



Risks and Needs of Juvenile Offenders with an Intellectual Disability: Indigenous and Non-Indigenous issues

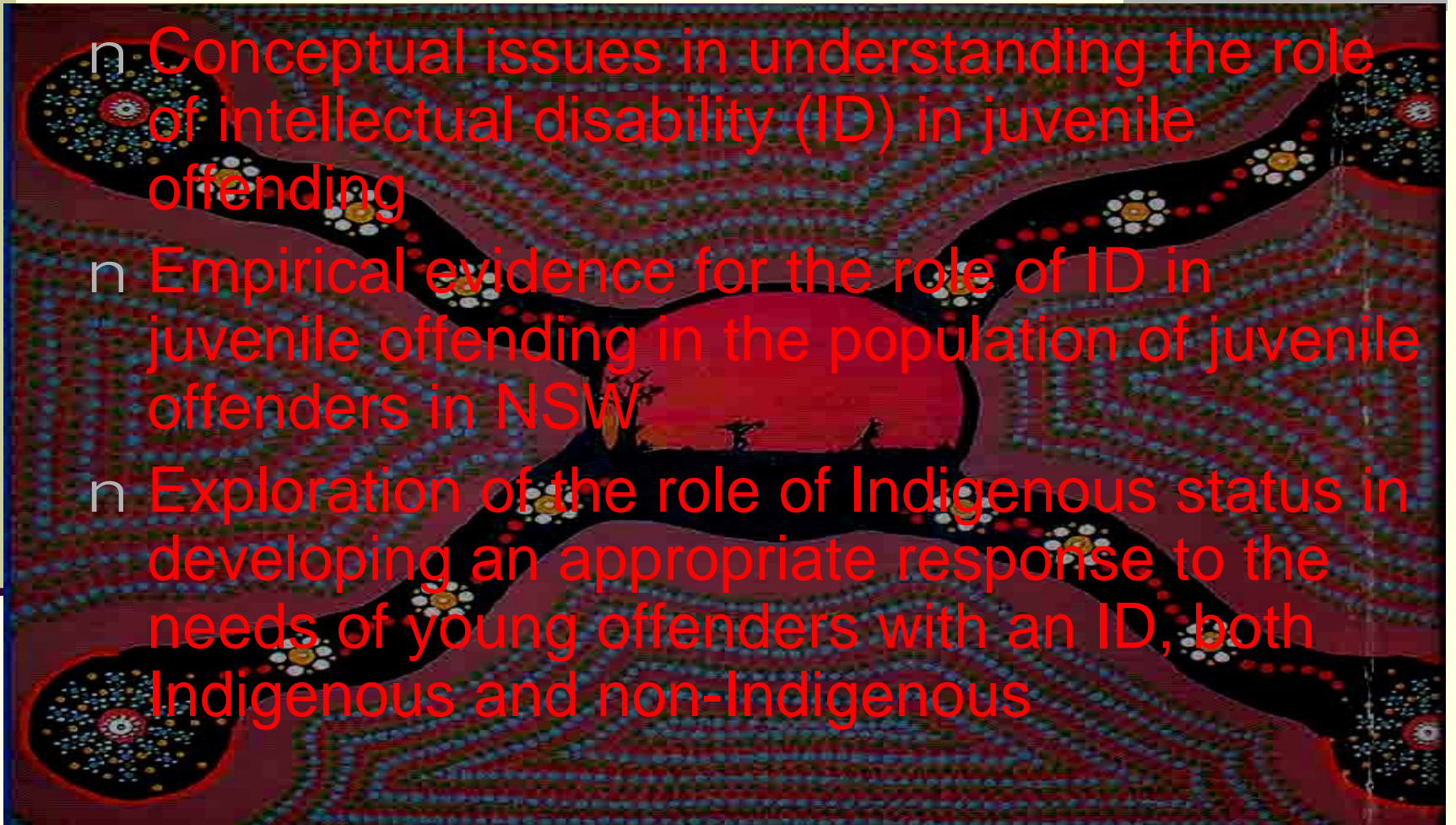


Professor Dianna Kenny, University of Sydney, Australia
Matt Frize, Statewide Behaviour Intervention Service, DADHC, Australia
Dr Chris Lennings, University of Sydney, Australia



This presentation

- n Conceptual issues in understanding the role of intellectual disability (ID) in juvenile offending
- n Empirical evidence for the role of ID in juvenile offending in the population of juvenile offenders in NSW
- n Exploration of the role of Indigenous status in developing an appropriate response to the needs of young offenders with an ID, both Indigenous and non-Indigenous



Prevalence

- n **Is intellectual disability (ID) causal in offending?**
- n Previous studies have highlighted many methodological issues:
 - n **Different measures used to define and code offending behaviour and ID** (Keith & McCray, 2002; Kenny & Press, 2006; Kvarfordt, Purcell, & Shannon, 2005; McBrien, 2003)
 - n **Heterogeneity of offender and offending categories** (Lindsay & Taylor, 2005)
 - n **Prevalence of ID at different points in the criminal justice system (e.g. arrest, court, prison)** (Hayes, 2004; Holland, Clare, & Mukhopadhyay, 2002)
 - n **Different sentencing options in different jurisdictions** (McBrien, Hodgetts, & Gregory, 2003)

Prevalence

- n **Simpson & Hogg (2001)** “...there is no convincing evidence that the prevalence of offending among people with an intellectual disability is higher than for the wider population” (p. 394)
- n **Lindsay & Taylor (2005)** “[i]t is not clear ... whether people with developmental disability commit more or less crime than those without developmental disability, or whether the type and frequency of crimes committed by offenders with developmental disability differ from those committed by the general populations of offenders” (p. 201).

Prevalence

NSW

- n **Hayes (1997)**
 - n **9%** of those in the juvenile justice system had an ID

- n **Allerton, Kenny, Champion, and Butler (2003):**
 - n **17%** of juvenile offenders had an IQ below 70 in juvenile correctional centres in NSW
 - n **13%** if WIAT-II included as the measure of adaptive functioning

- n **Chitsabesan, MacDonald, & Kenning (2008)**
 - n **20%** of juvenile offenders in the UK had an IQ below 70 when assessed using the Wechsler Abbreviated Scale of Intelligence (WASI)



Variable	Zr	n	k	n _x
Age at first commitment	-.346**	720	3	2,273
Age at first contact with the law	-.341**	1,225	8	3,298
Nonsevere pathology	.305**	953	7	2,244
Family problems	.277**	1,054	5	2,165
Conduct problems	.255**	1,667	7	6,949
Effective use of leisure time	-.233**	588	2	1,343
Delinquent peers	.204**	1,525	7	2,842
Length of first incarceration	.187**	641	3	1,022
Number of out-of-home placements	.184**	424	2	617
Number of prior commitments	.174**	585	3	699
Type of crime	.159**	10,267	7	81,345
Standardized achievement score	-.153**	506	3	599
Substance abuse	.149**	1,111	6	1,273
Full scale IQ score	-.142**	1,756	5	5,014
History of special education	.130*	432	2	473
Risk assessment instruments	.118**	10,353	6	60,117
History of abuse	.112**	9,949	5	59,436
Gender (male)	.111**	9,671	3	58,698
Verbal IQ score	-.111*	716	4	522
Single parent	.070**	10,501	5	37,930
Severe pathology	.069	346	2	ns
Race (minority)	.067**	10,121	6	30,018
Socioeconomic status	.065**	10,363	3	36,703
Number of prior arrests	.058**	10,155	7	26,145
School attendance	-.048	299	2	ns
Parent pathology	.047	529	3	ns
Performance IQ score	-.031	491	2	ns
School report of achievement	-.028	10,025	6	ns
History of treatment	.019	9,366	2	ns
Substance use	.014	9,366	2	ns

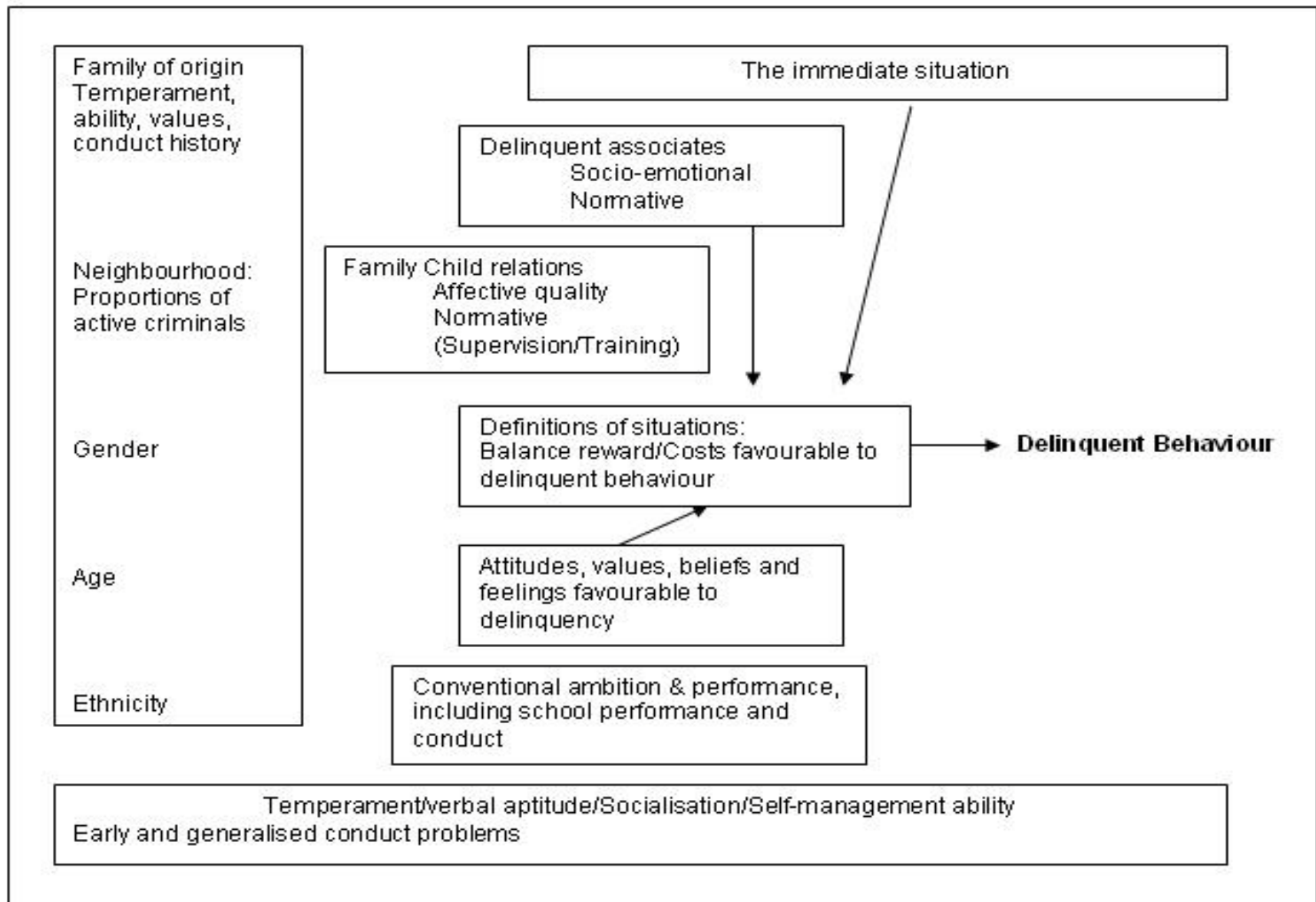
Predictors of Recidivism in Juveniles by Predictive Strength

(Cottle et al., 2001, p. 385)

NOTE: Zr = weighted mean effect size, k = number of unique samples, n_x = the number of participants with null results needed to make finding nonsignificant.

*p < .01. **p < .001.

Psychology of Criminal Conduct



Risks Needs Responsivity (RNR) Principles

n Risk

- n Intensity of treatment matched to the level of risk assigned to the person

n Needs

- n Programs directed towards changeable factors (dynamic variables or criminogenic needs)
- n Factors addressed are those that most influence risk of offending (proximal to the offence)

n Responsivity

- n the treatment modes addressed by criminogenic needs services matched to the learning styles and abilities of the offender

RNR Based Tools

- n Level of Supervision Inventory (LSI: Andrews, 1982)
- n Level of Service Inventory-Revised (LSI-R: Andrews & Bonta, 2001)
- n Level of Service / Case Management Inventory (LS/CMI: Andrews, Bonta, & Wormith, 2004)
- n the Youth Level of Service / Case Management Inventory (YLS/CMI: Hoge & Andrews, 2002)
- n **Youth Level of Service / Case management Inventory: Australian Adaptation** (YLS/CMI:AA: Hoge & Andrews, 1995)

Method

- n Data from the *NSW Young People on Community Order Health Survey 2003-2005*
- n N = 800 (42% of population)
- n 85% male
- n Mean age = 16 years 6 months (range: 12 to 21 years)
- n **20% Indigenous (n=160)**
- n IQ score for 97.6% of participants
- n At least 1 YLS/CMI: AA was obtained for 94% of participants

Method

- n Measures:

- n IQ (WASI)

- n Criminogenic risk / need (YLS / CMI: AA)

- n Criminal justice involvement

- n ID defined as $IQ < 70$

- n 'Adaptive' - AAMR definition (social deficit), which included criminal offending

Youth Level of Service / Case Management Inventory: Australian Adaptation (YLS/CMI: AA)

Risk

Prior and current offences (8 items)

Education / Employment (7 items)

Family and living circumstances (7 items)

Peer relations (4 items)

Substance abuse (6 items)

Leisure / Recreation (3 items)

Personality / Behaviour (7 items)

Attitudes / Beliefs (5 items)

Strength

Individual level (1 item)

Family Level (1 item)

Social Level (1 item)

n 47 items

n Based on the YLS/CMI

n Thompson & Pope
(2003; 2005) found
acceptable validity /
reliability (total scale
Cronbach alpha = .91,
n=290)

Prior and Current Offences (scoring protocol)

- n 1.1 **Age at first court order:**
 - 14 years or less (2)
 - 15 to 16 years (1)
 - 17 years or older (0)
- n 1.2 **Outcome of first court order:**
 - n Control order or supervised order
- n 1.3 **Type of offence involved in first court order:**
 - n Common assault, break and enter, or motor vehicle theft
- n 1.4 **More than one court order in last 12 months**
- n 1.5 **Three or more prior offences**
- n 1.6 **Two or more failures to comply**
 - n (eg with bail conditions, court attendance, good behaviour bond, community service or supervision order and escape)
- n 1.7 **Prior committal**
 - n Has the young person ever served a control order for an offence? Do not consider remand as committal, even if long term.
- n 1.8 **Three or more current offences related to the current court order?**

Results

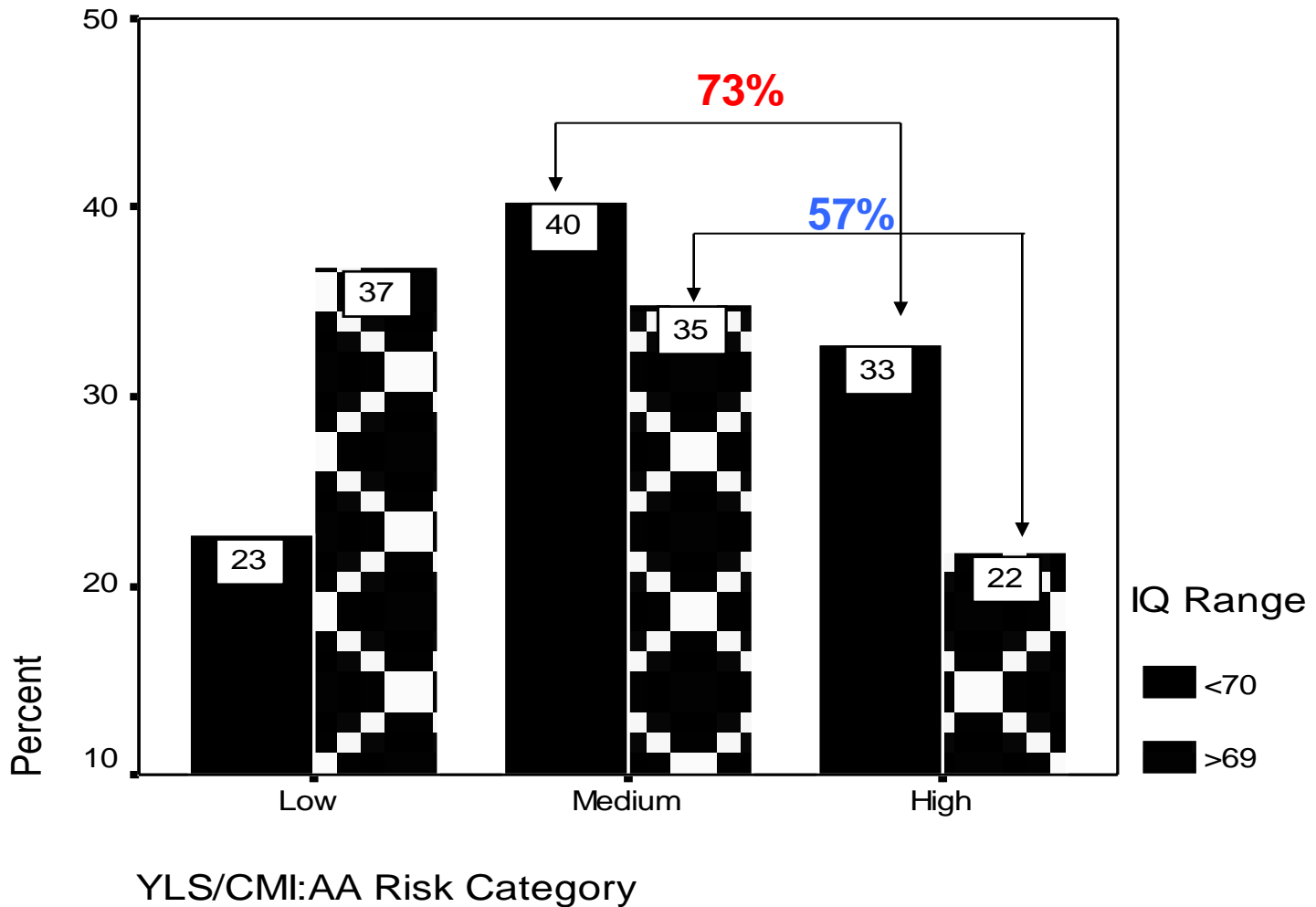
n Sample Characteristics

- n 15.2% had a Full Scale IQ score < 70 ($M = 83.24$, $SD = 13.23$)
- n On average, participants had a Performance IQ 11.84 points higher than their Verbal IQ ($SD = 12.82$).
- n No significant difference in proportion of males vs females with an ID [$\chi^2(1, N = 781) = .254$, $p = .61$].

Level of Risk on YLS/CMI:AA

Offence Type		YLS/CMI: AA Risk Category							
		IQ < 70 (n = 102)				IQ > 69 (n = 526)			
		Low	Medium	High	TOTAL	Low	Medium	High	TOTAL
Robbery	% (n)	26.7 (4)	40.0 (6)	33.3 (5)	(15)	51.6 (64)	27.4 (34)	21.0 (26)	(124)
Break and Enter	% (n)	0 (0)	53.8 (7)	46.2 (6)	(13)	41.7 (20)	43.8 (21)	14.6 (7)	(48)
Other assault	% (n)	24.3 (9)	40.5 (15)	35.1 (13)	(37)	25.9 (38)	36.7 (54)	37.4 (55)	(147)
Car & other theft	% (n)	20.0 (3)	53.3 (8)	26.7 (4)	(15)	38.9 (21)	40.7 (22)	20.4 (11)	(54)
Aggravated assault	% (n)	14.3 (1)	71.4 (5)	14.3 (1)	(7)	50.6 (44)	28.7 (25)	20.7 (18)	(87)
AVO	% (n)	0 (0)	20.0 (1)	80.0 (4)	(5)	30.3 (10)	42.4 (14)	27.3 (9)	(33)
Other	% (n)	40.0 (4)	40.0 (4)	20.0 (2)	(10)	48.5 (16)	39.4 (13)	12.1 (4)	(33)
TOTAL	% (n)	20.6 (21)	45.1 (46)	34.3 (35)	(102)	40.5 (213)	34.8 (183)	24.7 (130)	(526)

Level of Risk on YLS/CMI:AA for ID vs. non-ID



Criminogenic Needs

YLS/CMI: AA Domain	Total	IQ<70	IQ>69	Mann-Whitney <i>U</i>
	<i>Mdn</i> (Range)	<i>Mdn</i> (Range)	<i>Mdn</i> (Range)	
Prior and current offences	3 (0-9)	4 (0-9)	3 (0-9)	30196**
Family & living circumstances	2 (0-7)	2 (0-6)	2 (0-7)	31767.5
Education/employment	2 (0-7)	3 (0-7)	2 (0-7)	27787.5**
Peer relations	2 (0-4)	2 (0-4)	2 (0-4)	28002.5**
Substance abuse	2 (0-6)	2 (0-6)	2 (0-6)	35217.5
Leisure and recreation	1 (0-3)	2 (0-3)	1 (0-3)	28905.5**
Personality/behaviour	1 (0-7)	1 (0-7)	1 (0-7)	31408
Attitudes and orientation	0 (0-5)	1 (0-5)	0 (0-5)	31261.5*

Results: Summary

n Criminal Justice Involvement

Those with ID were more likely to have:

- ü a larger number of attendances at court
- ü more recorded offences
- ü a greater frequency of bonds / probation
- ü committed more property offences (Break and Enter)
- ü greater numbers of AVOs issued

Implications - Risk

- n ID is a risk factor for reoffending
- n Higher rates of ID in higher risk services
- n Offence type requires further analysis (but no greater expression of sexual or physical violence in ID young offenders)
- n Clear need for screening for ID when entering criminal justice system

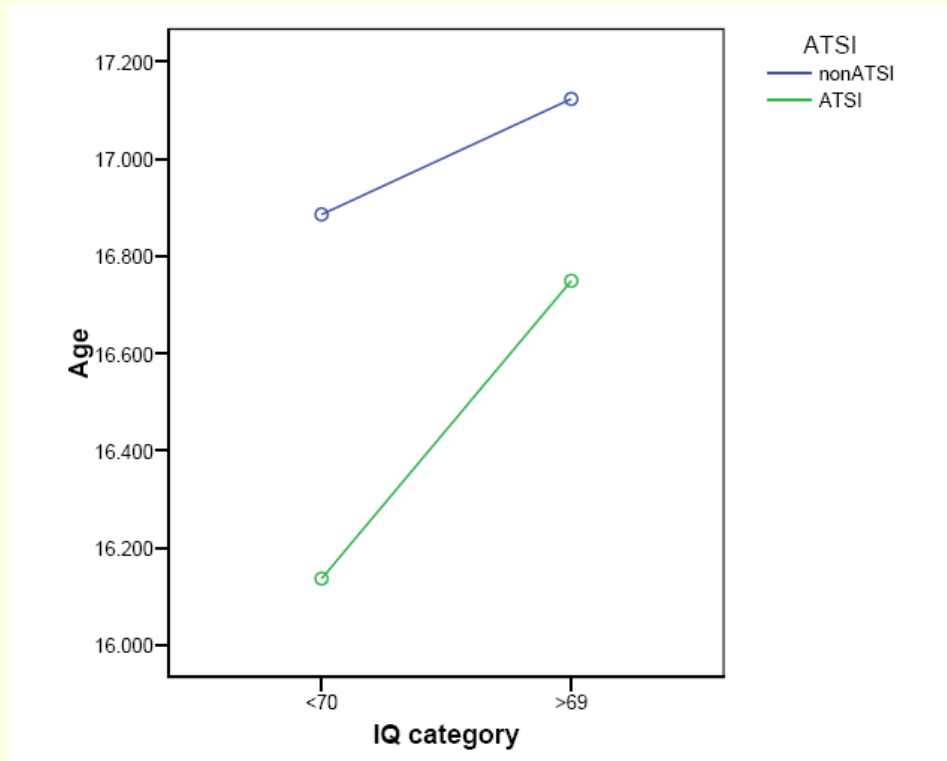
Implications - Needs

- n ID have higher needs than non-ID offenders
- n ID have significant social needs
- n Juvenile offenders with an ID have clear anti-social attitudes

Implications - Responsivity

- n ID offenders are younger
- n High risk offenders had a higher risk of being ID
- n **Indigenous status** - does the general ID profile change if the young offender is Indigenous?

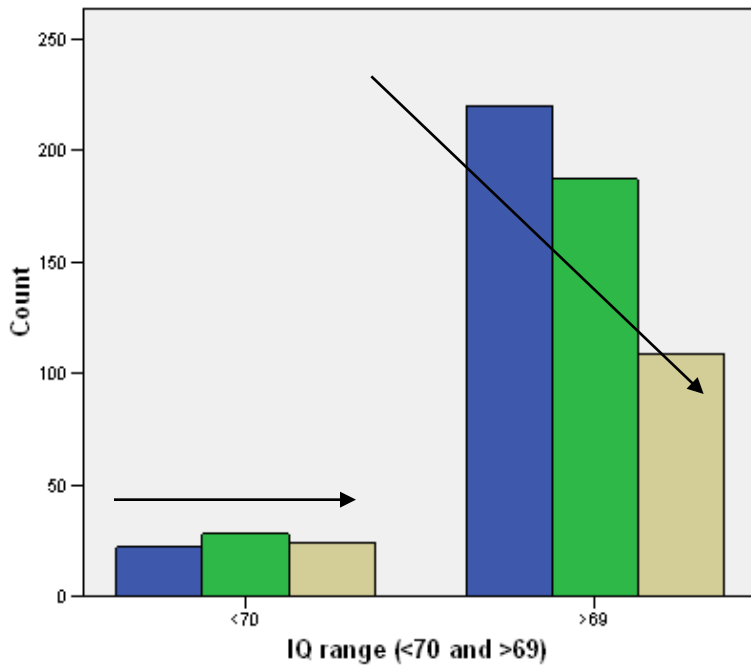
Indigenous issues



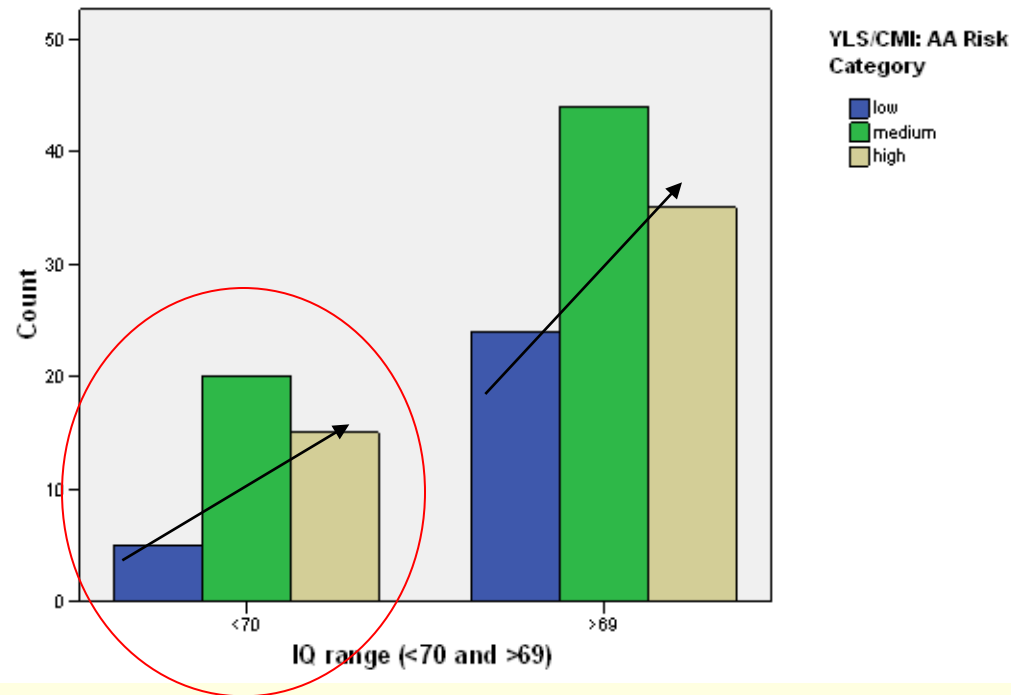
§ Indigenous offenders were younger than non-Indigenous offenders

§ ID Indigenous offenders were younger than ID non-Indigenous offenders

Criminogenic needs



Risk category classification by IQ for non-Indigenous young offenders



Risk category classification by IQ for Indigenous young offenders

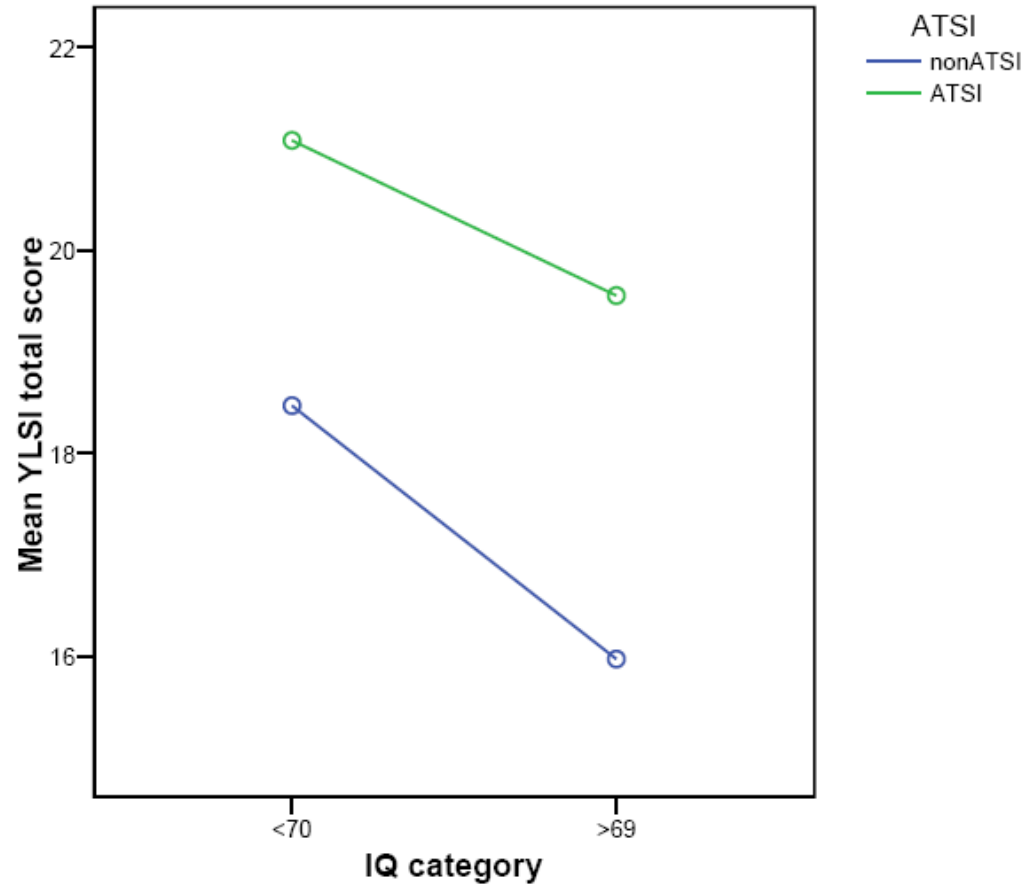
Criminogenic needs



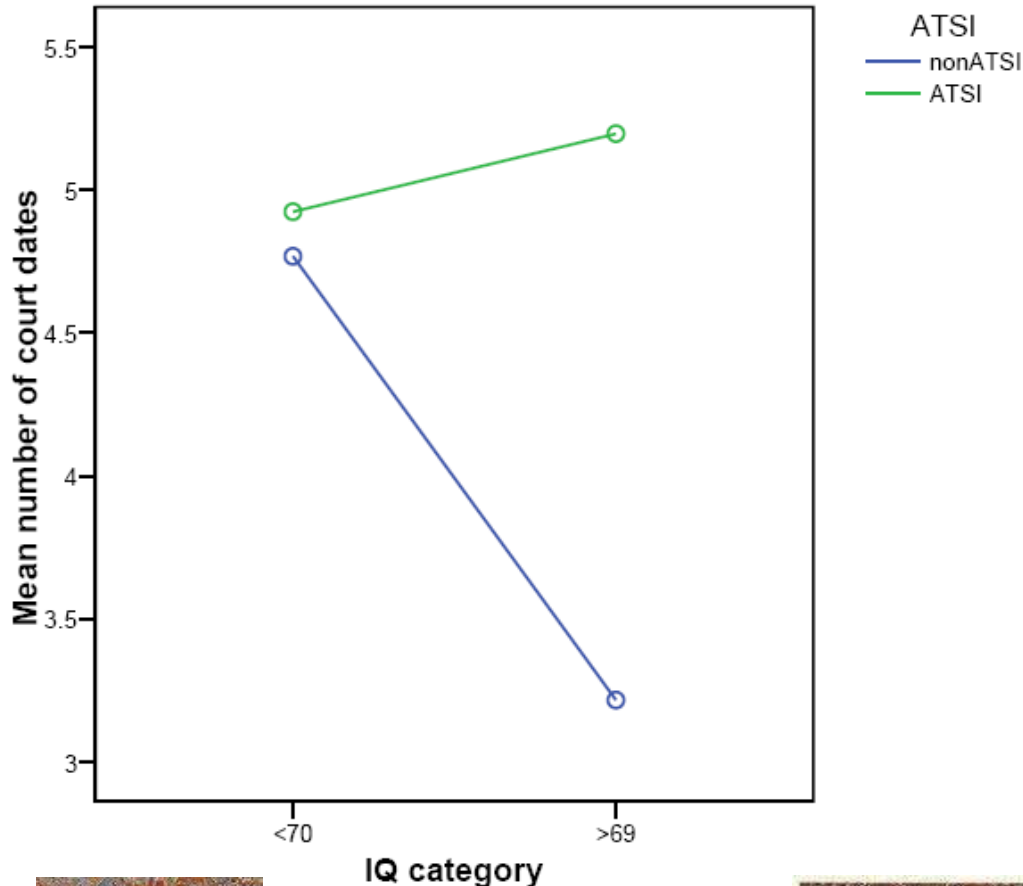
§ Indigenous YO had significantly higher YLS/CMI:AA total scores than non-Ind ($p < .01$)

§ ID YO had significantly higher YLS / CMI: AA total scores than those without an ID ($p \leq .05$)

§ Interaction between Indigenous and ID status was not significant ($p > .05$)



Court data, Indigenous status and IQ



§Indigenous YO had significantly more attendances at court than non-Ind YO ($p < .01$)

§All ID YO had similar court attendances. No significant differences b/w ID status for court attendances ($p > .05$)

§For the non ID group, Indigenous young people had more court attendances than the non-Indigenous group ($p < .01$)



Indigenous issues – Risk principle

Indigenous status may play a significant role in the relationship between ID and offending in juvenile offenders serving community orders in NSW

Indigenous status is associated with increased risk of recidivism, and with higher frequency of court attendances



Indigenous issues – Responsivity principle

- n Prevention programs need to be responsive to the learning styles and motivation of both Indigenous and intellectually disabled juvenile offenders, as well as intellectually disabled Indigenous offenders
- n Given the young age of offenders, services will need to consider how to interact with the family / carers of these young offenders



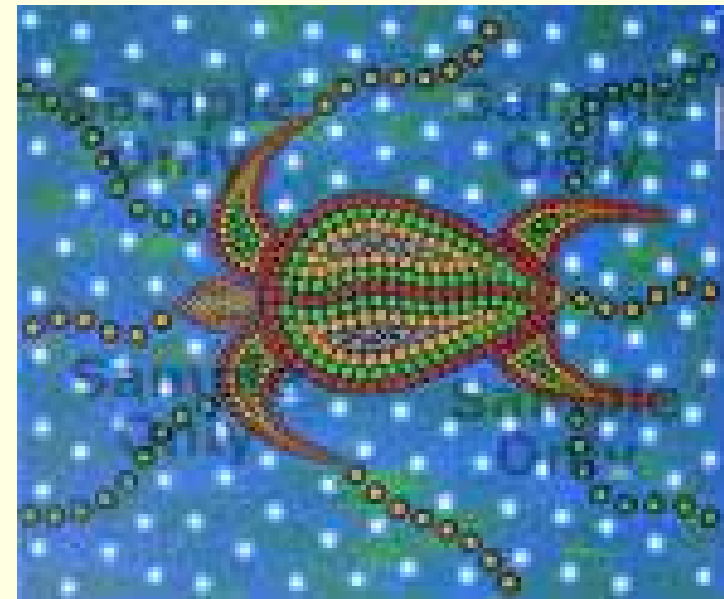
Indigenous issues – Needs principle

Bonta and Andrews (2003):

Intervention directed towards criminogenic needs proximal to offending using a cognitive – behavioural model,

BUT

significant long-standing social and economic difficulties that exist for Indigenous people in Australia suggest that systemic intervention by government and non-government agencies should occur beyond cognitive-based treatments at the individual level



FIN



Thank You



Aboriginal art images from: http://images.google.com/images?q=aboriginal+art&rls=com.microsoft:en-us:IE-SearchBox&oe=UTF-8&sourceid=ie7&rlz=117RNTN_en&um=1&ie=UTF-8&ei=gPOZSvafLqfk6gOKnNW4BA&sa=X&oi=image_result_group&ct=title&resnum=1
(with thanks)