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# Criminal convictions among children and young adults:
*Changes over time*

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## Abstract

This study focuses on court conviction rates—that is, the numbers and proportion of the population in England and Wales who are convicted of a crime between the ages of 10–25. Data on over 47,000 male and 10,000 female offenders for six specific birth cohorts (those born in 1953, 1958, 1963, 1968, 1973 and 1978) were extracted from the Offenders Index. We related convictions in three age groups (10–15, 16–20, 21–25) to population estimates for these age groups. Striking differences in the conviction rates over time were observed for both males and females. There is a remarkable decline among the 10–15 age group for more recent cohorts which echoes the increasing use of court diversionary procedures in this age group. There is no corresponding increase in conviction rates for the later age groups. These figures suggest that efforts in the 1980s and early 1990s to divert offenders away from court convictions have been successful, and that such diversionary schemes need to be encouraged.

## Key Words

cohort • crime participation • England and Wales • gender • prevalence • young offenders

## Introduction

The topic of this article—the changing patterns of convictions among children and young adults—attracts much rhetoric in the media. Almost invariably, the tone is one of declining moral standards reflected in increasing crime rates. As Geoff Pearson (1983) vividly identifies in his classic text, *Hooligan: A History of Respectable Fears*, such doom-laden messages are not new but remain persistent over time.[1] Less apparent in the public arena is the sustained review of the evidence which may buttress (or not) the various claims being made. But there is no doubt that crime rates are the fodder of criminology, which need to be explored.

Indeed, there is a substantial literature on crime rates, which examines the number of reported crimes, or arrests, or crimes brought to justice, standardized by population, and how such figures are changing over time. However, it is useful to disentangle crime rates into two parts—prevalence rates (the proportion of the population who are involved in crime), and incidence rates (the rate at which an individual commits crimes) (Farrington, 1986). Other terminology is sometimes used; Piquero et al. (2003) refer to crime participation rather than prevalence, and crime frequency rather than incidence, but the concepts are the same. In contrast to the focus on crime rates, temporal changes *in prevalence rates* have been relatively neglected in criminology. Prevalence can be considered both from the official point of view (whether an individual has had experience of court proceedings, or has been arrested) or through self-report studies (whether an individual has admitted to committing a crime).

When change has been considered, work on prevalence has primarily focused on change in relation to age and gender. Farrington (1983), for example, revealed that the age–prevalence curve closely follows the classic age–crime curve, peaking at the same age. Similarly, using cumulative prevalence rates (that is, examining how many have committed a crime up to a certain age), Piquero et al. (2003) report on 19 studies that have demonstrated that these are higher for males than for females and that these rates vary according to the cut-off age, the date and the location of the study.

Our focus in this article is on the prevalence of court convictions. For a specific age group, court conviction rates, unlike crime rates, tend to be regarded as rather static phenomena. Usually, derived from classic longitudinal studies, we are told of rates at particular age points without reference to the rates of other generations. So, for example, the Cambridge Study of Delinquent Development notes that, of a cohort of males born in 1952–4 in the locality of south-east London, 33 per cent had obtained a criminal conviction by the age of 25 (Farrington and Wikström, 1994) and 40 per cent by age 40 (Farrington, 2001). These figures tend to be routinely quoted by others without much consideration as to whether such proportions are constant or not. Internationally, Carrington et al. (2005), in a meta-analysis report on four additional studies (including their own), which follow up a birth cohort and report court conviction prevalence rates reveal that none

of these considers changes over time. An important exception is the study of Prime et al. (2001) where broad changes over time are considered. He identified that the cumulative proportion of those with criminal convictions in England and Wales before the age of 20 is declining for more recent birth cohorts, with 19 per cent of those born in 1953 having a conviction compared with only 12 per cent of those born in 1978.

Before considering the evidence of the present study, it seems reasonable to ask what theoretical basis is there for prevalence rates to be changing or remaining consistent over time. Here, one needs to recognize that criminology is not well equipped to deal theoretically with changing patterns over time. While there has been discussion of changing prevalence both in offending (Kyvsgaard, 2003) and in victimization (Hope, 1995), most criminological theories cannot easily embrace the impact of societal change. In fact, the increasing influence of psychological approaches implicit in, for example, developmental life-course theories may tend to discourage theorizing of this kind. While such theories certainly recognize potential change over age in relation to an individual's trajectory, societal changes are not so readily embraced within their theoretical discourse. On the other hand, some have recognized the issues involved. So, for example, Farrington (1986)—a leading developmental and life-course theorist—has pointed to the need to consider age, period and cohort effects in trying to understand change.

The terminology is important. In considering the same age group over time, changing prevalence rates can be identified as generational effects or as period effects. Generational (or cohort) effects are those effects which relate to the birth and childhood of an individual and which are common to those individuals born in a particular year. For example, one factor is the size of the yearly birth cohort, where increased competition in larger birth cohorts for resources is hypothesized to lead to increased crime prevalence (Maxim, 1985; Steffensmeier et al., 1992). Societal changes which act more readily on the younger generations can also be taken to be generational effects—such as the more widespread of recreational drugs in the 1970s, and the development of the Internet in the 1990s can also be thought of as cohort effects. Period effects, in contrast, are concerned with factors relevant to a particular time period which will act on all age groups equally—the introduction of a specific government policy, economic conditions in a particular year or perhaps the size of the police force. However, the impact of a large police force may disproportionately fall on younger people, which, in turn, could be considered an age–period interaction. The possibility of the differential impact of these various effects is difficult to explain but even more difficult to disentangle statistically.

In reality, the criminological cupboard is not totally bare in relation to theorizing change, but rather limited. One theoretical approach that does encompass period effects is routine activity theory (Cohen and Felson, 1979). While this approach can provide some explanation of temporal changes in crime rates, its economic viewpoint fails to take account of generational and social factors (Francis and Soothill, 2005) and thus may

produce poor predictions of future crime rates. Predictions, however, are part of a currency that goes beyond the scope of the present article. Our focus is on trying to understand the patterns generated over a 40-year period. In studying court convictions, an important point (which is discussed more fully in the methodology section) is the issue of what we term as system changes which are related to how likely individuals are to be brought before the criminal court, and if so, how likely they are to be found guilty. We suspect that this notion of system changes will be pivotal in seeking explanations for temporal changes, but first we need a discussion of the evidence.

This article is therefore an attempt to probe the issue of temporal changes in prevalence with three specific objectives in mind:

1    Do the court conviction rates for those aged 10–15 years vary over time?
2    Do the court conviction rates for those aged 16–20 years vary over time?
3    Do the court conviction rates for those aged 21–25 years vary over time?

What binds these three objectives together is a further consideration of the inter-relationship between these three age-bands in terms of convictions. So, for example, if there is a lower conviction rate in the 10–15 age group compared with an earlier period, is this matched by a higher conviction rate in the 16–20 age group?

For example, is there a constant overall proportion who become 'trapped' in criminal activity but with a fluctuating entry age *or* are there genuine shifts in the overall conviction rates over time? The questions, of course, are comparatively easy to pose, but much more complex in terms of finding answers. The methodology is, in fact, crucial for it provides the contours of the type of answer that can be provided.

## Methodology

'*Participation in crime*' would be a seductive title but impossible to probe by simply using official records. Official records—as the name suggests—record the criminal activity known to officials. To go beyond this, one can interview potential offenders to ask questions of their criminal behaviour. However, this approach provides no scope for capturing historical information. Hence, in declaring from the outset that this study is based on official records which record *court convictions* over time, one also needs to recognize from the outset that apparent changes in court conviction rates may be measuring changes in administrative procedures (what we term as 'system changes') as much as actual changes in offending behaviour (what we terms as 'behaviour changes'). The distinction is an important one and thus, using conviction data, the story is probably as much about the *management* of crime as about the *perpetration* of crime.

Focusing on conviction data has the obvious drawback that a conviction is quite far removed from the act of committing a crime for, after all,

a crime may be committed but the perpetrator may not be traced, may not be charged even if traced, and not convicted even if charged.

However, focusing on conviction data in England and Wales has at least two crucial advantages—one of theoretical importance and one of practical interest. Having a conviction has been regarded, particularly since the interest in labelling theory in the late 1960s/early 1970s, as a potential entry point to a criminal career. 'Labelling theory' has tended to encourage the view that a court conviction should be avoided, if possible. Court diversionary schemes, cautions and warnings, increasingly introduced from the late 1970s onwards (Fionda, 2005), are part of the panoply to avoid a court appearance, particularly for youngsters and, especially, for less serious offences. The evidence as to whether such procedures are successful is mixed, but the point remains that a conviction (or not) is pivotal in such discussions.

The practical advantage of using conviction data is, in contrast, much more straightforward. The Offenders Index (OI) provides a comprehensive data source for convictions, being a court-based database of all 'standard list' criminal convictions in England and Wales from 1963 to the present day. Standard list convictions include all offences triable at crown court and the more serious offences that are triable at magistrates' courts only, or in either court system. Criminal convictions are recorded for all offenders aged 10 or over, which is the age of criminal responsibility in England and Wales. A linking scheme carried out by the Home Office links court convictions together to construct criminal histories for individual offenders. There is no information on arrests or on cautions or warnings issued by the police—it is purely a database of court convictions. Moreover, we have no dates of offending; only sentencing dates are present.

In this study, we are concerned with the Offenders Index *cohort* data. This is a subset of the Index consisting of six 'birth cohorts'—a sample of all offenders born in four specified weeks (one in each of March, June, September and December) in 1953, 1958, 1963, 1968, 1973 and 1978, with conviction histories recorded until the end of 1999.[2] In total, there are over 47,000 male offenders and 10,000 female offenders in the six cohorts.

The Offenders Index can include non-standard list offences when a conviction for one or more of these occurs at the same time as a conviction for a standard list offence. As these offences are not consistently recorded for offenders, they were discarded from our analysis.

So far as the standard list itself is concerned, the Offenders Index is remarkably consistent over time, with very few significant crimes being added to or deleted from the definition of standard list offences. However, a study by Soothill, Ackerley and Francis (2004) identified two offences— 'drink driving' and 'driving while disqualified'—that were classed as standard list offences only from 1996. Due to these offences coming onto the Offenders Index, there appears to be a sudden rise in the number of people being first convicted, particularly at later ages. To ensure consistency, these offences have been removed from this analysis. Around 3200 males and 500 females were therefore discarded from the data.

The Offenders Index is limited in so far as it is not a true longitudinal study, but simply a collection of criminal convictions linked together into a set of criminal histories. However, some individuals will not be present in England and Wales for the entire study period—some will be immigrants into England and Wales, some will have emigrated from England and Wales, and others will have died. Yet other offenders will be transitory visitors to England and Wales, perhaps staying only one or two months or years in the jurisdiction. It is worth pointing out that such immigration and emigration might still be within the UK, with offenders moving between England and Wales, Scotland and Northern Ireland. The exposure time for individuals will thus vary, and we have no information on the individual immigration, emigration history and death status of the offenders.

As already noted, the Offenders Index birth cohorts are an approximate one-thirteenth sample of the *offending* population in England and Wales born in the selected years. However, by using the *general population* of 10–25-year-olds in the appropriate years as a baseline figure, fluctuations in population can be allowed for. This enables us to estimate the proportion of 10–25-year-olds overall who participate in 'official' offending behaviour. The estimate of the number of offenders is obtained by multiplying the number from the OI cohort by 13, to approximate the total that would be found if the cohorts were a complete birth year, rather than the four selected weeks.

Defining the 'general population of 10–25-year-olds in the appropriate years', however, is not straightforward. Taking, for example, the second of our three age groups, we see that all those born in 1953 have their 16th birthday in 1969, and their 17th birthday in 1970. The respective mid-year population estimates of 16-year-olds in 1969 and 17-year-olds in 1970 are 666,700 and 667,500. Sixteen-year-olds in 1969 go on to be 17-year-olds in 1970, but the estimates are not the same due to *increases* from immigration, and *decreases* from emigration and death. Therefore, we cannot simply take, for example, the number of 16-year-olds in 1969 and assume this will be the same number of 17-year-olds in 1970, 18-year-olds in 1971, etc., therefore giving the number of 16–20-year-olds between 1969 and 1973. The solution chosen was to calculate the mean of the population aged 16 in 1969, aged 17 in 1970, aged 18 in 1971, aged 19 in 1972 and aged 20 in 1973, and use this as the best estimate of the population aged 16–20 in 1969–73 (and therefore born in 1953). This was done for males and females separately, for the 10–15, the 16–20 and 21–25-year-olds, and for each cohort.

It also has to be recognized that the population figures are available as mid-year estimates for a particular age, while our conviction data are concerned with activity during the period the offender was aged 10–25. This necessarily means that, while there is a large amount of overlap in the definitions, there is not an exact match. The birthdays of the OI cohort offenders fall in March, June, September and December, and so (again taking the 16–20-year-olds as our example) they enter the 16–20 period on the day

and month of their birthday in the first year in the range (e.g. 1969 for the 1953 cohort). They then remain in it until the eve of their 21st birthday, which will fall in the year *after* the end of the range (e.g. 1974, instead of 1973 for the 1953 cohort).

## Results

The results are presented separately for males and females and, first of all, for each age-band (i.e. 10–15, 16–20, 21–25) separately. Avoiding the conventions of a detective novel where the outcome is not revealed to the end, we contend that there have been enormous shifts over time. Of that, there seems little doubt. What is much more contentious—and will be left to the 'Discussion' section—is trying to interpret the findings. While we maintain we can bring to some closure the factual information of what has happened between 1963 and 1999—a period of 36 years—what it all means will probably be a matter of some further debate.

### Conviction rates of 10–15-year-olds

Table 1(a) (males) and 1(b) (females) identify massive shifts over time in the use of conviction for both males and females. For the 1953 male birth cohort (aged 10 to 15 in the years 1963–8), nearly 30,000 were given at least one conviction. In contrast, for the 1978 male birth cohort (aged 10 to 15 in the years 1988–93), less than 7000 were given at least one conviction. In fact, as Table 1(a) shows, the highest *proportion* of 10–15-year-olds given a conviction was the 1958 male birth cohort when nearly 1 in 10 (or 9.4%) of that birth cohort had the stigma of a criminal conviction. Interestingly, there were even more young boys (37,895) given a criminal conviction in the next (1963) birth cohort, but the proportion (9.1%) so convicted had actually begun to fall, due to the rise in population. This

**Table 1a.** MALES: Conviction rates of 10–15-year-olds

| Birth cohort | Estimated male population (10–15) | Estimated number of males with conviction aged 10–15 | % of males with conviction aged 10–15 |
|---|---|---|---|
| 1953 (10–15 in 1963–68) | 338,033 | 29,666 | 8.8 |
| 1958 (10–15 in 1968–73) | 366,483 | 34,554 | 9.4 |
| 1963 (10–15 in 1973–78) | 414,883 | 37,895 | 9.1 |
| 1968 (10–15 in 1978–83) | 401,955 | 31,096 | 7.7 |
| 1973 (10–15 in 1983–88) | 347,917 | 12,831 | 3.7 |
| 1978 (10–15 in 1988–93) | 295,757 | 6,877 | 2.3 |

**Table 1b.** FEMALES: Conviction rates of 10–15-year-olds

| Birth cohort | Estimated female population (10–15) | Estimated number of females with conviction aged 10–15 | % of females with conviction aged 10–15 |
|---|---|---|---|
| 1953 (10–15 in 1963–68) | 319,333 | 4,537 | 1.4 |
| 1958 (10–15 in 1968–73) | 344,567 | 5,330 | 1.5 |
| 1963 (10–15 in 1973–78) | 392,917 | 6,864 | 1.7 |
| 1968 (10–15 in 1978–83) | 381,387 | 4,524 | 1.2 |
| 1973 (10–15 in 1983–88) | 327,473 | 1,638 | 0.5 |
| 1978 (10–15 in 1988–93) | 278,478 | 1,261 | 0.5 |

difference illustrates the importance of monitoring *both* proportions *and* the actual numbers, for they may not always coincide.

The females show a similar pattern to the males, but the shifts are perhaps less extreme. Certainly, the fall in the numbers of females convicted—from 4,537 in the 1,953 birth cohort to 1261 in the 1978 birth cohort— remains dramatic; similarly, the percentage fall in the conviction rate from 1.4 per cent for the 1953 cohort to 0.5 per cent for the 1978 cohort also follows similar lines. In the case of the females, the highest number convicted (6,864) and the highest proportion convicted (1.7%) coincide in terms of both figures being generated within the 1963 birth cohort.

The data in Table 1(a) and 1(b) are presented graphically in Figure 1(a) (males) and 1(b) (females), along with the equivalent data for the 16–20 and 21–5 age bands. In addition to being able to observe the changes over time, this allows a visual comparison of the patterns found for the three age bands. A ripple effect can be observed with the 1963 birth cohort peaking in different years for different age groups.

It is interesting to compare males and females in terms of the percentage drop in number of 10–15-year-olds convicted from the earliest to the latest cohorts. The change in the associated populations is very similar—a 12.5 per cent fall in the male population figures from the 1953 cohort to the 1978 cohort, and a corresponding 12.8 per cent fall in the female population figures—indicating that such a comparison is valid. There are 76.8 per cent fewer males born in 1978 who were convicted aged 10–15 compared to the number so convicted who were born in 1953. The fall for the females is 72.2 per cent, a remarkably similar proportion.

If the penal policy aim has been simply to reduce the numbers and proportions of this age group (10–15 years) having a criminal conviction, then Table 1 demonstrates an incredible success story. In the late 1960s and early 1970s, approaching 1 in 10 males had a criminal conviction by the age of 15 years, while by the late 1980s and early 1990s, less than 1 in 40 males had a criminal conviction by this age. While the proportion convicted was
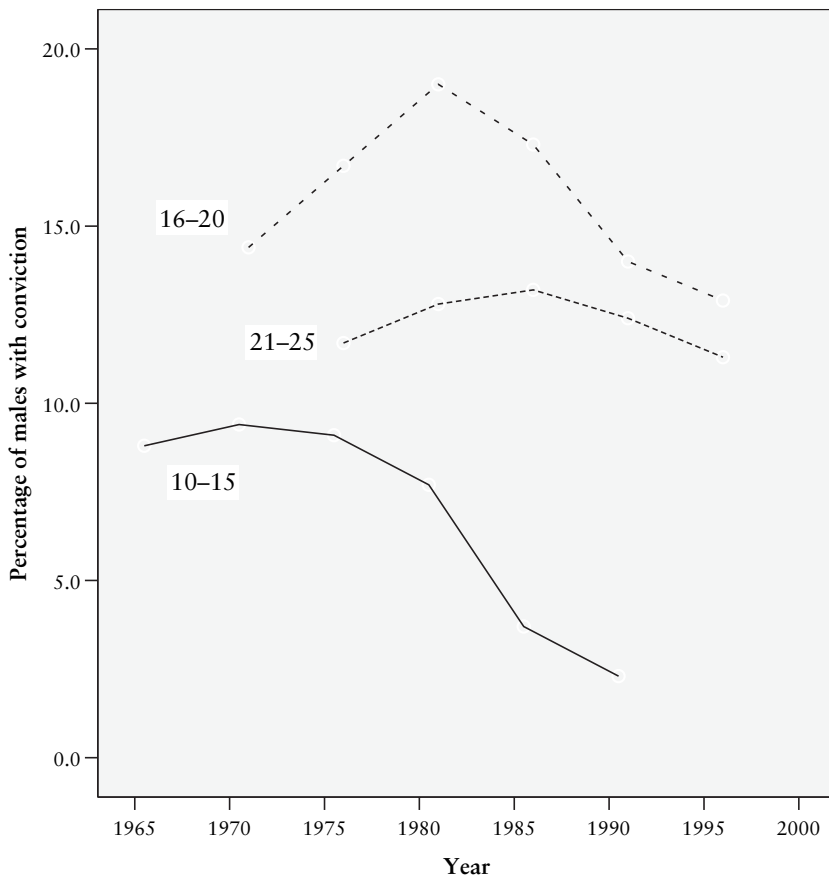
**Figure 1a**   MALES – Conviction rates of 10–15, 16–20 and 21–25-year-olds
*Note*: The mid-points of the year ranges in Tables 1a, 2a and 4a are used in the above figure

much lower for females, the decline in the proportions between these time periods was also marked for females—from around 1 in 60 females getting a criminal conviction to 1 in 200. What, of course, underlies these shifts is not clear. Is it a behavioural shift (that is, fewer young males and females *involved* in crime) or is it a system shift (that is, young persons committing crime are being dealt with in a different way)? While a combination of these two explanations is probable, it is tempting to see the shift as much more of a system change with the effect of the panoply of cautions, warnings and other diversionary tactics being introduced during this period. Certainly, Fionda points to 'the commitment of practitioners to this diversionary strategy' (2005: 91), showing how the proportions of young people who were cautioned (of all the 'known offenders' aged 10–17) rose steadily in the 1980s, from 44 per cent of the males and 69 per cent of the females in 1980, to 75 per cent of the males and 89 per cent of the females in 1990.
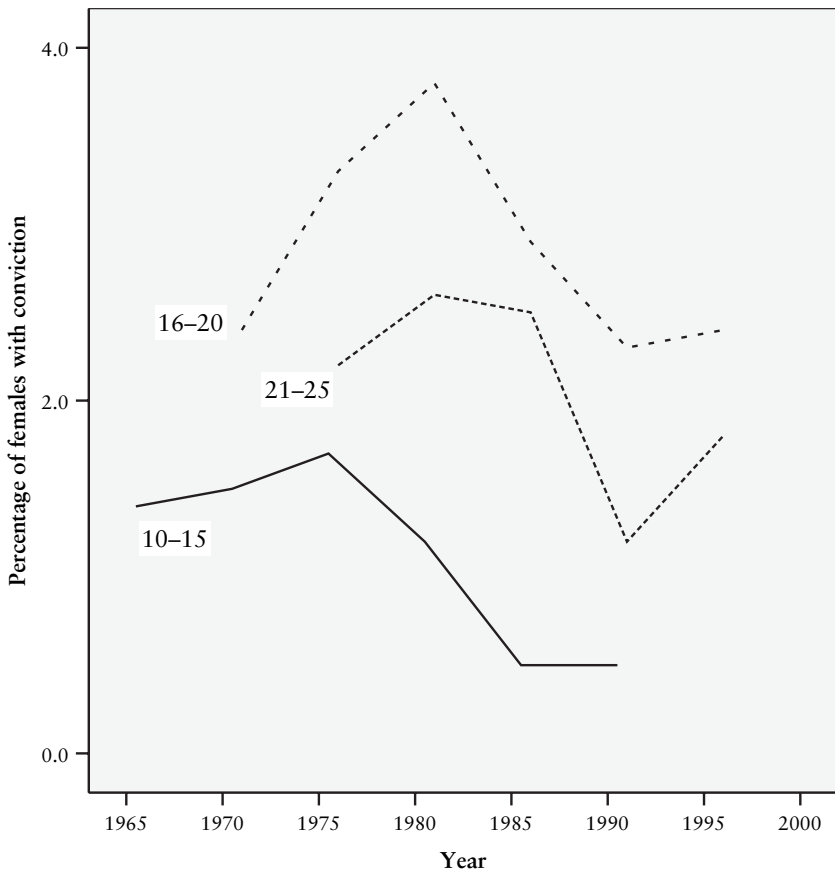
**Figure 1b**   FEMALES – Conviction rates of 10–15, 16–20 and 21–25-year-olds
*Note*: The mid-points of the year ranges in Tables 1b, 2b and 4b are used in the above figure

Having discovered this pattern for 10–15-year-olds, is there a similar shift among males and females aged between 16 and 20 years?

### Conviction rates of 16–20-year-olds

In some ways, Table 2a & b tells a similar story to Table 1. The highest number of males and females awarded a criminal conviction was for the 1963 birth cohort—79,768 males and 15,301 females—so suggesting a cohort effect. However, this cohort also involved the highest estimated populations, so considering the *proportions* convicted among each cohort becomes important. However, for both males and females, again the 1963 birth cohort produces the highest proportions—19.0 per cent of the males and 3.8 per cent of the females—so supporting the notion of a cohort effect.

From these peaks, there are declines in the numbers and proportions convicted among the later cohorts, but the pattern is certainly less marked

**Table 2a.** MALES: Conviction rates of 16–20-year-olds

| Birth cohort | Estimated male population (16–20) | Estimated number of males with conviction aged 16–20 | % of males with conviction aged 16–20 |
|---|---|---|---|
| 1953 (16–20 in 1969–73) | 342,800 | 49,348 | 14.4 |
| 1958 (16–20 in 1974–78) | 366,720 | 61,191 | 16.7 |
| 1963 (16–20 in 1979–83) | 419,913 | 79,768 | 19.0 |
| 1968 (16–20 in 1984–88) | 405,907 | 70,122 | 17.3 |
| 1973 (16–20 in 1989–93) | 353,446 | 49,374 | 14.0 |
| 1978 (16–20 in 1994–98) | 299,297 | 38,558 | 12.9 |

**Table 2b.** FEMALES: Conviction rates of 16–20-year-olds

| Birth cohort | Estimated female population (16–20) | Estimated number of females with conviction aged 16–20 | % of females with conviction aged 16–20 |
|---|---|---|---|
| 1953 (16–20 in 1969–73) | 327,700 | 7,865 | 2.4 |
| 1958 (16–20 in 1974–78) | 351,240 | 11,726 | 3.3 |
| 1963 (16–20 in 1979–83) | 402,540 | 15,301 | 3.8 |
| 1968 (16–20 in 1984–88) | 386,278 | 11,219 | 2.9 |
| 1973 (16–20 in 1989–93) | 332,819 | 7,722 | 2.3 |
| 1978 (16–20 in 1994–98) | 282,541 | 6,734 | 2.4 |

than for the 10–15-year-olds. Indeed, interestingly, among the females, the same proportion (2.4%) was convicted in the 1953 cohort (the first cohort) and the 1978 cohort (the last cohort).

In short, although there are shifts, it is tempting to suggest that Table 2 provides evidence of a similar proportion of the criminal behaviour of this age group being 'captured' over time by official agencies leading to a conviction. As a corollary, any potential system changes, such as the introduction of warnings, cautions, etc. are not making a similar impact on this age group. However, it is at this point that one can begin to examine the real impact of the system changes previously identified in dealing in the 10–15-year-olds. The crucial question is whether the introduction of court diversionary schemes means that youngsters now avoiding a criminal conviction while they are in the 10–15 age group continue to avoid an involvement in courts, or do early diversionary schemes simply delay the time of being awarded a criminal conviction? To some degree, this issue can be resolved by considering the relationship between the convictions awarded in the two age groups.

### Relationship between the conviction rates for the 10–15 and 16–20 age groups

Whether diversionary schemes result in an avoidance of or a delay in obtaining a conviction can be examined by interrogating the inter-relationship between the records of those convicted in the 10–15 and 16–20 age groups. Essentially, they divide between those who have had a conviction while in the earlier age group (10–15 years), regardless of whether or not they also have a conviction aged 16–20, and those who are *new entries* aged 16–20 (that is, they had no convictions in the earlier age group). Table 3a & b shows these figures together with the average cohort population aged 10–20 (estimated in the same way as previously), and a final column that indicates the cumulative percentage who have a criminal conviction prior to the age of 21 for each of the six cohorts.

**Table 3a.** MALES: Conviction rates of 10–20-year-olds indicating new entrants aged 16–20

| Birth cohort | Estimated number of males with conviction: | | Estimated male population age 10–20 | % of male population with conviction age 10–20 |
|---|---|---|---|---|
| | Age 10–15 | Age 16–20, but not 10–15 | | |
| 1953 | 29,666 | 34,320 | 340,200 | 18.8 |
| 1958 | 34,554 | 41,665 | 366,591 | 20.8 |
| 1963 | 37,895 | 55,757 | 417,170 | 22.4 |
| 1968 | 31,096 | 50,466 | 403,751 | 20.2 |
| 1973 | 12,831 | 40,183 | 350,430 | 15.1 |
| 1978 | 6,877 | 33,455 | 297,366 | 13.6 |

**Table 3b.** FEMALES: Conviction rates of 10–20-year-olds indicating new entrants aged 16–20

| Birth cohort | Estimated number of females with conviction: | | Estimated female population age 10–20 | % of female population with conviction age 10–20 |
|---|---|---|---|---|
| | Age 10–15 | Age 16–20, but not 10–15 | | |
| 1953 | 4,537 | 7,085 | 323,136 | 3.6 |
| 1958 | 5,330 | 10,504 | 347,600 | 4.6 |
| 1963 | 6,864 | 13,026 | 397,291 | 5.0 |
| 1968 | 4,524 | 9,815 | 383,610 | 3.7 |
| 1973 | 1,638 | 7,007 | 329,903 | 2.6 |
| 1978 | 1,261 | 6,084 | 280,325 | 2.6 |

Table 3 provides some evidence that, *if the aim of court diversionary techniques was to avoid young persons gaining a conviction*, then the policy may have been successful. There is little to suggest that the rapid decline in convictions over the quarter of a century for the 10–15 age group has been 'compensated' by a massive growth of *new entries* in the 16–20 age group—if this had happened, it would have provided evidence that court diversionary techniques simply delay the onset of a criminal conviction. In fact, for both males and females, the cumulative percentage of those obtaining a conviction has declined from a peak of 22.4 per cent in the 1963 birth cohort for the males to 13.6 per cent for the 1978 birth cohort. Similarly, for females, the peak is in the 1963 birth cohort, at 5.0 per cent, and drops to 2.6 per cent for both the 1973 and 1978 birth cohorts. In other words, we maintain that there would be around 33,000 persons (that is, both males and females) in the 1978 cohort who now do not have a criminal conviction, but would probably have done so if they had been involved in the system operating for the 1963 cohort. *So, to repeat, court diversionary techniques may have had some success in this respect.*

However, there are important provisos. The above conclusion assumes that the results are the outcome of *system* changes and that *behaviour* has remained more or less constant over time. In other words, it has been assumed that, in broad terms, some criminal behaviour sanctioned by the court in the earlier period has sanctions not involving the court in the later period—or that their deviant behaviour has been overlooked in the later period. However, behaviour does—or perhaps may—change: the behaviour of an age group in one era may not necessarily be the same as the behaviour of the same age group in another era. We return to this issue in the 'Discussion' section. Meanwhile, the present dataset provides scope for using five of the cohorts to examine whether conviction rates change among the 21–25 age groups.[3]

### Conviction rates of 21–25-year-olds

Table 4a & b shows a new pattern. Again—and not unexpectedly—however, the 1963 birth cohort has the largest number of males (56,316) and females (10,309) with a criminal conviction among this age group. But, as the column showing the proportions convicted demonstrates, this is largely the effect of the 1963 birth cohorts having the largest estimated population.

The new pattern in Table 4, certainly among the males, is the *similarity* of the proportions convicted between 21 and 25 years in each of the five cohorts. Around one in eight of males in each cohort are so convicted while in this age group. Figure 1(a) clearly shows, in comparison with the two younger age bands, this similarity across time. For the females, there is a decline among the two later, 1968 and 1973, cohorts, which is surprising as we were expecting a *rise* in female convictions. However, in broad terms, one can say that around 1 in 50 of females in each cohort is so convicted within this age band.

**Table 4a.** MALES: Conviction rates of 21–25-year-olds

| Birth cohort | Estimated male population (21–25) | Estimated number of males with conviction aged 21–25 | % of males with conviction aged 21–25 |
|---|---|---|---|
| 1953 (21–25 in 1974–78) | 345,460 | 40,248 | 11.7 |
| 1958 (21–25 in 1979–83) | 366,877 | 46,995 | 12.8 |
| 1963 (21–25 in 1984–88) | 427,226 | 56,316 | 13.2 |
| 1968 (21–25 in 1989–93) | 409,849 | 50,726 | 12.4 |
| 1973 (21–25 in 1994–98) | 359,979 | 40,677 | 11.3 |

**Table 4b.** FEMALES: Conviction rates of 21–25-year-olds

| Birth cohort | Estimated female population (21–25) | Estimated number of females with conviction aged 21–25 | % of females with conviction aged 21–25 |
|---|---|---|---|
| 1953 (21–25 in 1974–8) | 334,960 | 7,514 | 2.2 |
| 1958 (21–25 in 1979–83) | 358,065 | 9,165 | 2.6 |
| 1963 (21–25 in 1984–8) | 414,114 | 10,309 | 2.5 |
| 1968 (21–25 in 1989–93) | 394,055 | 7,410 | 1.2 |
| 1973 (21–25 in 1994–8) | 341,748 | 6,318 | 1.8 |

We suggest that this apparent consistency of conviction rates reflects the fact that there are no major initiatives involving system changes during the quarter of a century of interest that directly affect this age group. Nevertheless, there are still questions to be raised. Is there, for example, also a consistent pattern of new entries in this age group or are there a larger number of recidivists from earlier age groups among some cohorts than others? Again, this type of question can be probed by interrogating more closely the record of those convicted in the whole 10–25 age range. The important divide remains between those who had a conviction in one or both of the earlier age groups (i.e. 10–15 years and/or 16–20 years), regardless of whether or not they went on to be convicted aged 21–25, and those who are *new entries* aged 21–25 (that is, with no convictions when they were in the earlier age groups).

We have already dismissed the notion that the massive fall in convictions among the 10–15 age group for the later cohorts is 'compensated' by a significant rise in new entries among the 16–20 age group for the later cohorts. In terms of fulfilling the aim of diverting youngsters from the court system, we contend that the court diversionary schemes have been successful in effecting this. Table 5a & b provides a check of whether the possible compensatory delay does not happen until they reach the 21–25 age group. In other

words, are those who seem to be avoiding a criminal conviction in their early years entering the court system for the first time in their early 20s? Table 5 suggests there is little evidence of this. As was the situation with age 16–20, there is no sudden rise in new entries at age 21–25 for the later cohorts.

Following the evidence presented in Table 4, Table 5 endorses the notion that little seems to have changed over the years in relation to new entry and recidivism rates for this age group of 21–25 years. Indeed, it is noticeable just how constant the number of new entries is across all five cohorts for the males, given the population shifts—approximately 1 in 20 of the male population aged 10–25 obtains a criminal conviction for the first time when aged between 21 and 25. However, a different picture for females is emerging from this table. From a much lower baseline, the proportion of new entrant females aged between 21–25 is declining from 2 in 100, to closer to 1 in 100 over the cohorts. Hence, recent concerns about rising female *participation* in crime are not supported by the evidence regarding *convictions*

**Table 5a.** MALES: Conviction rates of 10–25-year-olds indicating new entrants aged 21–25

| Birth cohort | Estimated number of males with conviction: | | Estimated male population age 10–25 | % of male population with conviction age 10–25 |
|---|---|---|---|---|
| | Age 10–20 | Age 21–25, but not 10–20 | | |
| 1953 | 63,986 | 18,993 | 341,844 | 24.3 |
| 1958 | 76,219 | 20,228 | 366,680 | 26.3 |
| 1963 | 93,652 | 20,904 | 420,312 | 27.3 |
| 1968 | 81,562 | 20,475 | 405,657 | 25.2 |
| 1973 | 53,014 | 19,201 | 353,414 | 20.4 |

**Table 5b.** FEMALES: Conviction rates of 10–25-year-olds indicating new entrants aged 21–25

| Birth cohort | Estimated number of females with conviction: | | Estimated female population age 10–25 | % of female population with conviction age 10–25 |
|---|---|---|---|---|
| | Age 10–20 | Age 21–25, but not 10–20 | | |
| 1953 | 11,622 | 6,123 | 326,831 | 5.4 |
| 1958 | 15,834 | 6,890 | 350,870 | 6.5 |
| 1963 | 19,890 | 6,643 | 402,548 | 6.6 |
| 1968 | 14,339 | 4,979 | 386,874 | 5.0 |
| 1973 | 8645 | 4,173 | 333,605 | 3.8 |

for the 21–25 age group for this period. Neither, however, are these concerns fully disproved—participation in crime may or may not result in detection, which, in turn, may or may not result in a court conviction.

## Discussion and conclusions

Changes in court conviction rates over time will reflect either system or behavioural changes, or perhaps both. The former type of change may mask actual changes in criminal behaviour. If certain types of behaviour are less readily processed through the courts, there is no knowing—with just conviction data—whether the actual behaviour has decreased or remained the same or perhaps even increased. However, by focusing on court conviction data, we can reveal changes in court activity.

We maintain that there have been some quite remarkable shifts over the 36 years from 1963 to 1999. However, the patterns are rather different for each age group. Of the 10–15 age group, the most striking feature is the decline both in numbers of offenders and in conviction rates for the more recent cohorts. There is an argument that offenders not brought before the court aged 10–15 will simply delay their initial court conviction by becoming convicted in later age groups, but there is no evidence to support this. We looked at new entrants into the convicted group for both the 16–20 and the 21–25 age groups; in recent cohorts, numbers have declined and not increased.

More generally, for the crucial age groups of 16–20 and 21–25, and looking both at new entrants and those already in the system, we observed a substantial decline in convictions; this decline was present for both males and females.

So what are the implications? There is certainly a *prima facie* case for suggesting that the system changes of court diversionary procedures by the increased use of cautions, warnings, etc. have been beneficial. We estimate, for example, that around 26,300 males and 6,700 females in the mid-1990s who would have been 'captured' by a court conviction in an earlier regime avoided the acquisition of a criminal conviction. Does it matter? We strongly suggest that it does. With the increased use of searches of past criminal records by employers and others and with little control of how such information is used, it is important that young people do not have the stigma of a criminal conviction for quite trivial behaviour. The danger is that such a conviction could endanger their job opportunities in their more mature years.

A potential drawback of a court diversionary system is if it simply delays the onset of an official criminal career characterized by court convictions. While 'delay' may be actually cost-effective, the hope was always that the avoidance of the stigma of a criminal conviction would not be just a temporary phenomenon. The evidence in this article suggests that the danger of 'delay' is a largely unsubstantiated fear when the impact on different age

groups is considered. In other words, while it seems likely there would be some who collected their first criminal conviction later rather than earlier, there was still a substantial number who fully avoided the stigma of a criminal conviction as a result of system changes towards court diversionary tactics for younger miscreants.

Of course, system changes are only one part of the possible repertoire of change. Behaviour changes are the other source. The present analysis tells nothing of the nature of the criminal behaviour that comes to the notice of the court. While, for instance, just over 1 in 10 males and 1 in 50 females come in rather consistently for each cohort as new entries aged 16–20, there is no indication in this analysis whether similar types of behaviour for each cohort leads to a conviction within this age group. For that type of question, different kinds of data and analysis are required. In contrast, this article had a more modest ambition; it explored court conviction rates and has usefully demonstrated that there are considerable differences over time. We suggest that these changes—and their successes—have not been fully recognized. We maintain that court diversionary schemes should be maintained and developed, and we oppose any retrenchment of such schemes. We wish to encourage the notion that some change at least during the latter third of the 20th century, 1963–99, was beneficial in terms of avoiding the stigma of a criminal conviction for a substantial number of young people.

The research that underpins this article opens up further avenues for research. One interesting possibility is to look at individual frequency of offence convictions and how this might be changing over time. Frequency of offending seems to vary by age but to peak at different ages depending on the type of offence under consideration (Wikström, 1990). However, there has been little research into how offence frequency changes or does not change over time. Other possibilities include an examination of changes in offence seriousness over time, older age groups or other ways of assessing criminal behaviour (for example, self-report panel surveys such as the Offending, Crime and Justice survey in the UK). In short there is scope for cross-generational analysis of this nature.

## Notes

1   Pearson (2006) in 'The Generation Game' has recently reminded *Guardian* readers that the 'panic over youth disorder is nothing new'. He argues that: 'The youth crime debate in the UK is invariably accompanied by some

notion of generational decline in terms of family, community, authority, tradition and morality, so that young people, with their senseless crimes, reflect some kind of modern emptiness.' He concludes by stressing that:

What is wrong with government and media responses to youth crime and antisocial behaviour is its emphasis on the unprecedented nature of the problem, while losing its grip on the actual social and historical background. We need to unlock this profound historical amnesia.

2    A public version of the dataset with a shorter follow-up time is available from the ESRC Data Archive (http://www.data-archive.ac.uk/).
3    As the criminal histories from the OI are available only until the end of 1999, those born in 1978 will have their 21st birthday within the follow-up period, but cannot be observed for the full 21–25 age group.

## References

Carrington, P.J., A. Matarazzo and P. de Souza (2005) 'Court Careers of a Canadian Birth Cohort', *Crime and Justice Research Series* 85–561-MWE2005006. Canada: Statistics Canada.

Cohen, L.E. and M. Felson (1979) 'Social Change and Crime Rate Trends: A Routine Activities Approach', *American Sociological Review* 44(4): 588–608.

Farrington, D.P. (1983) 'Offending from 10 to 25 Years of Age', in K.T. van Dusen and S.A. Mednick (eds) *Prospective Studies of Crime and Delinquency*, pp. 17–37. Boston, MA: Kluwer: Nijhoff.

Farrington, D.P. (1986) 'Age and Crime', in M. Tonry and N. Morris (eds) *Crime and Justice: An Annual Review of Research* 7, pp. 189–250. Chicago, IL: University of Chicago Press.

Farrington, D.P. (2001) 'Key Results from the First 40 Years of the Cambridge Study in Delinquent Development', in T.P. Thornberry and M.D. Krohn (eds) *Taking Stock of Delinquency: An Overview of Findings from Contemporary Longitudinal Studies*, pp. 137–84. New York: Kluwer Press.

Farrington, D.P. and P.-O.H. Wikström (1994) 'Criminal Careers in London and Stockholm: A Cross-National Comparative Study', in E.G.M. Weitekamp and H.-J. Kerner (eds) *Cross-National Longitudinal Research on Human Development and Criminal Behaviour*, pp. 65–89. Dordrecht, The Netherlands: Kluwer Academic Publishers.

Fionda, J. (2005) *Devils and Angels: Youth Policy and Crime*. Oxford: Hart.

Francis, B. and K. Soothill (2005) 'Explaining Changing Patterns of Crime: A Focus on Burglary and Age-Period-Cohort Models', in M. Peelo and K. Soothill (eds) *Questioning Crime and Criminology*, pp. 102–19. Cullompton: Willan.

Hope, T. (1995) 'The Flux of Victimization', *British Journal of Criminology* 35(3): 327–42.

Kyvsgaard, B. (2003) *The Criminal Career: The Danish Longitudinal Study*. Cambridge: Cambridge University Press.

Maxim, P. (1985) 'Cohort Size and Juvenile Delinquency: A Test of the Easterlin Hypothesis', *Social Forces* 63(3): 661–79.

Pearson, G. (1983) *Hooligan: A History of Respectable Fears*. London: Macmillan.

Pearson, G. (2006) 'The Generation Game', *Guardian*, 8 November. http://society.guardian.co.uk/youthjustice/comment/0,,1941653,00.html (accessed 4 September 2007).

Piquero, A.R., D.P. Farrington and A. Blumstein (2003) 'The Criminal Career Paradigm', in M. Tonry (ed.) *Crime and Justice: A Review of Research*, vol. 30, pp. 359–506. Chicago, IL: University of Chicago Press.

Prime, J., S. White, S. Liriano and K. Patel (2001) *Criminal Careers of Those Born between 1953 and 1978*. UK Home Office Statistical Bulletin 4/01. London: Home Office.

Soothill, K., E. Ackerley and B. Francis (2004) 'Profiles of Crime Recruitment: Changing Patterns Over Time', *British Journal of Criminology* 44(3): 401–18.

Steffensmeier, D., C. Streifel and E.S. Shihadeh (1992) 'Cohort Size and Arrest Rates over the Life Course: The Easterlin Hypothesis Reconsidered', *American Sociological Review* 57(3): 306–14.

Wikström, P.-O.H. (1990) 'Age and Crime in a Stockholm Cohort', *Journal of Quantitative Criminology* 6(1): 61–84.

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