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Offending Behaviour in Care: is children's residential care a 'criminogenic' environment?

Abstract

This paper focuses on offending behaviour and children in residential care.

The article considers whether children's residential care is a 'criminogenic' environment. That is whether this type of care environment helps to provide the conditions that produce crime or criminality. The paper draws on the findings from recently completed research on 10 children's homes in a large county local authority in England. This article focuses on the patterns shown in trend data collected on problematic and offending data across these homes over a seven year period (2001-2007); and, a one year cohort study of 46 young people. Interviews with care staff and young people are used to contextualise these patterns. The data provide evidence of an environment where conflict and offending behaviour are common. It is argued that the residential care environment, particularly for older teenagers, often presents a set of risks that tend to reinforce offending behaviour and that this is in part due to its 'last resort' status.

Keywords: residential care, offending behaviour, criminogenic

Background

The main purpose of this article is to add to the limited in-depth empirical research that sets out to understand and explain the concentration of offending behaviour found in children's residential care. The intention is not to further stigmatise this group of children, but to review the existing evidence and present data on ten children's homes in one large county authority, with a view to informing debate about better ways of addressing the needs of these children. It is already known that conflict and offending behaviour are more common in residential care than in other types of care placement (Hayden *et al*, 1999; Taylor, 2003). It has been influenced by a small scale study that compares offending behaviour in different kinds of care environment (Marsh, 2008). The article considers whether children's residential care is a 'criminogenic' environment. That is whether this type of care helps to provide the conditions that produce crime or criminality.

So, what is it about the residential care environment that might prove 'criminogenic'? One explanation might focus on the evidence about 'risk factors' and the development of aggressive and criminal behaviour (see for example, Farrington, 1996; YJB, 2001). A focus on this explanation would highlight how many of these risk factors overlap with what is known about the background of children entering any type of care environment (Darker, Ward and Caulfield, 2008). For example, in relation to birth families risks include – the likelihood of conflict within the family, poor supervision of a child's activities, attachment problems, as well as living in relative poverty. Risk in relation to schooling include – low achievement and low commitment to

education. Other risk factors include the negative influence of peer group and individual problematic issues to do with attitudes, abilities and behaviour. The extent to which being in particular forms of care can ameliorate or compound any of these issues is not well evidenced.

Residential care is unpopular and tainted by various scandals and enquiries in recent decades (see for example Kirkwood, 1993; Waterhouse, Clough and Le Fleming, 2000). The consequences of this unpopularity has meant that residential care has often become a placement of 'last resort'; a situation that is common throughout the European Union (Sellick, 1998). Sellick (1998) argues that this has happened despite the needs of children, the limitations of foster care and the potential of residential services. In England, this residual but essential service provides homes for around 10% of children in care or about 6,000 of the 60,000 young people in care in England at any one time (around 90,000 pass through the care system in a year). Its rapid decline is illustrated by the fact that around 40% of children in care were in residential homes in the early 1980s. This 'last resort' status tends to mean that some of the most vulnerable and troublesome young people in care are placed in children's homes:

'Some of society's most damaged young people are placed in residence, including those convicted of grave crimes; and the perpetrators, as well as the victims, of sexual abuse. Typical characteristics staff encounter include chaotic behaviour, fear of going to school; a sense of being lost, having no one and no future;

offending; inappropriate sexual behaviour; and difficult relations with parents' (Little, 2000, para7).

The Home Office (2004, p.2) also endorses this view that the contraction of residential care has in effect led to a concentration of young people with more challenging behaviours in this environment.

Comparison between children in care and the general population of young people is a stark reminder of the massive contrast between the life chances of children in the care of the state and those who live at home. Implicit in this sort of data is suggestion that this is due to the actions (or inactions) of those working in the state care system, rather than the way the system is used and regulated. Furthermore this sort of data does not compare like with like: children in care (as already noted) mostly come from the most disadvantaged and problematic families and circumstances but are then compared to the general population. Although the data in Table 1 shows the care system in a poor comparative light it is misleading because it is based on the whole population of children in care for more than a year: therefore it masks the even more problematic circumstances of the minority who are in residential care. It is also important to emphasise the very small number of young people involved when considering how to respond to this complex dynamic of disadvantage: 2,900 young people in care had a final warning or reprimand, or were convicted, in 2007-2008 (DCSF, 2009a). A significant proportion of these young people are likely to have been in residential care.

Table 1: Comparing key indicators about for children in care with the general population

Indicator	Children in Care	All children
Offending behaviour: % final warning or conviction (1)	9.5%	4.1%
Educational achievement: 5 + GCSEs, A*-C (1)	13%	62%
Permanently excluded from school (1)	0.7%	0.1%
Special Educational Needs (1)	27.6%	2.8%
Unemployed: September after leaving school (1)	17%	5%
'NEET' at 19: not in education employment or training (2)	30%	10%
Mental health problems (2)	45%	10%

(Sources: (1) DCSF, 2008; (2) NCB, 2007)

The comparative outcomes data in Table 1 adds weight to the risk factors argument in relation to offending and poor life chances. The inter-connections between school exclusion, poor educational outcomes, special educational needs, mental health problems, offending behaviour and being unemployed or 'NEET' (not in education, employment or training) are all too obvious. Indeed the focus in recent years on 'risk' and 'protective' factors for the development of offending behaviour has led other researchers to conclude that part of the problem may well be the mix of risk factors concentrated in some care environments (Darker *et al*, 2008; Marsh, 2008). The potential for the mutual reinforcement of offending behaviour when children are placed together is

already well documented (Millham, Bullock and Cherret, 1975; Sinclair and Gibb, 1998). Adding to this picture, Darker *et al* (2008) found that offending behaviour was associated with a higher number of placements. Residential care as a placement of last resort is likely to come after other placements have broken down or can no longer meet a child's needs.

The process of coming into care inter-connects the concept of risk factors with other explanations that focus on why children come into care and the way the service operates. About two-thirds of children became known to social services because of abuse or neglect. And around half are admitted to care for this reason. A range of family problems make up most other care admissions, including child or parent illness. Only a minority of children go into care *because* of their own 'socially unacceptable behaviour': 2% of admissions between 2005-2009 (DCSF, 2009a). Nevertheless the experiences of children before they go into care, as well as the disruption and upset associated with having to change where and with whom they live can mean that many are confused, angry or sad. Going into a residential care placement may involve a child moving schools and having difficulties in seeing friends regularly, at the same time as they are moved out of their home (or previous placement) and away from their family. In this context it is not surprising that some children in care can be troublesome and are often troubled, but it is important to emphasise that they are looked after primarily because of what their parents have done, not done, or been able to do, rather than what they –as children- may have done.

Another explanation to do with the way the care system operates includes the nature of relationships and level of adult surveillance in residential care. This means that young people are more likely to come to the attention of the criminal justice system for behaviour that might be dealt with without recourse to the law in a home environment (Taylor, 2003; Home Office, 2004). Certainly the Crown Prosecution Service (CPS, 2006, paras 5 and 6) advice endorses this view in saying:

'The police are more likely to be called to a children's home than a domestic setting to deal with an incident of offending behaviour by an adolescent. Specialists should bear this in mind when dealing with incidents that take place in a children's home.(.....) A criminal justice disposal, whether a prosecution, reprimand or warning, should not be regarded as an automatic response to offending behaviour by a looked after child, irrespective of their criminal history.'

The potential for criminalising any group of young people is pertinent to the focus of this article, given the proportion of young people who admit to offending behaviour in self- report surveys and the level of adult surveillance of young people in residential care. Surveys show that around a quarter of all young people report offending behaviour (in mainstream organisations, such as secondary schools or general population samples) in a one year period (see for example MORI, 2005; Wilson, Sharp and Patterson, 2006).

The research

The original research presented in this article was completed in 2008 and is part of a research project that focussed on the implementation of a Restorative Justice (RJ) approach in 10 children's homes (nine open, one secure). The purpose of implementing the RJ approach was to reduce conflict and offending behaviour; therefore documenting evidence of the prevalence of, and trends in, conflict and offending behaviour was central to this study. The current article utilises data from this wider study in order to describe the nature and extent of conflict and offending behaviour in these homes. It presents secondary trend data on offending, incident records and police call-outs over a seven year period (2001-2007) and a one-year cohort study of 46 young people (2006-2007). It sets out to look at overall patterns and possible explanations, rather than individual stories. Extracts from interviews with staff and young people are used to set the scene in which conflict and offending behaviour occurs. The full findings from the research are reported in depth elsewhere and include extensive accounts from staff and young people, as well as individual case studies (see Hayden and Gough, 2010).

The local authority is a large county with a wide range of social circumstances, including large areas of social housing, forces accommodation, as well as leafy suburbs and affluent areas. In terms of many performance indicators and outcome measures this local authority is around the national average in many respects. However, significant to the focus of this paper is the level of offending of children in care: in four of the seven years (2001-2007) shown in Figure 2, the level was higher than the

national average and so was of concern to the local authority. Further, fewer children were in residential care than nationally, which could mean that the threshold for entry into this type of care was higher than some other local authorities (which may in turn impact on problem and offending behaviour). At the time of the field research, the total population in care over a year was well over 1,000 children, of whom less than 60 were in residential homes for children without disabilities at any one time. The ten homes were also quite varied environments and included: one secure unit, two long-term homes for younger children (aged 9-13 years), an all girls home, as well as six mixed homes for teenagers (these included short-term as well as long-term homes).

The population of this local authority is overwhelmingly White British (93%). Around 6% of school age children in 2007 were from Black and minority ethnic groups: of whom nearly half are 'mixed heritage' or 'other white groups' in equal proportion, followed by 'Asian'. However, information is unclear in a fifth of records. Most of the secondary trend data (incident records, police call outs, level of offending) used in the current study was not available to the researchers by individual case or characteristic (this included gender and age, as well as ethnicity) and was incomplete in the cohort study (46 individuals). Reliable data on ethnicity was only available in the primary data gathered (via interviews and case studies). Two children from minority ethnic backgrounds are included in this part of the research and are referred to within individual case studies reported elsewhere (see Hayden and Gough, 2010). For these reasons analysis by ethnicity is not a feature of the current paper, although it is recognised that nationally it is a significant issue in relation to admission to

care and in relation to patterns of offending.

Managing behaviour in residential care

How staff managed children and young people's behaviour was central to how (and whether) a situation turned into a major conflict that could involve the police and (potentially) a criminal record. Managers of homes made the distinction between behaviour problems and criminal behaviour:

"We are quite clear that it's not the police's job to manage the kid's behavioural problems, that's our job. There is a line between behavioural problems and committing crime."

Assaults on staff were said to be a key reason for calling the police, as one manager explained in relation to a young man:

"I asked him to come into the room and talk through the violent incidents. Within ten minutes I had been punched three times and head butted twice. I said to the staff, enough is enough, 'call the police.' I said I am making a complaint against this lad, he's too high risk, he's too dangerous for this environment, basically [the police] are going to take him away and I am going to refuse his re-admission. I 'phoned my line manager who was in total agreement.....[he] went into [the secure unit] and to court the day after."

Reflecting the view that the last resort status of residential care has helped to

concentrate the most challenging children in this environment, staff perceptions were of an increasingly difficult to manage client group (with less challenging children perceived as being placed in foster care). Conflict resolution (through the use of an RJ approach) and de-escalation techniques were common (using the Team-Teach, 2003, method) and well-established. By the time fieldwork began all permanent staff in residential homes had been trained in both approaches. In other words the emphasis in recent staff training was away from punishment as a response to problematic and most offending behaviour.

The message from local authority managers to care staff was to avoid and reduce conflict wherever possible and to reduce calls to the police for behaviour management issues. However, at the same time better liaison between homes and local police officers was encouraged for the purposes of better mutual understanding and the promotion of an RJ response, where appropriate. At the time of the fieldwork the children's department in this local authority had developed a protocol with the police that encouraged officers to consider whether an RJ response may be suitable, in relation to offences committed *'in and around the immediate vicinity of children's homes by children resident at the homes'*. The protocol advised that the suitability of using the RJ approach would depend:

'.....on the seriousness of the incident, the victims' opinion and the perpetrator's willingness to acknowledge responsibility.....Where a minor incident occurs, the police are not notified and it is dealt

with by the children's home, there is no requirement for a crime to be recorded under NCRS [the National Crime Reporting System]...'

(internal document)

The devil was of course in the detail of this protocol and its use was dependent on whether individual officers had read it, understood it, supported its values and purpose and then knew how to use it in their response. In addition increased liaison and contact between the homes and the police brought with it more adult surveillance of children and young people.

Managing residential care as a relatively scarce resource (as well as a last resort) meant that there was rarely any choice of placement or possibility that staff could consider the impact of the admission of an individual on the whole group. This situation especially related to the homes for teenagers and provides illustration of the argument about risk and particularly the issue of peer group influence. The situation is summarised in the following quote:

"The ideal scenario would be to look at the mix...the reality is a phone call. If there's a spare bed, it's the next available person."

This situation was part of the reason why homes could be very volatile places at times, yet also go through periods of calm. The two periods of fieldwork in the homes in 2006 and 2007 illustrated some major changes in these respects, due in part to the individuals placed in a home.

One experienced female member of staff in a short-term home for teenagers described the work situation in the following way:

“We work in a very dangerous environment but I am never afraid, we know how to keep ourselves safe.”

She had previously worked in a secure home which she saw as safer than working in an open unit, a theme taken up in other staff interviews. She cited an example where she, two other members of staff and two young women, were locked in the staff office, whilst a young man smashed all the windows in an effort to get to them, as they waited for the police to arrive. A similar situation occurred in this unit during one of the research visits, illustrating the very volatile behaviour that could be presented with little warning. The incident witnessed related to a young man’s protest about the re-admission of another young man with whom he had a major conflict. The home was directed to re-admit this young man, despite the fact that his stay the previous evening had resulted in the police being called and a night in the cells for himself and the young man protesting about his re-admission.

As is shown later in this article the police were called out on very numerous occasions to all the nine open children’s homes (but rarely to the secure unit). The local authority and police perception of these ‘call-outs’ often focussed on behavioural and control issues when in reality the most common reason for these call-outs related to children going missing. Part of the problem in the residential care environment is that they do not (and cannot) operate like

many family homes for teenagers. For example, young people cannot be given a key to their home and because of this they would sometimes chose to stay out because they did not want to come back to the home at the time specified by staff. Staff had to judge whether to report this young person as 'missing' or as an 'unauthorised absence':

"If we know where they are, particularly with older girls, we go for 'unauthorised absence' [rather than a missing persons report]. We make our decisions based on risk.....If we have the staff to do it we will go and search for them before putting them down as a missing person...."

Staff acknowledged that if a young person was recorded as 'missing' this could lead to the development of a chronology that connected problems with managing risky behaviour that was more common (not returning home after school or absconding during the school day, staying out late or all night, underage drinking and so on) and more seriously risky or offending behaviour (such as young girls associating with older men, taking and driving away vehicles) that might ultimately result in secure accommodation. Being reported missing also raised the profile of individuals with the police. Often young people who were recorded as missing went to see family and friends at some distance from the residential home. If they returned to the home very late they could end up in conflict with staff who had to wait up and could not go to bed, but were still working next morning. Furthermore many of the homes were in relatively rural locations with poor public transport and many of

the young people were from an urban environment used to much more freedom. All in all the circumstances added up to a situation that increased some risks to young people, as well as stress for staff.

Young people's perceptions of how conflict was managed within homes were gathered mostly through a combination of researcher administered questionnaires, as well as general discussion and conversation whilst doing fieldwork in the homes. Questionnaire responses showed that most (over 80%, of 39 young people interviewed) understood staff expectations about behaviour; felt that staff would talk things through with them and would help if they had a difficulty with another person in the home. In general most children and young people were positive about care staff, something that is often overlooked in research on children in residential care. However, there was clear evidence of problems in the management of the behaviour of individual young people within homes and young people often preferred individual members of staff.

Girls were in a minority in most homes and in a couple of homes they wanted to emphasise that they felt: "*boys are the problem*" and that many of the major incidents and conflict happened around boys. However, one of the homes accommodated only teenage girls and there were some major incidents and conflicts there too. Although the major issue during the research was young women going missing and lots of police call-outs in respect of this. More broadly some of the young people interviewed echoed the views of staff and the earlier arguments presented about the mix of young people living in the

same home. One young woman, who had been living in a short-term home for around a year said:

“I prefer the staff, they’re not twats, some of the kids are mad.....They should know more about the kid before they put them here. It’s scary sometimes because you don’t know what they’ll do.”

This young person had been involved in an incident referred to earlier in this article, in which she had been locked in the office with staff and the other young woman a couple of weeks before the interview, waiting for the police to come, as a young man smashed all the office windows whilst shouting threats to them as well as the staff in the office. This young woman was adamant that the police should have been called in this latter incident:

“[the] police should be called, somebody could get hurt, nobody knew [him, ie the yp].”

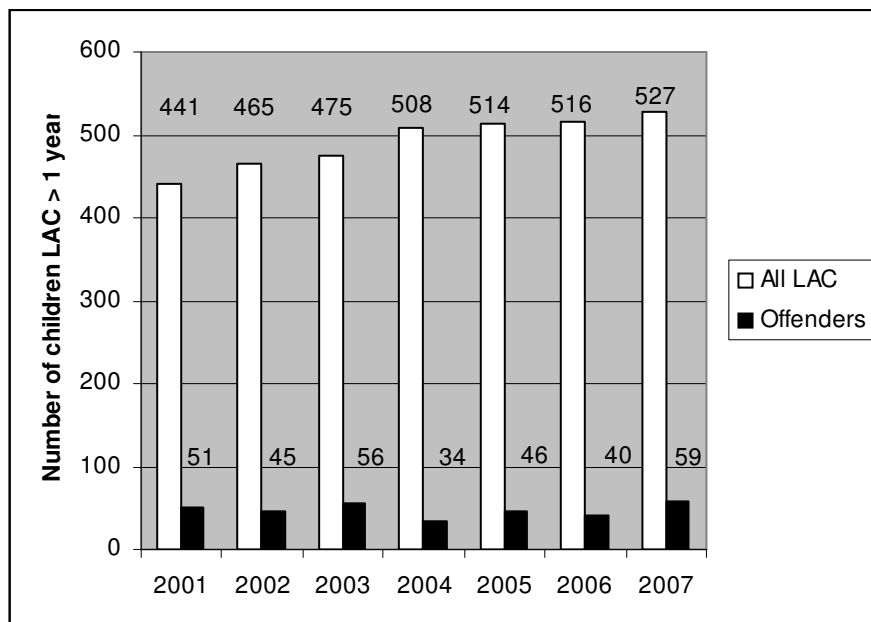
The other young woman said (referring to the same incident):

“People like that shouldn’t be in this sort of care, they should be in secure.”

Offending behaviour and police call-outs

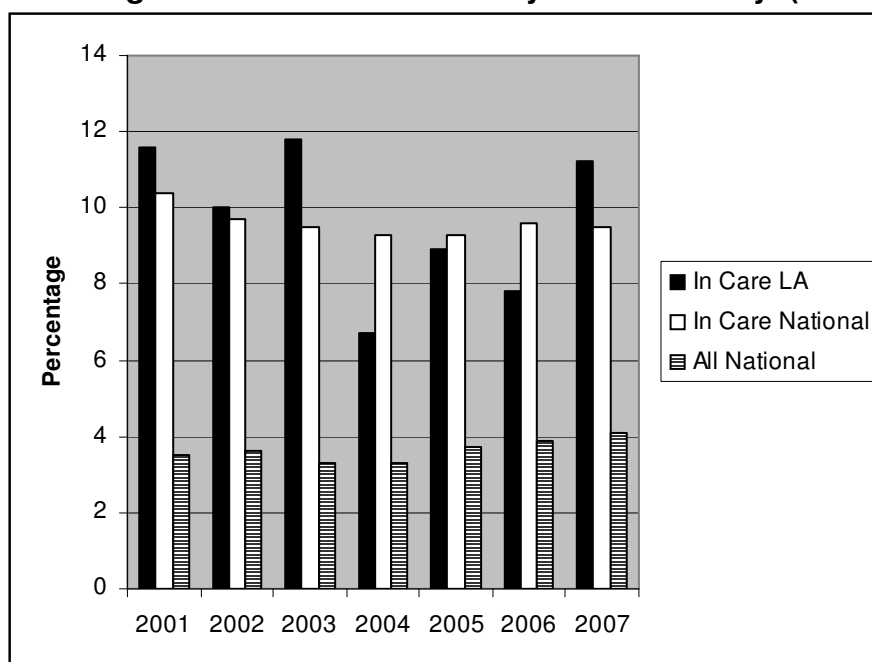
As we noted earlier, performance data in local authorities focuses on all children 'looked after' for a year. It does not differentiate by type of care environment and can therefore be misleading. In this local authority the percentage of young people who had a record of a final warning or conviction in a one year period fluctuated between 6.7% and 11.8% over the 2001-2007 period, with a mean of 9.6% (or near to the national average in 2007). Figure 1 however reminds us once again that most children in care don't offend. Further, the number of children that account for the fluctuations in performance data is very small in a single local authority, ranging from 34 to 59 children per year across the time period investigated. Internal monitoring within the local authority showed that about half of those with a record of offending were in residential care.

Figure 1: Offending behaviour (2001-2007)



When presented as a comparative performance indicator these relatively small number changes in records of offending behaviour can make for much bigger fluctuations in a local authority, as Figure 2 illustrates.

Figure 2: Comparing trends in percentage of children with a record of offending – national and case study local authority (2001-2007)



Key: 'In Care LA' = all children in care for one year or more in the case study local authority
 'In Care National' = all children in care for one year or more nationally
 'All National' = all children in the general population nationally
 (see www.dcsf.gov.uk)

For staff, a more everyday issue related to managing risk and conflict and when (whether) to call for outside help. Both managers and care staff reported that they were discouraged, by senior staff in the local authority, from calling the police and often felt that if they did this it looked bad in external monitoring systems. Care staff views provided an interesting contrast to the way their behaviour was constructed by local authority managers (as well as the police) – some of whom thought that care staff called the police too

regularly. For example, one of the police liaison officers reported a *“frightening amount of resources”* going into responding to calls from one home.

In contrast to the view that care helped criminalise children, care staff commented on the way sometimes children were ‘let off’ when they should be charged. For example, one residential home manager (who had been assaulted) said that the charges made against the young person were dropped by the courts as ‘not in the public interest’. In this manager’s view this action meant that the young man who had assaulted him had learned that it was all right to assault people and that in effect *“he’d got away with it.”* He believed that:

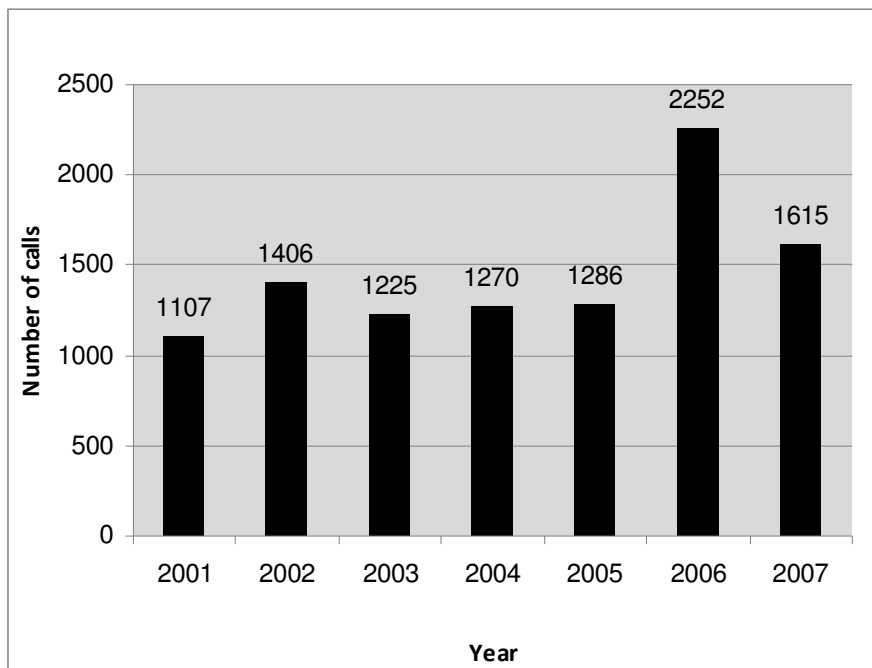
“There comes a time when a clear message has to be given...it wasn’t so much that he has hit someone, it was the whole picture, somebody needed to put in some strong boundaries.”

Staff often became particularly animated about the issue of calling the police during interviews. In certain staff groups there was an obvious sense that the reality of the behaviour with which they were coping was not understood. There was often some debate around the right of staff and young people to have the police called in relation to an incident, if that’s what they saw as appropriate. Staff were clear that young people always had the right to have the police called but that their role as professionals was different – they expected a certain amount of conflict due to the nature of their work and the age of the young people, but expressed the view that they needed to draw the

line somewhere. Staff showed awareness of debates about the ‘criminalisation’ of young people in residential care, but felt that these debates showed a lack of understanding of the behaviour and risks managed.

Staff were quick to point out that a large proportion of calls to the police in any case involved missing person (‘mispers’) reports and they had to do this because of the potential risk to the young person. They recognised that ‘mispers’ led to a lot of recording and work for the police: indeed staff were right about the amount of ‘mispers’ when police data was analysed. Figure 3 shows the high volume of recorded calls to the police, from these 10 homes.

Figure 3: Number of calls to the police across the 10 homes (2001-2007)



Overall there was an average of 1,451 calls a year to the police from the 10 homes (ranging from 1,107 to 2,252, between 2001-2007). An analysis of the

reasons for calls to the police illustrates that missing person ('mispers') reports and 'unauthorised absences' (UA) accounted for nearly two-thirds (62.4%) of all calls. Providing information (sometimes about the return of a missing child) accounted for 15.6% of calls. The rest (22%) was mostly related to offending behaviour.

Figure 4: Police records on types of offences committed by residents of the 10 homes (2001-2007)

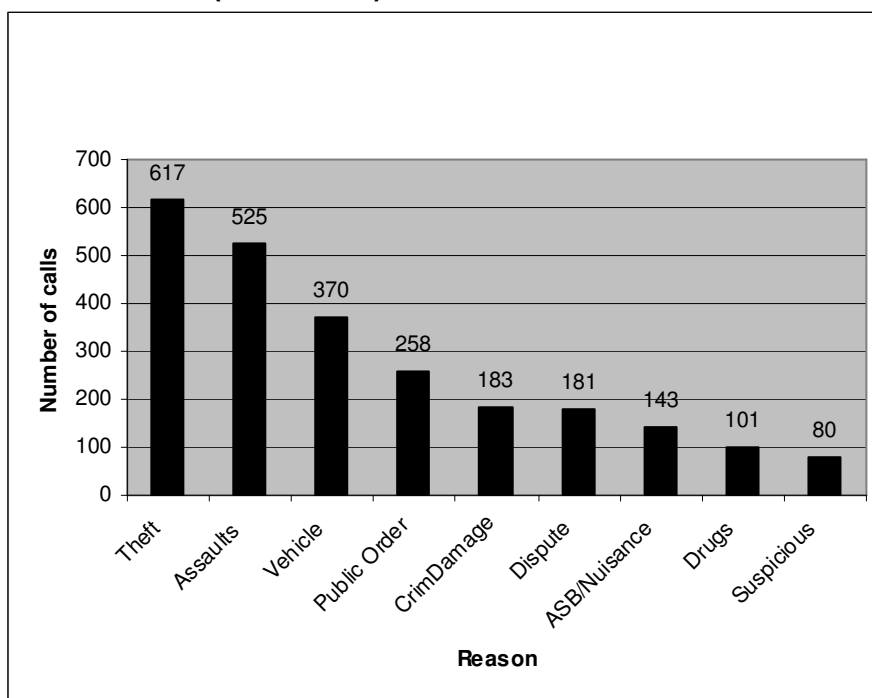


Figure 4 illustrates how theft and assaults together account for around half of all offences recorded by the police.

Analysis of incident records (IRs) from the 10 homes, which were reported to the local authority, over the same timescale revealed an average of 557 records a year (ranging from 234 to 830, between 2001-2007). That is 'incidents' were less frequent than calls to the police. These records were originally named 'violent incident records' and focussed on threats and

violence towards staff and property. They are part of health and safety procedures and give some idea of events that staff perceive to be a threat to their wellbeing or to property. These records do not focus on what happens between young people. Only one in ten of these calls resulted in a call to the police. Whilst there are clearly problems with records such as these - they inevitably construct the issues within organisational requirements and other systems operating – they do give an indication of the number of incidents that staff feel they need to record. That is, to some extent, staff are making a point by completing an IR on an incident, it is a choice; but, as many staff said during the course of the fieldwork they could not (and did not want to) record every threatening or abusive incident.

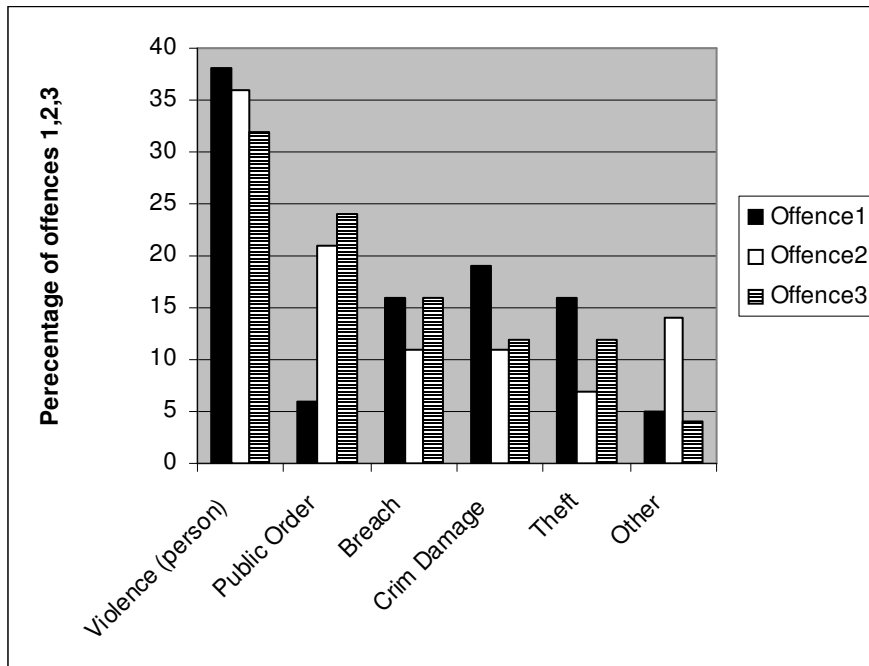
Cohort study

With the help of staff in the local authority a cohort study was set up based on all young people resident or admitted to the 10 homes in a one month period. Originally there were 46 young people in this part of the study. Around two-thirds (29, 63%) of whom were male and a third female (17, 37%).

By the end of the one year period around two-thirds (30, 65.2%) of the cohort had a record of offending during the cohort year. A further five young people had a record of offending outside the cohort year. Therefore, in total around three-quarters (35, 76.1%) of the cohort group had a record of offending behaviour. This latter group was made up from 20 males (57.1% of the offending group) and 15 females (42.9% of the offending group); illustrating that the females in this cohort were more likely to have a record of offending

than males. Overall the mean number of offences for those offending in the cohort year was 4.7, the range was 1-16 offences. This data was based on that held by Children’s Services and checked with the local YOT (Youth Offending Team).

Figure 5: Cohort Study: types of offence committed (first three offences)



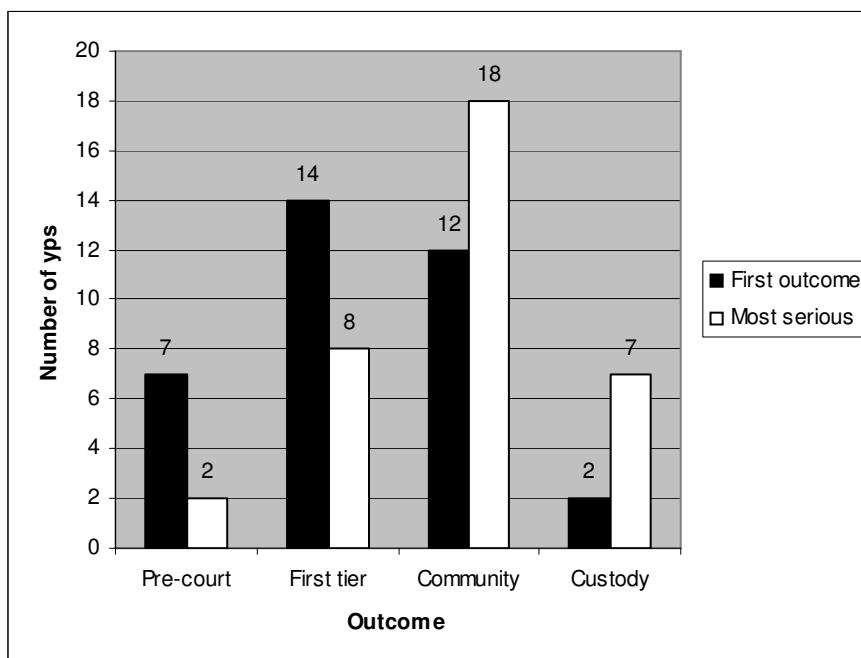
(N=32, of the 35 with a record of offending, no information on nature of offence in 3 cases)

As the number and range of offences recorded against individuals is quite complex the analysis focuses on the first three offences and the most common categories of offence in Figure 5. The categories used are those used within the criminal justice system. Figure 5 shows that ‘violence against the person’ is the most common type of offence. In all nearly half (22, 47.8%) of the cohort had such a record. Less frequently recorded offences were: burglary (3 records across offence 1 and 2) and vehicle theft/unauthorised taking (4 records across offences 2 and 3).

These recorded offences present a slightly different picture from police call-outs, partly because not all police call-outs result in a conviction or final warning. Violent behaviour was more common and theft much less common as a reason for a final warning or conviction; in comparison with police call-outs, where theft was the most common reason.

Figure 6 shows the first offending outcome recorded and the most serious outcome for the 35 young people who had a recorded offence. These outcomes are presented according to the Youth Justice System categories of 'offences resulting in a court disposal' (see www.yjb.gov.uk). A move towards more serious outcomes is illustrated. It should be noted that the most serious outcome of custody refers to 7 young people in total (ie the same two individuals had custody as their most serious outcome at the start as well as at the end of the cohort study year).

Figure 6: Cohort Study - disposals for the first and most serious recorded offence



Notes on Figure 7.3:

N=46

Pre-court – Police Reprimand, Final Warnings

First-tier – Various orders eg Referral Order, Fine, Conditional Discharge

Community – Various orders eg Attendance Centre, Curfew, Supervision

Custody – Detention and Training Order, Sections 90/91; 226 and 228 (note no yps detained for the latter sections in this sample)

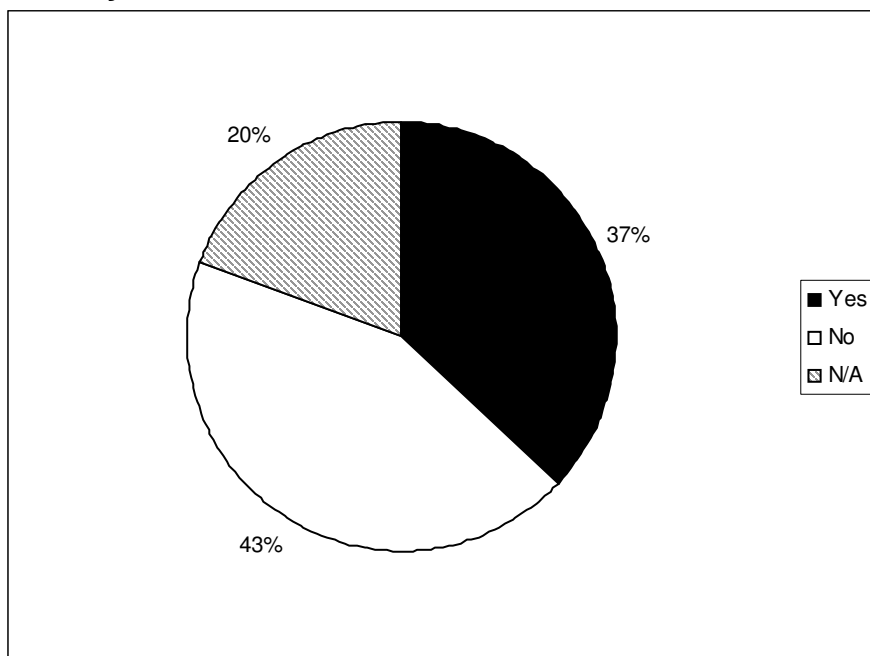
(N=35)

As noted earlier low achievement, disengagement and problems with education are risk factors for offending behaviour. Education provision was tracked across the cohort year at four points (Autumn 2006, Spring, Summer, Autumn 2007). This data showed that at most a third of young people attended mainstream education facilities, with Pupil Referral Units (PRUs) being the most common type of provision. A minority of young people (3) were not of compulsory school age at the start of the cohort year, with a bigger group being in this situation by the end of the study. Four individuals had no educational provision at the start of the cohort study: two were aged 15 at the time and they had no recorded provision until they reached school leaving age; two were younger (11 and 13 years), both these individuals were soon in education provision (one in mainstream and one in special school). Education provision changed for one in five young people during the year (9, 19.6%).

Exclusion from school is a useful indicator of problematic behaviour (and/or poor behaviour management from adults) in another setting, outside the residential home. Exclusion from school (and poor attendance) are also well-known 'risk factors' for offending behaviour (see for example Graham and Bowling, 1995; Farrington, 1996). Over a third (17, 37%) of the cohort had a

record of exclusion from school during the cohort year. This was a fixed period exclusion in all but one case. National data would indicate that only around 2-3% of school pupils are likely to get a fixed period exclusion during an academic year (DCSF, 2009b). Eleven of the 17 young people had more than one fixed period exclusion. In 9 cases exclusion was not possible (not applicable, N/A) as the young person was either not of compulsory school age; in secure accommodation or they had no provision. The number in these latter categories changed over the cohort year. Full education attendance data was not available on about half the young people in this cohort, partly because this data is not collected when young people spend time outside the care system.

Figure 7: Cohort Study - whether excluded from school during the cohort year



(N = 46)

N/A = not applicable – young person in secure accommodation or not in school

Given the high prevalence of offending in this cohort, it became pertinent to investigate the circumstances of the 11 young people who had no record of offending either in the cohort year or before. Comparison (see Table 2) between non-offenders and offenders showed that their mean age was younger (13.3 years, compared with 15.1 years). It follows that 5 of these 11 young people were placed in the homes for younger children. A further two young people were in secure accommodation for welfare reasons and had no record of offending. Being in care was continuous for all 11 young people - that is none went in and out of care during the year. Seven of the 11 young people had been looked after for more than a year. Ten of the 11 young people were of compulsory school age and all ten had educational provision

Table 2: Cohort Study - comparison of the key characteristics and circumstances of offenders and non-offenders

	Non-offenders (N=11)	Offenders (N=35)
Mean age	13.3 years	15.1 years
Gender	M = 9 (81.8%) F = 2 (18.2%)	M = 20 (57.1%) F = 15 (42.9%)
Whether care continuous in cohort year	Yes = 11 (100%)	Yes = 30 (85.7%) No = 5 (14.3%)
Whether had educational placement, if of school age	Yes = 10 (100%) One yp not of school age	Yes = 29 (82.8%) No* = 6 (17.2%) <i>*4 none; 2 not comp school age</i>
Any change in educational placement during cohort year	Yes = 1 (10%) No = 9 (90%) <i>Not applicable in 1 case, not of school age</i>	Yes = 8 (22.9%) No = 23 (77.1%) <i>Not applicable in 4 cases – not of school age (2), no school during year (2)</i>
Any Exclusions	Yes = 4 (40%) No = 6 (60%) <i>Not applicable in 1 case, not of school age</i>	Yes = 13 (44.8%) No = 16 (55.2%) <i>Not applicable in 6 cases – 4 above and 2 in secure</i>

and there was no change in this provision for all ten of these young people during the cohort year. Interestingly, the proportion excluded from school at some point is similar in both groups (offenders and non-offenders). Bearing in mind that the numbers in the 'offender' and 'non offender' groups are small, Table 4 shows overall that the group who have no record of offending were generally younger and more stable in their home and educational placements, in comparison with the offending group.

Overall, the cohort study presents a picture of highly problematic and aggressive behaviour, with around two-thirds of the young people in open homes having a record of an offence during a one year period. Young people *without* a record of offending behaviour were in the minority.

Is children's residential a 'criminogenic' environment?

This article has reviewed two main explanations about the concentration of highly problematic and offending behaviour within children's residential care: firstly this includes the concept of 'risk factors' for offending behaviour; and, secondly the way the residential care system operates and is utilised. The argument about the risks to which young people have already been exposed before entering care inter-relate with how the care system operates and is utilised. The 'last resort' status of residential care helps to concentrate risk, by caring for the children that are hard to place elsewhere and who have often experienced placement breakdowns within the care system. The lack of choice of placements and consequent lack of control over the mix of residents

in some homes (particularly homes for teenagers) could add to existing risks. In sum, contemporary residential care (particularly for older teenagers) can present a mutually reinforcing set of risks. These include the mix of residents in some homes, young people going missing overnight, being out of full-time and mainstream education, as well as the distress and disruption associated with the care experience.

However, not all of these circumstances happen continuously or in all homes. The case study local authority was good at protecting younger children (aged 9-13) by caring for them in homes that were separate from older teenagers. In these homes almost all children were in full time school and few went missing or had a record of criminal behaviour. But, in certain homes for teenagers the young person in full-time school and avoiding trouble was in a minority. These latter homes could be seen as 'criminogenic'.

Clough, Bullock and Ward, (2006) argue that for residential care to have a real hope of providing appropriately for children's needs it has to be an option for those children who need it, rather than a service when all else fails. At the very least going into residential care should set out to represent a positive turning point in a young person's life. Some children do have positive experiences and achievements, even in the apparently more 'criminogenic' environments. The research supports other evidence about the importance of stable educational provision (as well as stable placements) for those young people who did not offend, despite living in an environment where many of their peers did so.

The level of adult surveillance over children in residential care can make for a complex inter-play between opportunities to resolve or escalate conflict, detect as well as prevent crime. Developing joint protocols and other working relationships with the police needs very strong backing within the police hierarchy in order to avoid the default position of detection amongst some individual police officers in direct contact with residential care. Adults always have a choice about how they respond to very troublesome behaviour from young people, developing a better understanding and more appropriate response to children's behaviour in residential care is a starting point.

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