YOUNG OFFENDERS WHO ARE VICTIMS OF ABUSE

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Introduction

While youth offenders are a heterogeneous group, there are distinct sub-groups within this larger population. One such group is young offenders who have had experiences of child abuse (hereafter referred to as the sub-group). Yoshikawa (1995) suggests that focusing crime prevention efforts on older children or adolescents may cause policy makers to miss an opportunity to intervene earlier in children’s lives. He argues, as early childhood factors (such as abuse) are associated with youth offending, early childhood programs that seek to address the effects of adverse factors can help to prevent offending.

Notwithstanding that intervention should commence in early childhood programs, this paper offers how ACT Youth Justice Services implements an integrated case management approach for working with the sub-group. As knowledge and understanding of this group has implications for intervention, this paper also examines the thinking that has led to the model of intervention chosen.

Understanding the Sub-group

According to Jenkins (1990: 12):

\[\text{The search for a causal explanation which is inherent in the question “Why?”, is an inevitable characteristic of the Western tradition of empirical science. Within this tradition, a problem is best solved by uncovering and rectifying its true underlying cause. Finding the correct and true causal explanation is seen to be helpful in deciding who or what is to blame for the problem, where to attribute responsibility and what action should be taken to solve it.}\]

Hence, to arrive at an effective model of intervention for dealing with the sub-group, it is helpful to explore the inter-relationship between child abuse and youth offending, examine the various theories that explain this particular inter-relationship, and assess the characteristics and unique problems of this group. A model of explanation though is only useful if it leads to solutions that can be used in an approach to intervention (Jenkins, 1990).

A. Inter-relationship Between Child Abuse and Youth Offending

Researchers have long sought factors that are regularly associated with youth offending. The contribution of family factors to this offending has received considerable attention in recent times; that is, family factors play an important role in the development and maintenance of youth offending (Salmelainen, 1995 & 1996; Cullingford & Morrison, 1997). Hence, the argument that much of the genesis of offending lies inside the family home.

1 Young offenders, for the purposes of this paper, are clients of ACT Youth Justice Services. The ACT Youth Justice Services has a mandate to provide community-based and custodial programs and services for young offenders subject to ACT Children’s Court Orders. Such assistance is designed to meet the Service’s legal obligations under the ACT Children’s Services Act, 1986.

Child abuse includes physical injury (otherwise than by accident), sexual abuse, psychological damage to emotional or intellectual development, where the health of the child is impaired, parental abandonment, serious incompatibility between the child and their parent(s), and truancy that is likely to be harmful to the child (ACT Children’s Services Act 1986: s 71).
One such family factor - experiences of child abuse - is a powerful predictor of youth offending (Salmelainen, 1995; Miller, Downs & Gondoli, 1989). However, by simply presenting the causes of youth offending in terms of child abuse is to vastly oversimplify the complex psychological and social processes that lead these youth to offending (VCOSS, 1996). There are a range of factors that influence the sub-group to offend and not all children will manifest offending behaviours.

In addition to child abuse, the experience of ACT Youth Justice Services is that the following factors also contribute to the sub-group to offend:

- parenting behaviour and styles, including the level of parental supervision, parental rejection and parent responsiveness to the child’s needs;
- economic and social stress arising from unemployment, poverty and single parenting;
- family transience characterised by frequent family relocation;
- truancy and poor academic performance;
- peer influence and situational opportunity;
- the presence of psychological factors such as attention deficit hyperactivity disorder and conduct disorder; and
- alcohol and drug use (Pawagi, 1998).

These factors are important predictors even after taking into account the young person’s age, gender, race and socio-economic status; family structure; family history of alcohol abuse; and the extent to which parents allow the child to be independent and autonomous (Barnes & Farrell, 1992; Mak, 1994).

B. Theories of Youth Offending and Child Abuse

According to Brezina (1998), the inter-relationship between child abuse and youth offending is more often explained in terms of the more dominant and empirically established perspectives in criminal theory - social control (or social bonding), social learning and social-psychological strain theories:

- **Social control theory** emphasises that strong attachment to the family controls or discourages offending. Therefore, for the sub-group, parental abuse may result in poor attachment, which in turn fails to stop the young person from offending.
- **Social learning theory** emphasises offending as a learned phenomenon through processes of modeling, imitation and perhaps reinforcement. The sub-group are said to learn and adopt the patterns of behaviour displayed by their abusers.
- **Social-psychological strain theory** emphasises that negative treatment from others (or strain) tends to generate negative emotions such as anger, frustration and resentment. This creates pressures for corrective action, with offending being one possible response.

Because each theory identifies an important but separate component of the relationship between youth offending and child abuse, the model of intervention supported in this paper takes account of these three theories.
C. Characteristics and Impact of Child Abuse on Young Offenders

The incidence of the sub-group in the general population of young offenders in Australia is not known. A literature review by Borowski and O’Connor (1997) suggests that between 14 and 29 per cent of young offenders have experiences of child abuse in western countries.

One can assume then that the ACT Youth Justice system is dealing with a high proportion of this sub-group at any one time and that identification of a history of abuse is to some extent dependent upon disclosure and/or an assessment.

Although the literature supports a relationship between child abuse and youth offending, there is little explanation of how this influence works (Cullingford & Morrison, 1997). Further, the question of whether or not specific kinds of abuse are associated with specific kinds of offending also remains unanswered (Borowski & O’Connor, 1997).

Of the literature reviewed (Brezina, 1998; McCord, 1983; Smith & Thornberry, 1995; Borowski & O’Connor, 1997), there is evidence to suggest that the sub-group have different patterns of offending than other young offenders without a history of child abuse. That is, they have an increased likelihood of engaging in offending behaviour as well as elevated levels of offending.

Anecdotal evidence elicited from ACT Youth Justice Services suggests the sub-group along with the general population of young offenders consistently have difficulties in the following areas:

- inconsideration of others, including lack of empathy and victim awareness;
- poor communication and social skills, leading to aggression and being easily influenced by their peers;
- unpredictable, risk-taking and destructive behaviour (eg self-harm, property damage);
- learning difficulties;
- lack of responsibility for their behaviour;
- poor coping and problem-solving skills;
- low self-esteem and self-confidence;
- drug and alcohol abuse; and
- lack of purpose, planning for the future and decision-making skills.

Even after taking into consideration that some of these problem areas are associated with adolescence in general, it could be said that the sub-group has multiple psychological and social problems.

Intervention

The primary goal of intervention with the sub-group (subject to community-based orders) is to reduce the likelihood of their re-offending and improve their chances of becoming responsible citizens in the community.
A. Components of the Rehabilitative Process

Key components of the rehabilitative process include:

- determining causal factors and addressing them;
- involving the young person, where possible, in the assessment of their needs, the planning and setting of their goals, and reviewing their progress;
- helping the young person to accept responsibility for their behaviour, including an understanding of the impact their offending has had on their victim(s);
- raising the young person’s awareness of how their past and current environment impacts upon their present behaviour and skills;
- involving the young person’s family to reduce re-offending;
- coordinating the help a young person needs to resolve problems identified as contributing to their offending ie their experiences of child abuse, etc;
- where care issues are present, involve the statutory authority;
- assisting the young person to develop practical ways of coping with stress situations;
- obtaining assistance for the young person to improve their numeracy and literacy skills and/or vocational skills;
- assisting the young person to establish and strengthen relationships with significant others who can be mentors and role models; and
- linking the young person with long-term mainstream or specialist programs as appropriate (Buttrum, 1998; McGrath, 1996).

Where the young person re-offends or is non-compliant with their Court Order their rehabilitation plan is revisited, unlike many community agencies who would terminate their contact.

B. Challenges in Working with this Sub-Group in the ACT

Case workers at ACT Youth Justice Services are mindful of the dilemmas associated with working with the sub-group. Some of these challenges are:

1. there is an inherent difficulty with determining whether it is the care issues that have led to the young person offending or vice versa. As a result, it is difficult to determine what balance should be given to the young person’s offending and to their experiences of abuse, within the ACT Youth Justice framework of community protection, consequences for offending, and rehabilitation

2. the clients of ACT Youth Justice Services are involuntary. As a result, self-determination becomes secondary to the directions of a Court Order. The Court Order drives the intervention and often imposes restrictions on the young person’s freedom and decision-making. The danger of this approach is that it may hinder the young person taking responsibility for their behaviour and create tensions in the client-worker relationship.

3. legal intervention represents social stigma that may exacerbate low self-esteem. This is of particular concern when many young offenders already have low self-esteem and confidence when they come into contact with the criminal justice system. This, in turn, may lead to poor coping skills, the maintenance of offending, and community rejection.
4. **knowing whether there are different types of interventions and outcomes that are best suited to the sub-group.** This is because, as stated earlier, the question of whether or not specific kinds of abuse are associated with specific kinds of offending remains unanswered.

5. **gaining access to appropriate community-based intervention.** Understandably, as community agencies have limited resources and are outcomes driven, they are swayed to accepting clients who are motivated to change and want assistance and fit their criteria for success. Therefore, the sub-group - who present with multiple problems and a history of disruptive behaviour - are excluded from community agency assistance ie schools and accommodation facilities.

6. **experiences of child abuse are often not identified and addressed early** at the time the abuse occurs, the young person’s maladaptive behaviours are likely to be entrenched at the time they come into contact with the ACT Youth Justice system. As a consequence, case management of the sub-group becomes complex and their offending more difficult to successfully address.

C. **Frequently Used Strategies**

Case workers with ACT Youth Justice Services draw on numerous strategies to address these key components of the rehabilitative process. Some of the more frequently used strategies are:

1. Develop a case plan. The case plan is developed in consultation with the young person, their family, and any other professional person or community agency involved with the young person at the time they first come into contact with ACT Youth Justice Services. The case plan not only reflects the Court Order and the Service’s philosophy but also other strategies (as discussed below), who is responsible for what task/action, and the time frame for their completion.

2. Regular supervision. Case workers direct the young person to attend regular supervision sessions to discuss compliance and progress with their rehabilitation, applying a strengths-based approach. This particular approach focuses on identifying strengths of the young person and their environment, thus increasing their opportunity for personal and interpersonal growth. This approach is also central to developing a cooperative relationship with the young person and views their motivation as developing from a focus on strengths.

3. Raising the awareness of the young person’s behaviour to take responsibility for their offending. At supervision, the background to their offending is identified, the effects of their offending discussed and remorse for their offending stressed.

4. Work cooperatively with ACT Family Services to ensure the care and protection of the young person. The benefits of this are that care and criminal issues are dealt with separately but through an integrated approach.

5. Work cooperatively with other agencies and/or specialists to ensure the young person receives appropriate assessment and intervention to build on specific skills for which these agencies have expertise.

6. Include the young offender’s family in the young person’s rehabilitation. This involves: seeking their input into the young person’s case plan; building positive relationships between them; providing the parent(s) with strategies to ensure the young person’s rehabilitation continues within the family home; linking parent(s) with other community agencies; and eliciting information about the young person’s progress and overall compliance with their Court Order.
7. An educational program. ACT Youth Justice Services offers an educational program in a group setting, drawing on both instructional and interactive techniques. This program includes specific modules on: Victim Awareness; Legal Rights and Responsibilities; Basic Coping Skills comprising Communication, Problem-Solving, Stress Management and Self-esteem; Drug and Alcohol Awareness; and Driver Awareness.

8. Community Service Work (unpaid work in the community under supervision). The benefits of Community Service Work are that it fosters the acceptance of responsibility, provides means for reparation to the community as well as an opportunity to develop work-related skills, simulating good “employer-employee” relations.

9. Use specialised community-based youth services to provide assistance with accommodation, education, social skills development, job training, counselling and mental health.

10. Purchase services. If other government and community-based services are unable to meet the needs of a young person, ACT Youth Justice Services then purchase these services. For instance, the services of a clinical psychologist, placements at residential programs for young homeless/offenders and drug and alcohol rehabilitation services.

11. Termination and future support. When the young person meets all the requirements of their Court Order and fulfills the goals in their case plan, contact with ACT Youth Justice Services is terminated. By the final supervision session, this Service ensures the young person has ongoing and long-term supports in place, where needed. This often includes linking the young person with a mentor or youth worker to provide continuity to the co-ordination of the young person’s needs.

12. Where the young person re-offends or is non-compliant with their Court Order:
   • the risk factors leading to the relapse are identified;
   • potential risks are minimised;
   • their progress is reinforced;
   • case management strategies are reviewed and modified; and
   • the suggested Court outcome reflects a balance between community protection, consequences for offending, and rehabilitation (McGrath, 1996).

Conclusion

Much of the genesis of youth offending lies in the family home. As such, experiences of child abuse is a powerful predictor of youth offending. Therefore, one distinct sub-group within the total population of young offenders are those who have such a history. This paper addressed the conference theme by looking at the sub-group as both victims and offenders and offered an integrated case management approach for working effectively with this group.

To a greater or lesser extent, the intervention outlined above are to varying degrees applied across the board for all young offenders. However, those with a history of early childhood difficulties, with many identified abuse factors, are the most difficult and complex clients. As Yoshikawa (1995) suggests though, preventive early childhood programs are what is needed to reduce multiple risk factors associated with youth offending.
References


*Children’s Services Act 1986*, Australia Capital Territory.


