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## Title Registration for a Systematic Review:

# Police Initiated Diversion for Youth to Prevent Future Delinquent Behavior: A Systematic Review

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## TITLE OF THE REVIEW

Police Initiated Diversion for Youth to Prevent Future Delinquent Behavior: A Systematic Review

## BACKGROUND

Police diversion schemes are police-specific practices that represent an alternative form of juvenile justice system processing of a youthful offender. Police diversion can involve different formats and can either be informal or formal (Lewis and O'Regan, 1992). There are four models of police diversion known to be in use. These include traditional cautioning, caution plus, restorative cautioning, and final warning and reprimands. A traditional police cautioning scheme involves a police officer giving an offending youth who has admitted guilt a formal reprimand (Waters, 2007, p. 647). Typically, victims are not involved nor do police officers receive any specific training for this practice. The police officer is using her discretion and is providing an explanation of the legal and social consequences of continued delinquent behaviour to the youth and likely his or her family. Police initiated diversion “is intended to deal quickly and simply with less serious offenders, to avoid the need for appearing in court and to reduce the chances of re-offending” (Audit Commission, 1996, p. 22).

More sophisticated schemes such as police restorative cautioning or restorative conferences involve victims, if feasible and final warnings and reprimands usually involve an appraisal for a behavioral modification program to address offending behavior. Variants of traditional cautioning, such as caution plus and restorative cautioning or restorative conferences, involve other interventions components (Audit Commission, 1996). In the case of restorative cautioning/conferencing, a “script” of certain questions is used and is read by the officer to all parties present to structure the discussion between an offender and those affected (Wilcox et al., 2004, p. 3). The final warning and reprimand scheme involves an assessment-based approach to evaluate the seriousness of the offense. Depending on the gravity of the offense, either a formal verbal reprimand or final warning is issued. Furthermore, referral to a multiagency team for further assessment and placement in a behavioural treatment program may also be given (Holdaway, 2003, p. 352). As a whole, police diversion schemes typically involve first-time youth offenders involved in minor offenses. These schemes are typically activated when a youth admits to an offense and accepts police diversion as an alternative to formal juvenile justice processing.

Cautioning practices date back as early as 1833 in the U.K. (Kemp and Gelsthorpe, 2003, p. 29) and have since proliferated in multiple countries, starting in the 1960s with legislation seeking to steer youth from formal processing or court appearances, which were thought to do more harm than good by stigmatizing youth. The traditional caution was first recognized in law under the Children and Young Persons Act of 1969 in the U.K. It was not until the

enactment of the *1998 Crime and Disorder Act* that traditional cautioning was replaced with the final warning and reprimand scheme (Farrington and Bennett, 1981).

The change reflected several concerns with the traditional cautioning approach. There was evidence of a net widening effect of cautioning in inadvertently pulling more youth into the justice system (see Farrington and Bennett, 1981), with the cautioning leading to formal processing rather than actual diversion. Despite U.K. Home Office guidance to the contrary, there was a pattern of repeat cautioning, raising concerns of an abuse of the system (Waters, 2007). Another concern was the extensive variation and inconsistencies in the use of police cautioning between police force areas (Bateman, 2002; Evans and Wilkinson, 1990), creating the potential for racial and ethnic inequalities. And finally there was limited evidence on its effectiveness in reducing delinquency (Nuttall et al., 1998 as cited in Waters, 2007, p. 647).

Police restorative cautioning and police restorative conferences expanded in North America, the U.K., and Australia in the 1990s, although it has been implemented more broadly in Australia (Allard et al., 2010; Doak and O'Mahony, 2010; Chatterjee and Elliott, 2003). These newer police diversion schemes also are not without criticism. For example, critics have expressed concerns about the limited data available to examine the suitability of final warning and reprimands as an alternative to traditional cautioning (Bateman, 2002), others cite the potential for net-widening effects of these schemes (Doak and O'Mahony, 2010), as well as the potential for racial-ethnic disparities in the application of restorative cautioning or conferences (Allard et al., 2010; Cunneen, 1994). The current proposal cannot address all of these concerns but does aim to inform the discussion on the effectiveness in reducing future delinquent behavior. Furthermore, we will explore other outcomes to the extent that these are reported in the literature, such as procedural justice.

Finally, cautioning allows for an examination of a youth's behavior rather than just the criminal offense itself (Lewis and O'Regan, 1992, p. 247). As the gate keepers to the juvenile justice system, police officers are the first logical criminal justice actors in which to start the process of harm reduction and the reintegrative examination of delinquent behavior. Police officers play a critical first step in determining who enters the justice system (Carrington and Moyer, 1994), so decision-making tools such as cautioning schemes and their variants, can be helpful in minimizing potential stigmatization and further criminalization of youth, and ultimately engage youth to normalize their behavior.

## **OBJECTIVES**

The objective of this review is to synthesize the evidence on the effectiveness of pre-court interventions involving police warning, reprimand, and cautioning schemes in reducing delinquent behavior. Our specific research questions are:

1. Are police-initiated diversions effective in reducing future delinquent behaviour (i.e., additional cautioning, arrest, court appearances, or findings of guilt)?

2. Is effectiveness related to the police-initiated diversion used (i.e., traditional cautioning, caution plus, police restorative cautioning, final warning or reprimand)?
3. Is effectiveness related to characteristics of the youth (i.e., age, gender, race/ethnicity, crime committed, and offense history)?
4. Are the cautioning and warning schemes effective in improving secondary outcomes, such as perceptions of law enforcement and perceived fairness and satisfaction?

## **EXISTING REVIEWS**

Our search of the scholarly literature has not identified any existing systematic reviews or meta-analyses on this topic of pre-court interventions involving police. However, a meta-analysis on youth diversion programs by Wilson and Hoge (2013) identified 45 evaluation studies of 73 programs, of which 13 programs focused on pre-court interventions involving police officers. Wilson and Hoge's (2013) study, however, did not exclusively focus on pre-court interventions involving police, nor did it examine the different type of cautioning schemes (e.g., restorative cautioning or conference; caution plus) or the emergence of final warnings and reprimands. We believe that our proposed review will extend our current understanding of these programs by including more studies and examining a broader set of outcomes. We anticipate that 15 to 20 studies will be identified that will meet our eligibility criteria. A scoping review identified a handful of studies evaluating police-involved diversionary practices, ranging from evaluations on cautions, warnings and reprimands, and restorative cautioning. The latter intervention, restorative cautioning, was also found to be embedded in evaluations of restorative justice programs in general. Furthermore, one study by Wilcox et al. (2004), was a quasi-experimental study comparing restorative cautions with traditional cautioning. Such studies comparing different forms of diversion will be included in this review and provide useful information on the relative effectiveness of various practices. Given the diversity of pre-court interventions involving police and the evolution of them, especially in the case of cautioning schemes, we believe that this systematic review and meta-analysis will advance our knowledge of the potential benefits of police-led diversionary practices.

## **INTERVENTION**

A pre-court intervention involving police, whether a caution, restorative caution, or final warning or reprimand, are alternatives to formal juvenile justice system processing of a youthful offender, usually a person under 18 years of age. These diversionary schemes represent a form of diversion whereby a youthful offender avoids a criminal record and any negative consequences that may result from formal contact with the criminal justice system. The essential feature of a traditional police cautioning scheme involves a police officer, the youth in question, and the parents, at a minimum. Victims are not involved nor do police officers receive any training, but solely provide an explanation about the legal and social consequences of continued delinquent behaviour. However, variants of this scheme, caution

plus and restorative cautioning, involve other interventions and services (Audit Commission, 1996) or involvement of a script of certain questions to structure discussion between an offender and the affected parties and the presence of the victim, in the case of restorative cautioning/conferencing (Wilcox et al., 2004). As for the final warning and reprimand scheme, this involves an assessment-based approach to evaluate the seriousness of the offense and, depending on the gravity of the offense, a reprimand or final warning with referral to a multiagency team for further assessment and placement in a behavioural treatment program (Holdaway, 2003, p. 352). Any diversionary program that involves police in the determination of the diversion of youthful offender will be considered eligible for this review. The comparison condition may be routine juvenile justice processing or an alternative form of diversion (i.e., the comparison of different diversionary practices).

## **POPULATION**

The population of interest are youth suspected of involvement in a crime or delinquent behavior. Eligible studies must have included participants who were youth between 12 and 17 years of age, inclusively. Participant samples that included a small proportion (i.e., less than 20%) of youth over 17 but less than 22 are also eligible. Participants must also have been apprehended, arrested, or otherwise referred to the juvenile justice system, and either diverted to a police-involved intervention, or in the case of a comparison condition, treated in some other fashion.

## **OUTCOMES**

The primary outcome of interest is delinquency. Eligible studies must report at least one delinquency-related outcome. This may include official measures of delinquency, such as an arrest, or other measures of delinquent-type behaviours, such as self-report, parent-report, or school records of wrongdoing. Secondary outcomes of interest include self-report measures related to improved relations, such as satisfaction with police or the cautioning process.

## **STUDY DESIGNS**

Both experimental and quasi-experimental designs will be included. The specific eligibility for each design is detailed below.

**Experimental designs.** Eligible experimental designs must have randomly assigned participants to a diversion or a control condition(s). Designs that used a quasi-random assignment procedure, e.g., assignment based on an alternate case basis, are also eligible.

**Quasi-experimental designs.** Several types of quasi-experimental designs are eligible; however, all quasi-experimental designs must have a comparison group that is similar to the police diversion intervention group with respect to demographic characteristics and prior involvement in delinquent behavior (i.e., be at similar risk for future delinquent behavior).

This similarity can be achieved through matching or statistical controls. Matching may be at the individual level or at the group level. Statistical control methods include regression analysis, analysis-of-covariance, and propensity score modelling, among others. Quasi-experimental designs are not eligible if the comparison group is comprised of participants who refused participation in a police diversion scheme or who dropped out of a police diversion scheme.

## **SYNTHESIS METHODS**

We will adhere to the methods requirements for a Campbell review as detailed in the *Campbell Collaboration Systematic Reviews: Policies and Guidelines* (2015) document as well as the *Methodological Expectations of Campbell Collaboration Intervention Reviews (MEC2IR)* (2014). Both of these documents are available on the Campbell Collaboration website. In short, we will: (1) implement a systematic search designed to identify all published and unpublished works meeting our eligibility criteria, (2) systematically double-code all eligible studies using a detailed coding protocol that captures information regarding the study methods, sample characteristics, diversionary practice features, comparison group features, and contextual characteristics, (3) compute standardized mean difference effect sizes for all outcomes of relevance to our review, (4) use a random-effects meta-analytic model to analyze effects across studies, and (5) use well-established moderator analysis methods to examine the relationship between different diversionary practices and observed effects. Forest plots and other appropriate graphic displays will be generated. Furthermore, we will examine risk-of-bias and publication selection bias. To ensure transparency, an appendix will provide all coded data used in the final report.

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## REVIEW AUTHORS

**Lead review author:** The lead author is the person who develops and co-ordinates the review team, discusses and assigns roles for individual members of the review team, liaises with the editorial base and takes responsibility for the on-going updates of the review.

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## ROLES AND RESPONSIBILITIES

Please give a brief description of content and methodological expertise within the review team. It is recommended to have at least one person on the review team who has content expertise, at least one person who has methodological expertise and at least one person who has statistical expertise. It is also recommended to have one person with information retrieval expertise. Please note that this is the *recommended optimal* review team composition.

- **Content:** David Wilson has extensive background knowledge on juvenile justice programs. Iain Brennan has experience with executing a research grant on a restorative justice program and has recently completed an evaluation of a police-led diversion scheme. Ajima Olaghère, along with David Wilson, are currently working on a meta-analysis focusing on restorative justice programs for youth. See CVs.
- **Systematic review methods:** David Wilson has extensive expertise in systematic review methods. Ajima Olaghère has worked on meta-analyses with David Wilson and previously worked with Catherine Gallagher on systematic reviews. Catherine Kimbrell has completed work on updating meta-analyses with David Wilson. Iain Brennan has led a systematic review of interventions to reduce violence in licensed premises.

- Statistical analysis: David Wilson has developed tools that are in wide use for performing the statistical analyses related to meta-analysis. He also authored a book on these methods with Mark Lipsey.
- Information retrieval: David Wilson, Ian Brennan, Ajima Olaghere, and Catherine Kimbrell all have experience performing systematic searches on various topics and retrieving studies and documents for review.

## FUNDING

We have received funding from the Jacobs Foundation.

## POTENTIAL CONFLICTS OF INTEREST

We have no potential conflicts of interest with respect to this review.

## PRELIMINARY TIMEFRAME

May 16, 2016	Submit title registration form to Campbell
June 1	Submit protocol to Campbell
July 1	Start literature search
July–August	Literature search
July–August	Revise protocol in response to Campbell review
September	Abstract screening studies for eligibility
September	Develop coding database
October–January	Coding, double coding, resolving coding differences
February– March	Analyze data, generate tables and figures
April–May	Draft report
June 1	Submit draft review to Campbell and the Jacobs Foundation
July–August 2017	Revise as needed based on Campbell and Jacobs review

## AUTHOR DECLARATION

### Authors' responsibilities

By completing this form, you accept responsibility for preparing, maintaining, and updating the review in accordance with Campbell Collaboration policy. The Coordinating Group will provide as much support as possible to assist with the preparation of the review.

A draft protocol must be submitted to the Coordinating Group within one year of title acceptance. If drafts are not submitted before the agreed deadlines, or if we are unable to contact you for an extended period, the Coordinating Group has the right to de-register the title or transfer the title to alternative authors. The Coordinating Group also has the right to de-register or transfer the title if it does not meet the standards of the Coordinating Group and/or the Campbell Collaboration.

You accept responsibility for maintaining the review in light of new evidence, comments and criticisms, and other developments, and updating the review every five years, when

substantial new evidence becomes available, or, if requested, transferring responsibility for maintaining the review to others as agreed with the Coordinating Group.

### **Publication in the Campbell Library**

The support of the Coordinating Group in preparing your review is conditional upon your agreement to publish the protocol, finished review, and subsequent updates in the Campbell Library. The Campbell Collaboration places no restrictions on publication of the findings of a Campbell systematic review in a more abbreviated form as a journal article either before or after the publication of the monograph version in *Campbell Systematic Reviews*. Some journals, however, have restrictions that preclude publication of findings that have been, or will be, reported elsewhere and authors considering publication in such a journal should be aware of possible conflict with publication of the monograph version in *Campbell Systematic Reviews*. Publication in a journal after publication or in press status in *Campbell Systematic Reviews* should acknowledge the Campbell version and include a citation to it. Note that systematic reviews published in *Campbell Systematic Reviews* and co-registered with the Cochrane Collaboration may have additional requirements or restrictions for co-publication. Review authors accept responsibility for meeting any co-publication requirements.

**I understand the commitment required to undertake a Campbell review, and agree to publish in the Campbell Library. Signed on behalf of the authors:**

**Form completed by: David B. Wilson**

**Date: 10 May 2016**