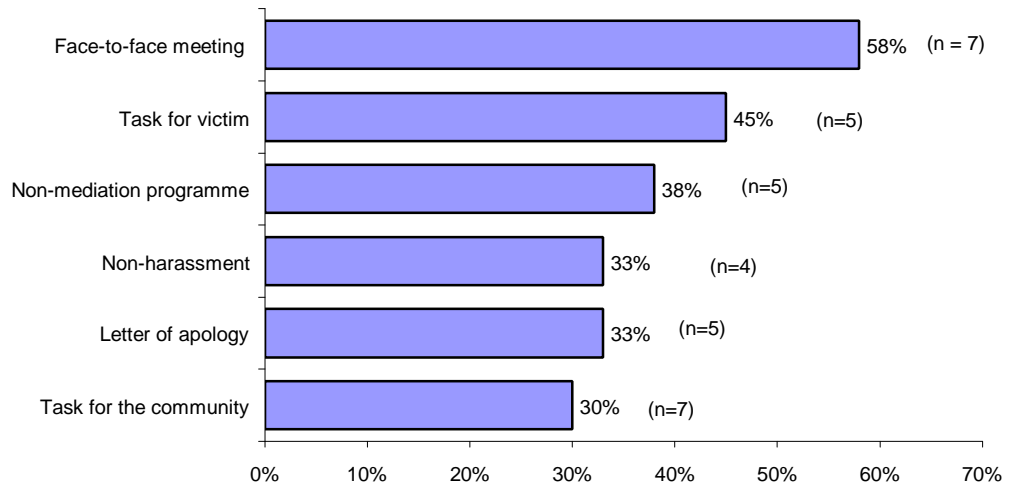
Table H-3: Number of charges in the 12 months before and after referral to the SACRO project

No. of charges	12 months before SACRO			12 months after SACRO		
	All	Male	Female	All	Male	Female
0	72	62	10	73	62	11
1	25	24	1	26	25	1
2	9	8	1	5	5	0
3	4	4	0	6	6	0
4	2	2	0	1	1	0
5	2	2	0	3	2	1
6	0	0	0	1	1	0
7 or more	3	2	1	2	2	0
Total	117	104	13	117	104	13

Interestingly, while there may have been some difference in subsequent referrals on the basis of having been referred previously, there was no apparent difference in subsequent referrals between those who participated in a programme within the mediation project and those who did not take part. For both groups of young offenders, 35% were referred to the Reporter again in the 12 months after their involvement with the project.

Although numbers are very small, it is worth noting that a larger percentage of those who participated in face to face contact with the victim (7 out of 12) or who carried out a task for the victim (5 out of 11) were referred to the Reporter in the following 12 months than those who carried out a community task (7 out of 23) or wrote a letter of apology (5 out of 15), (see Figure H-1). Without a greater understanding of the background to the cases, however, it is not possible to say that one form of intervention is more successful than another.

Figure H-1: Proportion of young offenders referred to the Reporter in the 12 months following involvement with the SACRO project



SACRO survey

The SACRO survey of young people and parents also sought to assess the impact of the project on the child's behaviour. Over half (n=44) of the 79 parent respondents reported that they had noted some change in their child's behaviour and a further 12 had noticed considerable changes. A quarter (n=19) of parents had not noticed any change.

The survey also found that most (n=61) of the 67 young offenders who responded to the survey felt that the project had changed the way they felt about getting into trouble. The most common response among this group of young people was that it had made them realise that if they continued to offend they would end up in more serious trouble. Others said it had simply made them think before they act and taught them to think of the consequences for others.

In-depth interviews with both users and providers highlighted support for the project - those who knew 'the system' preferred the project because they felt the alternatives were ineffective and those that had no experience of 'the system' preferred the project because it diverted young people from becoming involved in the

formal system. While some of the young people felt the project had changed their behaviour, others were less positive.



I. Conclusions

This section of the report offers some conclusions about the Young Offender Mediation Project, discussing any weaknesses and strengths that have been identified during the course of the research and, by doing so, rehearses some of the main findings.

Weaknesses of the project

In light of the innovative approach adopted by the mediation project, there appeared to be relatively few identifiable problems. The main issues to arise from the research were as follows:

- perception of the project as a soft option
- contradiction between who the project is aimed at and who is actually referred
- delay in getting reports from police to Reporter
- lack of clarity regarding the voluntary nature of the project.

Perception of the project as a soft option

While the police, the Reporter and SACRO would argue that the project is far from being a soft option for young people, many victims and parents, and sometimes the young people themselves, appeared to think this was the case. However, this perception appears to stem from a lack of knowledge about the alternative ways of dealing with young offenders. This was highlighted by the finding that parents who had previous experience of other disposals (i.e. warnings or the Children's Hearing System) were less likely to consider the project a soft option.

Perhaps one way of overcoming this perception is to supply users of the service with more information about the alternative disposals, locating the project within its wider context. Some parents, victims and young people envisaged the existing juvenile system as being court based, having the power to sentence young people to community service and custodial sentences. For some, this false impression led to the project being seen as a relatively 'easy way out'.

While most users of the service agreed that the project should be trying to get young people to think about the consequences of their

offending behaviour and to make amends for what they have done, most also felt that the project should also have a punitive element. There was some concern that the one-off nature of the programmes, and the level and length of tasks that young offenders had to complete, were insufficient for the offences committed. While victims participate voluntarily in the project and virtually all welcomed the chance to be involved and considered it beneficial for both themselves and the young offender, there remained the possibility that some victims were left feeling frustrated and cheated by the disposal eventually received by the young person.

While victims were happy to receive a letter of apology, there were those among the parents, victims, the police and even the young people interviewed who felt it was something of a 'soft option'. There was little support from the users, including young offenders themselves, for this disposal to be used on its own.

Who is it aimed at?

The research identified an apparent contradiction between the rhetoric and practice of the project in terms of who was referred to the project. In general, service providers clearly felt that the project was aimed at, and most suitable for, young offenders showing signs of developing a pattern of offending behaviour. It was not seen as appropriate for first-time or one-off offenders, leading to unnecessary net-widening - minimum intervention was considered to be most appropriate for these offenders. However, analysis of the tracking forms suggests that many young people referred to the project had not been referred to the Reporter in the 12 months leading up to their referral to the SACRO project. As such, there was little evidence available to the research to suggest these young people were showing signs of developing a pattern of offending behaviour. It has to be borne in mind that the decision to refer a young person to the project rests with the Reporter. The tracking information does not show whether young people had been in contact with the police and, therefore, it may be that while they had not been referred to the Reporter in the previous 12 months they had been given a number of police warnings.

In addition to what seems to be an actual contradiction between theory and practice, there was also a contradiction between the perceptions of service users and service providers. In contrast to most service providers, parents and victims both felt that this type of project was an ideal mechanism for dealing with first time

offenders and felt that it was more likely to divert young people from the formal juvenile justice system than other disposals.

It may be appropriate for the agencies involved in the running of the project to reconsider who the project is aimed at and to re-assess referral procedures.

Delay in police reports

Another problem identified for the project is primarily a procedural issue over which SACRO has no control. However, it is worth drawing attention to this matter because if the project is to have the best chance of succeeding with the young offenders, the referral system needs to work smoothly. One of the advantages claimed for the mediation project is the relative immediacy of the disposal. However, as shown in Section C, these targets are not being met, with the main delay being between the offence being committed and the Reporter receiving the police report.

Such delays in reporting do little to help the Project Workers or young offenders. This issue is being monitored by the police with the target being for reports to be received by the Reporter within 2 weeks of the offence. Some time after the research fieldwork had been completed, staff were reporting some indications of improvement. While this problem is not unique to the SACRO Mediation Project, it is particularly important that it is overcome. The period between the offence and the mediation programme must be as short as possible if the Project Workers are to focus effectively on a particular incident.

Voluntary nature of the project

Reparation and mediation schemes are grounded in the voluntary nature of the participation - individuals have to be willing to take part if such schemes are to succeed. The SACRO Project Workers clearly emphasise this aspect of the project in both written and verbal forms. However, the research found clear evidence that, despite such efforts, the status of the project was not always understood. This was primarily a problem in relation to parents and young people. With regard to the former, it appears that many simply see the project as the child's 'sentence' and, therefore, have an obligation to participate. Such views may have been influenced by prior experiences within the welfare and criminal justice systems. With regards to the young people, the problem appears to manifest itself in two ways. In the first instance, some

young people simply appeared not to comprehend, or had misunderstood, that they had a choice about whether or not to participate. Secondly, some young people had been instructed by their parents to take part. This in itself may be the result of the parents' misunderstanding or it may be a result of the parent taking the decision for the child. Either way it presents the project with a problem - if the project is to succeed in making amends, the young person, ideally, has to want to do so. While SACRO can re-emphasise the voluntary nature of the project to all those involved, including the young people, there is little they can do if parents make decisions for their children.

Strengths of the project

The evaluation has identified strong support for the project, both among providers and the users of the service. Even those who voiced some criticisms about the project felt that it was still a worthwhile approach to the problem of young people offending.

If SACRO can achieve something out of it, then good and well. In our case I don't think they did but maybe with some youngsters, they will. Some youngsters might learn a lesson and never offend again.

(Victim 4, private individual)

The very cynical side of you would say 'it won't make a whole load of difference, it's an easy option.' Another side 'let them see that there are other people doing other things, trying to make a difference and let them get a taste of doing something that will make a difference...see if anything clicks in them. Whether they get as much of a buzz in doing some good as they did in having a bit of a wild time'.

(Victim 2, public body)

The main advantages of the Mediation Project were identified as:

- early intervention
 - the focus on the offending behaviour
 - making amends - involving the victim
-

Early intervention

Virtually all parents who took part in the in-depth interviews were extremely relieved that their child had been referred to the project rather than the Children's Hearing System. Apart from those with existing experience of this system, most young people and parents feared becoming involved in the formal justice system. Interestingly, those parents with children at the other extreme of the offending experience scale appreciated the fact that the project appeared to be giving their child a last chance before being sent to the Panel or, for older offenders, to the adult criminal justice system.

It's all official but it's almost like one step before the kids are almost coming to a criminal type system. I hope for some of them it's a chance to keep them from going any further because it treats them with humanity and it treats them as children, which is what they really are without getting into a system that is probably beyond their comprehension to understand what's going on and why it is happening. I think that is the advantage of it.

(Victim 2, public body)

Virtually all parents and victims supported the aim of diverting young people from the formal channels and felt that the earlier the project got to them the better. Again, this highlighted the difference in opinion between service users and service providers. While the service providers think it should not be used for first time offenders, users of the service felt that this was the group for which it was an ideal disposal - the earlier the offending behaviour is focused upon the better.

Focus on offending behaviour

In general, professionals felt that, not only did the project provide an additional resource for the police, Reporter and Social Work Department, it also filled a gap in terms of what the criminal justice was trying to achieve. While everyone praised the Children's Hearing System and social workers, it was felt that they could not provide an offence-focused service. Therefore, despite the fact that the young person's offending behaviour would be the reason they had become known to the authorities, this was an issue

which, out of necessity, became peripheral to the whole welfare focused approach.

I know if I was to move to another area it is something that I would miss and I suppose that's kind of significant...I would miss having that option available.

(Reporter 2)

Providers and users of the Mediation Project appeared to think that it offered a very useful service and was more likely to reduce offending than existing measures, precisely because it focused on the offending behaviour.

Making amends - involving the victim

There was almost unanimous support for the mediation/reparation project's focus on making amends between the victim and the offender. The involvement of the victim was seen as the most important aspect of the project. In general, it was felt that the more direct involvement the victim had the better - both for them and for the offender. So, for example, the face-to-face meeting was generally considered to have the most impact on the young person but would also satisfy the victim the most. For those victims who did not wish to meet the offender, it was generally thought that a task directly related to the offence or to the victim would have more impact than an isolated task chosen by the project. The interviews with young people suggested that this might indeed be the case. The personalisation of offences appeared to have a relatively strong effect on the perceptions of the young people.

While some victims were concerned that the project was a little 'soft', virtually all appreciated the chance to have a say in how the offender was dealt with and to get some feedback about the case. Many felt that this was the only disposal to do this and so it was the best option for them.

What do people want to see in the future?

Overall, most people who had had some personal experience of the project thought that it was a worthwhile approach that could be expanded to other areas throughout Scotland. While it was recognised that it was impossible for one type of project to succeed in reducing offending among all individuals, many felt that this was a more effective way of tackling the problem than the existing systems. There was little evidence to suggest that this disposal

was any more successful than any other in actually reducing re-offending but there was evidence that it has wider benefits, which were particularly welcomed by victims and parents. While it was recognised that the police, social workers and Children's Hearing System had very important roles to play in the overall welfare of the child, SACRO was identified as the only organisation to focus attention on the young person's offending behaviour - this is what people, in general, wanted to see.

There was strong support, not only from the individuals involved in providing the service, but from the wider community for the project to continue. While there were strong calls for the individual programmes to incorporate a punitive element, the reparation and mediation aspect of the project was encouraged. It was generally felt that the more involvement the offender could have with the victim the more likely it would be for the young person to change their ways. Victims were very appreciative of the opportunity to be involved in the justice process.

I think it's vital it keeps going. It's far from perfect but there's a potential of it going on somewhere and intervening in some sense on the threshold of some of these kids. It could make a difference of some of them going one way or the other and it's getting them before they get really smart...They need all the help and encouragement they can get so I think it is vital.

(Victim 2, public body)

You've got nothing to lose but, in some cases, probably a lot to gain... As an organisation, I'm sure SACRO is benefiting some kids and there are probably a lot of victims who are satisfied with SACRO's work.

(Victim 4, private individual)

Even those who felt that the SACRO Project had not worked particularly well in their case recognised the worth of this approach.

If SACRO can achieve something out of it, then good and well. In our case I don't think they did but maybe with some youngsters they will. Some youngsters might learn a lesson and never offend again.

(Victim 1, private individual and commercial organisation)

In general, virtually everybody involved in the research - professional, parents, victims and young people themselves - felt that the project was a positive development in dealing with the problem of young people and crime and, hence, made strong calls for its continuation and expansion to other areas of Scotland.

I would certainly want to see it continue. It has got lots of merit to it and I think it would be silly to put it on the back burner.

(Victim 5, private individual)

J. Appendix - Methodology

This evaluation of the Young Offender Mediation Project drew on a number of different data sources. While it was a primarily qualitative exercise, various secondary data sources were also analysed. The research consisted of the following primary data sources:

- 7 interviews with young offenders
- 8 interviews with parents/guardians of young offenders
- 8 interviews with victims
- 5 interviews with professionals (from SACRO, the Reporter's administration and the police)

Young offenders and parents/guardians

The interviews took place over a 4-week period in December 1998. Interviews took place all over the Fife area and were not concentrated in any particular area. Interviews were conducted in a mixture of urban and rural settings.

Interviews were conducted with 4 male and 3 female young offenders. It was originally intended that a total of 8 interviews would be conducted but respondents failed to keep their appointments on a number of occasions.

Characteristics of young offenders interviewed

Offender	Sex	Age	Offence type	Parent interviewed
1	Male	15	Theft, Housebreaking, Shoplifting	No
2	Male	11	Opening a Lock-fast Place, Theft	Yes
3	Female	15	Shoplifting	Yes
4	Female	14	Fire-raising	Yes
5	Female	15	Housebreaking	Yes
6	Male	11	Vandalism	Yes
7	Male	15	Housebreaking	Yes

A parent for all but one of the offenders was also interviewed. Similarly, an interview was conducted with a parent of an offender for whom we did not manage to achieve an interview.

Victims

As with the sample of young offenders, the research interviewed a range of different types of victims. The following table details the characteristics of each.

Characteristics of victims interviewed

Victim No.	Offender No.	Victim type	Type of offence	Adult or child	Sex
1	1	Private individual/ commercial organisation	Vandalism	Adult	Male
2	4	Public body	Housebreaking	Adult	Male
3	-	Private individual	Assault	Child	Female
4	7	Private individual	Housebreaking	Adult	Male
5	2	Private individual	Opening Lock-fast Place /Theft	Adult	Male
6	1	Commercial organisation	Shoplifting	Adult	Female
7	5	Public body	Fire-raising	Adult	Female
8	-	Public body	Vandalism	Adult	Female

As the above table shows, for 6 of the 8 cases it was possible to match the victim and the offender. However, as participation in the research was voluntary and because of respondents failing to keep appointments this was not always possible.

Professionals

Five representatives of the various agencies involved in the mediation project working group were interviewed. These were as follows:

- 2 project workers
- 2 Reporters
- 1 police officer

It was originally anticipated that a Social Work Department representative would be interviewed. However, due to problems of access and timing this did not prove possible.

In addition to undertaking 28 in-depth interviews with service users and providers, the evaluation drew on the following existing quantitative, secondary data sources:

- the SACRO Mediation Project database
- the SACRO/Fife Council survey of project participants
- tracking forms collected by the Reporter (12 months after referral to the project)

A brief summary of each is presented here.

The SACRO mediation project database

During the project's lifetime SACRO staff have collected information on each individual case, each individual offender and the corresponding victim. This has been stored in an ACCESS database. While the database contains a vast amount of information - for example, on the offender's personal characteristics, circumstances, past history - much of the information is incomplete or duplicating. As such, the researchers had to spend a large amount of time cleaning the data.

The information included in the database covered the period January 1996 and October 1998 and related to a total of 343 young offenders and 505 separate cases. The information contained in the ACCESS database was imported to Excel and, finally, the dataset was analysed by SPSS.

The SACRO/Fife Council survey of project participants

SACRO issues questionnaires to project participants. Only a small number of questionnaires were returned.

- 68 from young offenders
 - 79 from parents/guardians
-

- 71 from victims

While some reference to this exercise has been made throughout the report, it has not been referred to as a main source. While the information generated from this exercise is important, the small number of questionnaires returned and the lack of information on the profile of respondents means it is impossible to provide any indication of the representativeness of the sample. As a result, these findings have primarily been used to compare and contrast to the findings of the qualitative exercise.

The tracking forms

The SACRO mediation project tries to 'track' all offenders who participate to see whether the child re-offends in a 12-month period following their involvement with the project. Tracking forms were completed for 117 young offenders.

The forms contain information on any referrals made in the 12-month period before the child became involved with SACRO, details of the reason they were referred to SACRO and details of any referrals made in the following 12 months. It contains information on the number of referrals and the number and type of charges. The type of programme which the young offender participated in - or did not participate in- is also recorded.
